

March 6, 2012

On Monday, March 5th, members of the New England Council's Transportation Policy Committee participated in a conference call with U.S. Representative Frank Guinta (R-NH-1) regarding the ongoing effort on the part of Congress to consider and pass a long-term surface transportation bill. A summary of the conversation is below.

Our thanks and appreciation goes to Steve Silveira and ML Strategies for putting this call together.

Summary of Phone Conversation with Rep. Frank Guinta
March 5, 2012

Congressman Guinta began his conversation by letting NEC members know that the U.S. House was trying to get the surface transportation bill moving, saying that it is very important not just to New Hampshire, but to New England as well.

He spoke briefly about the four-year FAA bill that recently passed, saying that many of the smaller issues that were holding it up were addressed and the President signed it into law. That action opened-up the door for the surface transportation bill to proceed. The Congressman then turned his attention to what the House was doing on that front. He noted that the House bill was a five year bill while the Senate version was a two year bill. With their 5 year bill, the majority had hoped they would be able to get it to the House floor, pass it, and negotiate their differences with the Senate. The Congressman indicated that a bill of a longer duration provides predictability not just to states but to businesses as well.

Mr. Guinta pointed out that the House Transportation and Infrastructure Committee on which he sits held an 18 hour mark-up on the bill before it was passed out of committee and sent to the floor. He stated that problems were encountered soon after committee action, as House leaders – including Reps. Boehner, Cantor, and McCarthy – realized that they were going to need 218 votes in order pass the bill, and that they did not think House Democrats were going to provide any of those votes. The Congressman lamented that it's just the process of how Washington functions in this day and age.

Representative Guinta said that the House leaders broke their transportation bill into 3 parts with the first part being what is known as the PIONEERS Act (Protecting Investment in

Oil Shale the Next Generation of Environmental, Energy, and Resource Security Act) This bill (H.R. 3408) which would use revenues from domestic energy exploration for transportation passed the House last month. The other two have not had success gaining support.

He said “conservatives” were saying that the cost of the 5-year \$260 billion bill they had put together needed to be lowered; that the spending was too high. They were advocating for a 35% cut, but Rep. Guinta said that won’t address the infrastructure needs of the nation. He said the “moderates” were concerned about changes in how funding would be allocated towards transit programs, including money for buses. Realizing that conservatives were worried about cost and moderates concerned about services, the House leadership team realized that they were 85-110 votes short of passage. He reiterated his view that the Democratic leadership would not lend a hand in passing the bill.

The Congressman said that the House bill was the better bill in that it was a 5 year bill that would ensure millions of jobs would be created, and that it contained a modicum of devolution to the states. He said that some of his colleagues think the whole process of funding for highway projects should be a state-run endeavor. He disagrees, saying that there is a federal obligation.

He further stated how he believed the House bill was better in that it did not contain any earmarks. The last authorization law had 6,300 earmarks. He said the House’s 5 year bill had a reasonable transfer of authority to the state legislatures and the various governors to make the choices necessary for their states. He said that under an earmark system, unless you’re a senior member of the House or a member of the Transportation and Infrastructure Committee, the chances of getting an earmark were slim. He felt it better to let the states decide how to spend transportation dollars. Without earmarks, Mr. Guinta said, New Hampshire would get \$67 million more in funding than was budgeted and that he trusted the state to spend it correctly.

The Congressman also touted that the House bill would consolidate or eliminate some 70 different transportation programs. It would save time on the execution of projects – dropping from 15 to 7 years on delivery time – and would cut bureaucratic red tape and ultimately save money. He said that he told conservative members of the House that it was a good bill and that lots of jobs were at stake.

He indicated that the Republican Conference would meet on Wednesday (3/7) to talk about where the next move on a highway bill would be, and that there was no consensus on ideas as of the time of our conference call. He had expressed hope that once that consensus had occurred, the State DOT heads could weigh-in and help make the case for their bill and that the House would ultimately be able to negotiate a final deal with the Senate. He didn’t know what that timeline would be – 3 years, 18 months – but better than 90 day extension.

He said that the Republican’s “pay for” – drilling – probably will hold up support among Democrats on a longer term authorization, but he thinks there will be movement possibly with floor and conference action by April.

Steve Silveira of ML Strategies asked Representative Guinta what Congress's path forward would be for the month with a March 31st deadline looming until the latest authorization bill expires. The Congressman responded by saying that it is clear that Congress will need a short term authorization extension bill. He indicated that the House will be out of session next week and will not be back until the 19th leaving only two weeks to come up with a final deal. The process will be decided in their meeting with leadership this Wednesday.

He stated that House leaders thought they could do a 5 year bill, but did not think they would get bogged-down to the point where they'd need to do another extension. He reiterated that there was a need for a responsible bill going forward that is at least two years in length.

At that, the Congressman indicated that he would be willing to update the New England Council as things progressed.

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