



International Right of Way Association Weekly Update

Monday, October 28, 2019

The White House

- The Administration essentially threw in the towel this week on getting a large infrastructure package enacted in the near future. Larry Kudlow, director of the White House National Economic Council, said that the Administration's focus is on streamlining the environmental review and permitting process and that project sponsors should look elsewhere for project funding. <https://www.timesunion.com/news/article/White-House-says-infrastructure-projects-should-14554288.php>

Congress

- Both Chambers are in session this week.
- While the House continues to advance its impeachment inquiry, Congress is again on the edge of a government-funding cliff. Under the continuing resolution ("CR") enacted prior to the September 30th fiscal year deadline, government funding now expires on November 21st. <https://www.govexec.com/management/2019/10/congress-appears-headed-another-stopgap-spending-bill-avoid-shutdown/160878/>

Analysis

- A CR to fund the government past the November 21st deadline is much more likely than passing each appropriations bill individually, but the bigger question is how impeachment politics play into this government funding battle. While Speaker Pelosi and Leader McConnell are both dealmakers and have a history of looking past political discord to work together on other legislation, the impeachment inquiry is in a category unto itself. And this funding solution is not up to Pelosi and McConnell, alone, as the President will need to sign whatever Congress sends to him. With roughly three weeks to go before funding expires, Congress will need to begin negotiating an extension or some other larger funding package soon to avoid a jam before Thanksgiving.
- Kudlow's comments make explicit what most in the industry have seen as the norm for some time now. While the Administration has made significant strides towards improving the federal environmental review and permitting process, enacting comprehensive infrastructure legislation that achieves the President's \$2 trillion goal seems unrealistic, at best, in the current environment.