



International Right of Way Association Weekly Update

Monday, June 12, 2017

Trump Administration

- This past week marked the Administration's self-proclaimed "Infrastructure Week." The President kicked off the week with an announcement on Monday unveiling the Administration's plans to reform the air traffic control system. <https://www.forbes.com/sites/andrewbender/2017/06/07/can-trump-privatize-americas-air-traffic-control-system/#66e8c6f19498>. The President then traveled to Ohio on Wednesday to discuss water resources and rural infrastructure. <http://www.bizjournals.com/cincinnati/news/2017/06/05/trump-to-tout-infrastructure-plan-in-cincinnati.html>. Infrastructure Week wrapped up on Friday morning when the President and Secretaries Chao and Zinke made a public appearance at the U.S. Department of Transportation. <http://abcnews.go.com/Politics/wireStory/trump-hell-make-us-infrastructure-envy-world-47939540>.
- Aside from providing additional detail on the air traffic control proposal, the Administration released only limited new information this week. In a blog post on the White House website, the Administration did provide some additional clarity on how the proposed \$200 billion in federal funding would be spent – \$100 billion for "local prioritization of infrastructure needs," \$25 billion for "rural infrastructure," and \$15 billion for "transformative projects." <https://www.whitehouse.gov/blog/2017/06/08/president-trumps-plan-rebuild-americas-infrastructure>.
- A big focus of the President this week was the importance of federal environmental review and permitting reform. In his speech on Friday, President Trump proposed creating an interagency council and a project dashboard to reduce bureaucratic inefficiency. <https://www.usnews.com/news/articles/2017-06-09/trump-targets-permits-to-cap-off-infrastructure-week>.

Analysis

- Despite the good intentions and innumerable staff hours preparing for the Administration's "Infrastructure Week," the general industry response was tepid, at best. What willingness Democrats had to refrain from partisan talking points evaporated when the President's budget proposal included huge cuts to the Federal Transit Administration's Capital Investment Grant Program. <http://thehill.com/policy/transportation/336461-dems-lose-appetite-for-deal-with-trump-on-infrastructure>. Holding a week of infrastructure events aimed at highlighting different

aspects of the Administration's proposal seemed like a good way to revive the conversation and make some progress, but beginning the week with a discussion of air traffic control reform, a concept that draws criticism from both Republicans and Democrats alike, is a questionable judgment call.

<http://thehill.com/policy/transportation/337046-trumps-infrastructure-week-goes-off-the-rails>. The blow-back from the proposal was significant enough that Secretary Chao was forced to soft-pedal the Administration's position on the issue during a hearing before the House Transportation and Infrastructure Committee on Thursday.

<https://www.bna.com/fate-existing-air-n73014453056/>.

- In Cincinnati, the President focused his remarks on the inland waterway system and rural infrastructure issues, but proposing the use of tolls on the waterway system and increasing the user fees for barge operators raised concern in the industry.
<http://waterwayscouncil.org/latest-news/shipping-group-balks-at-trump-budget/>.
- Finally, in response to the Administration's proposal to cut the federal environmental review and permitting time from ten years to two through the use of an interagency task force and a project dashboard, Senators Portman (R-OH) and McCaskill (D-MO) sent a letter to President Trump reminding him that the authority to utilize these two tools already exists in law (in Title 41 of the FAST Act) and urging the President to implement existing law fully. The bipartisan Senators go so far as to say that "we are concerned that your Administration is not making use of important tools Congress has given it to accomplish this goal." <https://www.portman.senate.gov/public/index.cfm/2017/6/portman-mccaskill-urge-trump-administration-to-use-permitting-reforms-recently-enacted-into-law>.
- All of this focus on infrastructure was overshadowed by other events, which continues to be a theme plaguing this Administration. National press nominally covered the President's speeches, but many of the major news networks focused on former FBI Director James Comey's testimony on Thursday before the Senate Intelligence Committee and ongoing investigations into possible Russian involvement in U.S. elections.
- Additionally, Congress is realizing that it has very few weeks left before the August recess and very few legislative victories to show thus far in GOP-controlled government. Some in Congress are pushing to shorten the August recess, which is scheduled to run from July 31-September 4, by keeping the House and Senate in session the week of July 31. This assumes that there are major pieces of legislation, such as appropriations bills, ready for floor consideration at that point.