



## International Right of Way Association Weekly Update

Monday, February 11, 2019

### Government Shutdown

- The temporary funding agreement enacted last month expires on Friday, and congressional negotiators still disagree on how to keep the government open. On Sunday, Senate Appropriations Committee Chairman Richard Shelby (R-AL) gave congressional negotiators a 50-50 chance of getting to a deal. Of course, getting a deal through Congress is only part of the equation. Whether the President signs the deal if it does not include his requested \$5.7 billion in border security funding is a separate issue. <https://www.politico.com/story/2019/02/10/government-shutdown-talks-hit-snap-1160924>

### Trump Administration

- The President discussed infrastructure in the State of the Union Address, stating that “Both parties should be able to unite for a great rebuilding of America’s crumbling infrastructure. I know that Congress is eager to pass an infrastructure bill—and I am eager to work with you on legislation to deliver new and important infrastructure investment, including investments in the cutting edge industries of the future.”
- The President’s nominees for Administrator of the Environmental Protection Agency, Andrew Wheeler, and Administrator of the Federal Highway Administration, Nicole Nason, both advanced through the Senate Environment and Public Works Committee and now await confirmation votes on the Senate Floor.

### Congress

- The House Transportation and Infrastructure (“T&I”) Committee held its kickoff hearing last week, focusing on the Nation’s imminent infrastructure needs.
- On the other side of the Capitol, the Senate Committee on Commerce, Science and Transportation will hold a hearing on Wednesday entitled “America’s Infrastructure Needs: Keeping Pace with a Growing Economy.” <https://www.commerce.senate.gov/public/index.cfm/2019/2/america-s-infrastructure-needs-keeping-pace-with-a-growing-economy>

### Analysis

- While the President did not spend much time during the State of the Union discussing infrastructure, his comments were positive and indicated a willingness to work in a bipartisan manner on this issue.
- At the T&I Committee hearing, which lasted over six hours, almost all of the Members spoke positively about the need for federal action on infrastructure. Chairman Peter DeFazio (D-OR) was adamant about the need to increase federal fuel taxes to pay for needed investment. What was more surprising, however, was that Rep. Mark Meadows (R-NC), Chairman of the Freedom Caucus, also said he would support increased federal investment in infrastructure but that he would want that investment to be coupled with additional permitting reform. He said that he is “willing to take a tough vote, but if I take a tough vote and a bridge gets built 15 years from now, it's hard to do that.”  
<https://www.politico.com/newsletters/morning-transportation/2019/02/08/house-kicks-off-infrastructure-work-with-all-day-hearing-506113>
- While Meadows' comments did not receive much attention after the hearing, it is hard to overstate how monumental of a change this is from the Freedom Caucus position during negotiations over the FAST Act and MAP-21. The fact that the leader of the most conservative voting bloc in the House stated publicly that he is willing to raise federal revenue for infrastructure should demonstrate that there is a real opportunity to advance an infrastructure bill this year.
- However, until the government funding issue is addressed it will be difficult for Congress to focus on advancing infrastructure legislation beyond the Committee work that is beginning now.