



International Right of Way Association Weekly Update

Monday, March 4, 2019

Trump Administration

- Andrew Wheeler, the former Acting Administrator of the Environmental Protection Agency (“EPA”), has been confirmed by the Senate to serve as the Administrator of the Agency. <https://www.usatoday.com/story/news/politics/2019/02/28/trumps-new-epa-chief-andrew-wheeler-who-replaced-scott-pruitt/3014406002/>

Congress

- Both Chambers are in session this week.
- There are three important hearings this week on the topic of the Nation’s infrastructure system:
 - On Wednesday, the House Ways and Means Committee will hold a hearing entitled “Our Nation’s Crumbling Infrastructure and the Need for Immediate Action.” Notably, House Transportation and Infrastructure Committee Chairman Peter DeFazio (D-OR) and Ranking Member Sam Graves (R-MO) will testify. <https://waysandmeans.house.gov/legislation/hearings/our-nation-s-crumbling-infrastructure-and-need-immediate-action>
 - On Wednesday, the Senate Environment and Public Works Committee will hold a hearing entitled “The Economic Benefits of Highway Infrastructure Investment and Accelerated Project Delivery.” <https://www.epw.senate.gov/public/index.cfm/2019/3/the-economic-benefits-of-highway-infrastructure-investment-and-accelerated-project-delivery>
 - On Thursday, the House Transportation and Infrastructure Committee will hold a hearing on modernizing the Nation’s water infrastructure. <https://transportation.house.gov/committee-activity/hearings/the-clean-water-state-revolving-fund-how-federal-infrastructure-investment-can-help-communities-modernize-water-infrastructure-and-address-affordability-challenges>
- House Appropriations Committee Chairwoman Nita Lowey (D-NY) issued a letter to her colleagues in the House last week stating that there is insufficient bipartisan, bicameral support to reinstate the use of earmarks. <https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/Lowey%20FY20%20DC.pdf>

Analysis

- Congress continues its slate of hearings on the Nation's infrastructure needs this week. The most important of which is the first hearing on the topic at the Ways and Means Committee. The Ways and Means Committee has jurisdiction over the U.S. Tax Code and will control the development of any permanent revenue increases for infrastructure. The top Democrat and Republican on the House Transportation and Infrastructure Committee will testify at the hearing and will give their account of the needed revenue that will support the legislation on which they have already begun working.
- One tool that used to help move infrastructure bills through Congress was the use of earmarks, which House Democrats have discussed reinstating for months. However, Appropriations Chairwoman Lowey's letter means that any legislation that moves this year will likely go without any earmarks.