Congressional Outlook

Week of April 6

The House and Senate are in RECESS until April 13. (Previous email erroneously stated Congress was in SESSION!) House Transportation and Infrastructure Chairman Bill Shuster (R-PA) leads a two-day "roadshow" this week to drum up support for passing a long-term highway bill ahead of the May 31 deadline. The tour begins tomorrow in Pittsburgh and ends in Reading April 8. Shuster will be joined by Reps. Lou Barletta (R-PA), Scott Perry (R-PA), Ryan Costello (R-PA), Blake Farenthold (R-TX) and David Rouzer (R-NC), as well as transportation secretaries from Pennsylvania, Texas, Oklahoma, North Carolina, and South Carolina.

Industry advisers think Chuck Schumer (D-NY), who is likely the next Senate minority leader, could be a deal maker on transportation funding.

Senator Rand Paul (R-KY) is expected to announce his bid for the White House on Tuesday. Jeb Bush still tops the list of GOP candidates, but Ted Cruz (R-TX) is rising fast.

Week in Review

Administration Releases Transportation Proposal

Last Monday, DOT Secretary Anthony Foxx rolled out "Grow America 2.0," the administration’s multi-year surface transportation proposal aimed at revamping the federal role in highway, transit and rail programs. The plan would significantly boost transportation funding, much like the
original version of the Grow America Act unveiled last year, but this time DOT has a specific pay-for-in mind. The multi-year, $478 billion bill would be partially paid for by revenue from a one-time tax on corporations' profits held overseas. In addition to more funding for highway and transit, the bill would create a national freight program backed by $18 billion in funding, significantly boost federal dollars for grant and loan programs like TIFIA and TIGER, and boost the cap on private activity bonds.

Federal highway programs would receive $317 billion in funding over six years, about a $12 billion annual increase. Transit spending would increase by about 75 percent compared to current levels. The plan would also boost local say over how transportation dollars are spent by giving more control to "high-performing" Metropolitan Planning Organizations. Those local groups would also be able to receive funding through a new DOT grant program called Fixing and Accelerating Surface Transportation.

The bill, however, is unlikely to receive serious consideration on the Hill if last year is any indication. When the original Grow America was rolled out, it was basically ignored by lawmakers, who just ended up doing a 10-month extension anyway. Read more...

FWS Lists Northern Long-Eared Bat as 'Threatened' Under ESA

The Fish and Wildlife Service (FWS) announced last week that it will list the northern long-eared bat as "threatened" under the federal Endangered Species Act (ESA), which is less protective than what the agency originally proposed for the bat. FWS also announced an incidental "take" rule (4(d) rule under ESA) to allow some flexibility for land managers in case they kill or harm the bats while managing forests and other lands. Both rules are temporary until they are finalized by FWS, with the listing final on May 4 and the 4(d) rule estimated to be final by the end of the year, once another public comment period is closed on July 1.

Northern long-eared bat populations in Eastern states have plummeted by more than 90 percent since the discovery in 2006 of white-nose syndrome, which the listing said is the primary threat to the species. Environmental groups are not happy with the rules and have filed a lawsuit attacking the listing and 4(d) rules to push for a more stringent protection status for the bat under the ESA.

Corker Pushing for Congressional Review of Iran Nuclear Deal

Senator Bob Corker (R-TN) says that support is growing for the Iran Nuclear Agreement Review Act of 2015, and that he is within several votes of the 67 vote threshold required to override a presidential veto. The bill, also sponsored by Robert Menendez (D-NJ), Lindsey Graham (R-SC), and Tim Kaine (D-VA), would require the President to submit the text of any agreement to Congress and prohibit the administration from suspending statutory sanctions against Iran for 60 days while Congress has the chance to hold hearings and approve, disapprove, or take no action on the agreement. If Congress passes a measure disapproving the deal, administrative suspension of statutory sanctions would be blocked, preventing the deal's implementation. President Obama has stated he will veto the bill if it reaches his desk, and the Senate Foreign Relations Committee, which Senator Corker chairs, is scheduled to take up the bill on April 14. Read more...

Budget Resolution Deadline Approaches with Differences Remaining
Congress will return from its recess on April 13, just two days before the statutory deadline of April 15 for adopting a concurrent FY 2016 budget resolution. There is no penalty for failing to meet the statutory deadline, but House Budget Committee Chair Tom Price (R-GA) and Senate Budget Committee Chair Mike Enzi (R-WY) have stated that they will try to finish the work of merging the budgets by then. While the overall spending level is the same in both the House and Senate budgets at $1.12 trillion, there are differences in how each budget reaches that number and other provisions regarding long term spending. Some of the major differences lie in long term defense spending, where the Senate budget calls for cuts in base defense spending over the next decade, Medicare, where the House budget provides for $300 billion more than the Senate budget over next 10 years, but also includes a provision for partial privatization of Medicare, and in non-defense discretionary spending, where the House Budget would provide $523 billion less over the next decade through cuts to the Community Development Block Grant, Department of Agriculture Rural Development, and other programs. Read more...

Congressional Schedule

There are no scheduled hearings this week as the House and Senate are in recess.