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Broward Metropolitan Planning Organization Federal Update December 2014

Congress Passes “Cromnibus” Appropriations Bill: During a late session on Saturday, December 13, the Senate voted 56-40 in favor of a cromnibus appropriations measure for fiscal year 2015. The \$1.092 trillion spending bill includes 11 out of the 12 annual appropriations bills, with the sole exception of the Department of Homeland Security (DHS). Senator Bill Nelson (D-Fla.) voted in favor of the measure, while Senator Marco Rubio (R-Fla.) voted against.

DHS funding was excluded from the cromnibus so that next year, the new Republican controlled Congress can formulate a strong response to the president's executive order on illegal immigration. Funding for DHS will be extended at current levels through February 27, 2015.

Earlier in the week, on December 11, the House narrowly passed the bill by a vote of 219-206. In the House, 218 votes are required for passage. Republican leadership had to postpone the vote for several hours after dozens of members on both sides of the aisle voiced objections to the legislation. In the meantime, Congress was forced to adopt a two-day continuing resolution (CR) since the government had been operating under a CR that expired at midnight on December 11.

In the House, votes largely varied among Republicans and Democrats. Voting in favor of the measure were Representatives Southerland (R), Yoho (R), Crenshaw (R), Mica (R), Nugent (R), Bilirakis (R), Jolly (R), Ross (R), Buchanan (R), Rooney (R), Murphy (R), Wasserman Schultz (D), Diaz-Balart (R), and Ros-Lehtinen (R). Meanwhile, Representatives Miller (R), Brown (D), DeSantis (D), Posey (R), Grayson (D), Webster (R), Castor, (D), Clawson (R), Hastings (D), Deutch (D), Frankel (D), Wilson (D), and Garcia (D) all voted against the bill.

Overall, the bill provides \$53.8 billion for transportation, housing and urban development activities – \$2.9 billion or 6 percent more than FY 2014. When taking into consideration obligations from Highway Trust Fund monies, advance appropriations, and receipts and collections, the overall funding totals \$107.3 billion.

The legislation includes a net total of \$71.3 billion for the Department of Transportation, which includes \$17.8 billion in discretionary appropriation – or \$21 million more than FY 2014 – after \$382 million in rescissions and \$1 million in offsetting collections. Highlights of the transportation component include:

- \$500 million for Transportation Investment Generating Economic Recovery (TIGER) Grants – \$100 million less than the FY 2014 enacted level, and does not provide funding for planning

- \$10.886 billion for the Federal Transit Administration (FTA)
 - \$8.595 billion for Transit Formula Grants
 - \$2.120 billion for Capital Investment grants (fixed guideway projects)
 - \$1.510 billion for existing Full Funding Grant Agreements (FFGAs)
 - \$120 million for Core Capacity projects
 - \$171.6 million for Small Starts
 - \$325 million for new FFGAs, with priority for projects seeking less than 40 percent federal share
- \$41 billion for the Federal Highway Administration (FHWA)
 - \$40.3 billion in obligations from the Highway Trust Fund
 - Requires FHWA to establish non-motorized safety performance measures for the Highway Safety Improvement Program, to be published by September 30, 2015
- \$830 million for the National Highway Traffic Safety Administration (NHTSA)
 - \$235 for highway safety programs
- \$1.39 billion for Amtrak
 - \$1.626 billion for the Federal Rail Administration (FRA)
 - Includes \$10 million for grants for grade crossing and track improvements on rail routes that transport energy products
 - Does not provide funding for high-speed rail

Congressional Committees Announce Membership Rosters for 114th Congress: A number of House and Senate committees released new membership rosters for the 114th Congress. Certain committee assignments are not yet available. A chart of those committees is provided below:

114th Congress Committee Assignments (Bold signifies new members)	
House Transportation & Infrastructure (Republicans)	Bill Shuster (Chairman), Young, Duncan, Mica, LoBiondo, Sam Graves, Candice Miller, Hunter, Crawford, Barletta, Farenthold, Gibbs, Hanna, Webster, Denham, Ribble, Massie, Rice, Meadows, Perry, Davis, Sanford, Woodall, Rokita, Katko, Babin, Hardy, Costello, Garret Graves, Walters, Comstock, Curbelo, Rouzer, Zeldin
House Transportation & Infrastructure (Democrats)	Democratic membership roster not published. Congressman Peter DeFazio (D-Ore.) will serve as Ranking Member.
Senate Commerce, Science, and Transportation (Republicans)	John Thune (Chairman), Wicker, Blunt, Rubio, Ayotte, Heller, Cruz, Fischer, Ron Johnson, Sullivan, Moran, Gardner, Daines
Senate Commerce, Science, and Transportation (Democrats)	Bill Nelson (Ranking), Cantwell, McCaskill, Klobuchar, Blumenthal, Schatz, Markey, Booker, Udall, Manchin, Peters
Senate Banking, Housing, and Urban Affairs (Republicans)	Richard Shelby (Chairman), Crap, Corker, Vitter, Toomey, Kirk, Moran, Tim Scott, Heller, Cotton, Rounds, Sasse,
Senate Banking, Housing, and Urban Affairs	Sherrod Brown (Ranking), Reed, Schumer, Menendez, Tester, Warner, Merkley, Warren, Heitkamp, Donnelly

Senate Commerce Committee Holds Passenger Rail Hearing: On December 10, the Senate Committee on Commerce, Science, & Transportation’s Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security held a hearing titled, “Passenger Rail: Investing in our Nation’s Future.” The hearing, which focused on the need for long-term investment, featured the following witnesses:

- Peter Rogoff, Under Secretary for Policy, U.S. Department of Transportation
- Anthony Coscia, Chairman of the Board, Amtrak
- John Previsich, President, SMART Transportation Division, International Association of Sheet metal, Air, Rail and Transportation Workers
- Ray Chambers, Executive Director, Association of Independent Passenger Rail Operators

During the hearing, several participants discussed the importance of making long-term investments in public infrastructure. Peter Rogoff cited projections from the decennial census which suggest that there will be an additional 100 million citizens living in the United States by 2050, which will place increased demands on the nation’s surface transportation system. “Over the last 35 years, travel by passenger rail alone has increased by 62 percent,” he added. “In forecasting growth over the next 35 years, investment in America’s passenger rail system is essential.”

Senator Roy Blunt (R-Mo.) raised the issue of Positive Train Control (PTC) during the hearing. Specifically, he asked Amtrak whether or not it planned to discontinue PTC service in the absence of state funding in Missouri, and whether or not there were similar plans across the nation to discontinue PTC service in cases when states would not provide funding. Amtrak responded that PTC needs to be intelligently implemented, and that the company was working with the states and other partners to find a solution to “anomalies in the law” that allow freight companies to by-pass their financial obligations to pay for parts of the PTC installation.

Senator Blunt also questioned DOT on the current December 31, 2015 deadline to implement PTC systems. Peter Rogoff responded that DOT will be working with rail operators on a case-by-case basis in order to determine good-faith efforts to implement PTC, and use those findings as the basis for targeted enforcement efforts.

In addition to Subcommittee Chairman Richard Blumenthal and Subcommittee Ranking Member Roy Blunt, Senators Kelly Ayotte (R-N.H.), Cory Booker (D-N.J.), Amy Klobuchar (D-Minn.), and Bill Nelson (D-Fla.) were present during the hearing.

Congress Considers Extending Series of Tax Breaks for Individuals and Businesses: This month, Congress is considering a series of 50 tax breaks worth approximately \$41.6 billion over 10 years, according to the Joint Committee on Taxation (JCT). On December 3, the House voted 378-46 to renew the package and sent the bill over to the Senate for consideration the week of December 15. The Senate is expected to consider the measure without amendments.

The tax extenders package retroactively reinstates a series of tax breaks that expired from late 2013 through the end of this year, allowing individuals and business entities the opportunity to

claim these benefits in their 2014 tax returns. The legislation includes an extension of mass transit benefits for commuters, which extends “the maximum monthly exclusion amount for transit passes and van pool benefits so that these transportation benefits match the exclusion for qualified parking benefits.” Under the legislation, the amount will increase from \$130 to \$245 per month until the end of 2014.

Critics argue that the transit benefit is effectively useless since it would be virtually impossible to sign up for the benefit for 2014, since the bill is being considered so late into the year. Others are underscoring the need for an extension of the commuter tax benefit into 2015 in order for it to actually be helpful.

Among its other key provisions, the bill also includes the following benefits for individuals and businesses:

- a deduction for state and local general sales taxes
- a deduction for private mortgage insurance premiums
- research and development credits for businesses
- numerous energy tax incentives, such as wind energy production tax credits or excise tax credits for alternative fuels
- technical corrections to previously enacted tax legislation