



International Right of Way Association Weekly Update

Monday, May 8, 2017

Trump Administration

- Last Monday, in an interview with CBS covering a range of subjects, President Trump announced that the infrastructure plan is “largely completed” and will be unveiled in two to three weeks. (<http://www.cnn.com/2017/05/01/politics/donald-trump-infrastructure-plan/>)

Congress

- While not yet publicly announced, the Senate Environment and Public Works Committee plans to hold a hearing on Wednesday, May 17, to receive testimony from Secretary Chao.

Analysis

- The President’s announcement is noteworthy for three reasons, primarily. First, there has been very little detail discussed publicly about the Administration’s infrastructure proposal, so the progress the President mentioned is a departure from what we understood to be the state of negotiations. To date, there has been little information made available aside from the Administration’s desire to achieve an additional \$1 trillion in infrastructure investment over the next ten years, that this investment will apply to all infrastructure classes and come from multiple public and private sources, and that environmental reforms will be included in the proposal.
- Second, Nossaman experts understand from their contacts in the White House and at the U.S. Department of Transportation that the President’s announcement was unexpected and that the actual significance of the progress may have been stated more strongly than they would have characterized their progress. Nevertheless, they plan to achieve the timeline laid out in the President’s comments.
- Finally, this timeline raises a question as to the Administration’s overall strategy with regards to the infrastructure proposal. As noted in previous updates, Congress has a number of high-profile issues to tackle before it can turn to infrastructure. The Senate has already moved to take up its version of the healthcare bill. While they eliminated the filibuster to allow a vote on Justice Gorsuch, Senate Republicans have told the President they will not eliminate the filibuster for legislation. So, all things moving though the

Senate will likely take significant amounts of time. Also, the President has warned a government shutdown may be possible over disagreements regarding Fiscal Year 2018 appropriations. This is an indication that deliberations regarding spending in the next fiscal year, which begins on October 1, 2017, may be contentious and time consuming. There are other crucial issues, like the Children's Health Insurance Program and the debt limit, that must also be addressed later this summer or in the early fall. Trying to enact an infrastructure plan during all this will clearly be difficult. While unveiling an infrastructure plan this early in the year seems inconsistent with the already crowded schedule, this President has been nothing if not unconventional.