



International Right of Way Association Weekly Update

Monday, September 11, 2017

Trump Administration

- Hours after Speaker Paul Ryan publicly opposed a government funding and debt limit punt to December, the President announced that he had cut a deal to do just that with Senate Minority Leader Schumer and House Minority Leader Pelosi. Both Chambers passed the legislation, which included emergency relief for Hurricane Harvey, and the President signed it last week. https://www.washingtonpost.com/powerpost/house-prepares-for-harvey-relief-vote/2017/09/06/62919058-92fc-11e7-89fa-bb822a46da5b_story.html
- In private conversations a Nossaman expert had with senior White House and U.S. Department of Transportation officials after the funding and debt limit deal was finalized, the officials noted that the bipartisan deal could make it easier to take a similar approach on infrastructure.

Congress

- Now that Congress and the President have avoided the immediate government funding and debt limit cliff this month, Congress can turn its attention to tax reform, a bipartisan healthcare market solution, Deferred Action for Childhood Arrivals (“DACA”), and aviation reform.

Analysis

- The deal to extend government funding and the debt limit into December sets up another showdown in which Republicans will need Democratic votes to avoid a shut-down. This reality will give Democrats a seat at the table for all major policy discussions throughout the fall.
- This deal represents a seismic shift in the power dynamic in Washington, DC. Up until this point, Republican leaders in Congress tried to advance the agenda on a partisan basis, using the nuclear option to confirm Justice Gorsuch and relying on the reconciliation process to advance healthcare reform. In both of these debates, the President did not play a central role. By going around the backs of the Republican leaders in Congress and cutting a deal directly with their Democratic counterparts, the

President signaled in the clearest way possible that he wants to get things done and will work with either party if that is what it takes to do so.

- During Nossaman's conversations with senior Administration officials last week, the concept of deficit spending to offset an infrastructure spending package was raised. The President does not personally oppose such an approach, and without linking infrastructure to tax reform there are limited options to offset the Administration's proposed \$200 billion in additional federal infrastructure spending. While it is too early to tell whether the President will begin working with Democrats directly on a comprehensive infrastructure proposal, the President has met with Minority Leader Schumer to discuss the Gateway Project, a roughly \$20 billion rail tunnel providing additional access to Manhattan. <https://www.nytimes.com/2017/09/07/nyregion/trump-gateway-hudson-tunnel.html>