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Broward Metropolitan Planning Organization Federal Update August 2014

House and Senate in Recess for August: The House and Senate are in recess for the month of August. Lawmakers will return to Washington on September 8.

Appropriations Update: New obstacles may emerge during the federal appropriations process as Republicans feel more confident that the party can take over the Senate majority in November. According to congressional aides, some House Republican members are already contemplating a continuing resolution (CR) that will extend beyond the lame duck session.

It is widely believed that Congress will return from recess in September to pass a CR that will last through December, giving Congress time to complete the FY 2015 appropriations process before the end of this session. However, if the Senate majority switches parties, Republicans in Congress will have tremendous incentive to delay any budget action until the next Congress begins so that they will have greater control over the outcome. While much of this is speculation at the moment, it is an indication of the intensifying partisanship as the November elections draw closer.

FHWA Extends Comment Period for Statewide Metropolitan/Nonmetropolitan Planning: On September 2, the Federal Highway Administration (FHWA) extended the open comment period on a proposed rule regarding statewide and metropolitan/nonmetropolitan transportation planning. Comments will now be accepted until October 2, 2014. According to FHWA, "the extension is based on concern expressed by the American Association of State Highway and Transportation Officials (AASHTO) that the September 2 closing date does not provide sufficient time to review and provide comprehensive comments on the NPRM." The NPRM revises existing regulations governing the development of metropolitan and state transportation plans and programs, as well as congestion management processes.

CBO Releases Updated Budget and Economic Outlook: In a report dated August 27, the Congressional Budget Office (CBO) predicts that in the coming decade -- absent any changes to current laws governing taxes and spending -- federal revenues will increase only slightly while spending will increase more rapidly. Furthermore, CBO predicts that the federal budget deficit for FY 2014 will amount to \$506 billion, or \$170 billion lower than the budget shortfall in 2013. According to the CBO, this year's budget deficit accounts for 2.9 percent of the nation's GDP, which is less than previous years (according to CBO, this figure reached almost 10 percent of GDP in 2009).

DOT Inspector General Releases Audit on MAP-21 Bridge Provisions: On August 26, the Department of Transportation (DOT) Office of Inspector General (OIG) released an audit report, finding that the Federal Highway Administration (FHWA) has failed to implement changes to bridge safety requirements enacted in the Moving Ahead for Progress in the 21st Century Act (MAP-21). The assessment, which was requested by House Transportation & Infrastructure Committee Ranking Member Nick Rahall (D-W.Va.), also found that the agency failed to fully implement OIG recommendations made to FHWA since 2006 in addition to the changes detailed in MAP-21. Specifically, the report states that FHWA is behind schedule on new performance and accountability rules for states.

FRA Finalizes Positive Train Control Rule: The Federal Rail Administration (FRA) published the final rule amending the Positive Train Control rule on August 22. The rule becomes effective on October 21. This final rule revises an existing exception to the requirement to install a PTC system for track segments carrying freight only that present a de minimis safety risk. The rule also adds a new exception for PTC-unequipped freight trains associated with certain freight yard operations to operate within PTC systems. The rule also revises the existing regulations related to en route failures of a PTC system, adds new provisions related to other failures of a PTC system, and amends the regulations on applications for approval of certain modifications of signal and train control systems.

President Signs Highway Trust Fund Package: On August 8, President Obama signed into law the Highway and Transportation Funding Act, which will temporarily extend funding for the Highway Trust Fund through May. Absent any congressional action before the recess, DOT was scheduled to begin delaying payments to states on August 1. However, Congress came together just before leaving for the August recess to pass the \$10.8 billion package and extend spending authority through May 31, 2015.

DOT Secretary Foxx Holds National Town Hall Meeting: On August 6, Secretary Anthony Foxx held a virtual town hall meeting titled, "Moving from Uncertainty to Long-Term Transportation Investment." The event was moderated by DOT Chief of Staff Sarah Feinberg and featured Secretary Foxx who highlighted the need for a long-term transportation bill and promoted the President's GROW America Act. During the meeting, business leaders, state and local government officials, and the general public had the opportunity to submit questions. The Secretary also stated that \$600 million in TIGER funding awards will be announced in mid-September.