
FEDERAL UPDATE

DEC. 6, 2016



BASICS

- 115th Congress sworn in Jan. 4, 2017
- New president sworn in Jan 20, 2017
- Lame duck session likely ends this week

POSSIBLY AMONG THE LAST ACTIONS OF THE 114TH

- Continuing Resolution
 - Will likely:
 - Run through April 28 at FY 16 funding levels (delaying the FAST Act increases)
 - Impact discretionary grant programs
 - TIGER – NOFO delayed
 - FASTLANE – awards delayed

ALSO POSSIBLY AMONG THE LAST ACTIONS OF THE 114TH

- Water Resources Development Act
- Both proposals: authorize ~30 projects (no Iowa), few policy changes
- Possible provisions of interest:
 - increased federal share for deepening major harbors
 - Expansion of WIFIA– small communities can finance loan fees
 - Definition of “green infrastructure” and related planning requirements

REGULATIONS

- Fate unknown
 - Rules already finalized - Congressional Review Act: “reach back” period is ~ last week of May but could go further back to Jan. 20, 2016
 - Rules not yet finalized – could impact:
 - Bridge/pavement performance measures (PM2) –scheduled to be published 12/14
 - CMAQ/freight performance measures (PM3) – scheduled to be published 12/20

INFRASTRUCTURE INVESTMENT

- Recent high-profile proposals:
 - Tax credits
 - Federal infrastructure bank
 - Repatriation
- AASHTO calls for “real, reliable, dedicated and sustainable revenue sources derived from users and beneficiaries of the system”

HIGHWAY TRUST FUND

- Improved vehicle fuel economy is partially counteracting increased driving
- revenue vs. outlays – could become a problem, especially for transit
- Built-in gap due to FAST Act funding (federal gas tax revenue plus ~\$70 billion in transferred funds)
 - In 2020, an estimated gap of about \$20 billion per year between FAST Act-era funding levels and revenue

NEXT SECRETARY OF TRANSPORTATION

- Elaine Chao is the nominee – likely to be confirmed
 - Former Sec. of Labor
 - Former Maritime Administrator
 - Former Deputy Secretary of Transportation
 - Former Director of the Peace Corps
 - Wife of Senator McConnell

EARMARKS

- Some renewed interest
- Possible changes:
 - Additional transparency
 - Keep the ban but allow Corps of Engineers projects
 - Change the name to “Congressional District Spending”

QUESTIONS?