



International Right of Way Association Weekly Update

Monday, September 25, 2017

Trump Administration

- The Administration and Republican congressional leaders will unveil a framework for comprehensive tax reform on Wednesday, which will propose lowering the corporate rate from 35 to 20 percent, cutting the top individual rate from 39.6 to 35 percent, and will also include tax benefits for lower earners. <https://www.bloomberg.com/news/articles/2017-09-25/trump-tax-plan-said-to-cut-taxes-for-wealthy-and-whack-ny-and-nj>
- Correction: Last week we reported that the Administration's 80-page infrastructure proposal was under review at the Office of Management and Budget ("OMB"). The Nossaman expert involved in that discussion has since learned that the White House received a last-minute request from the heads of two agencies relevant to the proposal, so it was held back until the request could be addressed. On Thursday, the White House will convene a meeting of the intergovernmental working group (the heads of the 16 relevant agencies) to get final sign-off on the proposal. At that point, OMB will have two weeks to review the proposal. That timeline would result in a vetted infrastructure plan ready to be released as soon as mid-October.

Congress

- Leader McConnell announced that the Senate would vote this week on another Affordable Care Act repeal and replace measure authored by Senators Lindsey Graham (R-SC) and Bill Cassidy (R-LA). However, two Republican Senators have expressed opposition and two more have expressed hesitancy with the measure, so it is unclear if McConnell will actually have the votes to pass the measure. <http://thehill.com/news-by-subject/healthcare/352187-gop-changes-graham-cassidy-bill-to-win-over-senators-wary-of-the>
- The current authorization for the Federal Aviation Administration ("FAA") expires this week. Republican leaders in the House prefer a shorter extension to give Transportation and Infrastructure Committee Chairman Bill Shuster an opportunity to continue pushing for Air Traffic Control reform, while Republican leaders in the Senate would prefer a longer extension. <https://about.bgov.com/blog/senate-commerce-chairman-encouraging-six-month-faa-extension/>

Analysis

- To support the Administration's infrastructure roll-out (and to fill the time until the proposal is released), the White House plans to hold a series of listening sessions with different stakeholder groups to focus on relevant portions of the infrastructure proposal. The White House held the first such listening session with state and local stakeholders earlier this month, and plans to hold the next event with highway stakeholders in the first half of October, followed by a third listening session on water infrastructure and a fourth on rural infrastructure.
- This week will help determine how the legislative agenda for the fall will unfold. While Republicans in the Senate are trying to secure enough support to enact the latest partisan healthcare reform, Republican leaders in the House are trying to ascertain whether they have enough support to pass a budget with reconciliation instructions for tax reform. If the latter effort is ultimately successful, then Republicans can advance comprehensive tax reform on a partisan basis. If not, then the agenda will necessarily include working with the minority.
- And as is always the case, there is more work to do than time in which to do it. With a budget and tax reform as the immediate items following the Graham/Cassidy healthcare proposal and the FAA extension, there is very little time to do much else before the government funding deadline of December 8th is upon us. Even if the Administration is prepared to unveil its long-awaited infrastructure proposal in the coming weeks, it is unclear whether it would make sense, politically, given the fact that infrastructure is unlikely to be considered on Capitol Hill until 2018.
- Furthermore, the President has demonstrated his willingness to find unconventional alliances in order to achieve a win, so that factor will overlay the entire discussion on Capitol Hill as Republican leaders advance the legislative slate this fall.