

TRANSPORTATION WEEKLY

UPDATE - STIMULUS BILL GOES TO HOUSE-SENATE CONFERENCE

TUESDAY, FEBRUARY 10, 2009 - 4:30 P.M.

Earlier today, the House and Senate agreed to send the economic stimulus bill to a joint House-Senate conference committee to finalize work on the legislation.

The Senate passed the bill (H.R. 1) as amended by the Reid (for Nelson-Collins) substitute amendment by a vote of 61 to 37 after earlier voting to waive the Budget Act for consideration of the substitute amendment by the same 61 to 37 margin.

The Presiding Officer then appointed five conferees on behalf of the Senate (3 D, 2 R): Sens. Inouye (D-HI), Baucus (D-MT), Reid (D-NV), Cochran (R-MS), and Grassley (R-IA).

The House then voted to agree to the Senate request for a House-Senate conference by a voice vote. At that point, Rep. Jerry Lewis (R-CA), the ranking Republican on the House Appropriations Committee, made a non-binding motion to instruct the House conferees not to sign any conference report until the full text of the draft conference report has been available to the public for at least 48 hours.

The House voted to approve the Lewis motion, 403-0. However, motions to instruct conferees are not binding, and if the conferees choose to sign the conference report 48 minutes before its text is made public, rather than 48 hours afterwards, the conferees face no official sanction of any kind.

The Speaker is expected to act very soon (perhaps after the ongoing series of votes) to appoint the following five conferees on the part of the House to negotiate with the Senate (3 D, 2 R): Reps. Obey (D-WI), Rangel (D-NY), Waxman (D-CA), Lewis (R-CA), and Camp (R-MI).

Several news outlets reported that the House and Senate conferees have already met informally earlier this afternoon to begin working out the differences between the bills. However, under House precedents, any meetings held before the House conferees are actually appointed by the Speaker do not count towards the non-waivable requirement that every conference hold at least one public meeting before a conference can conclude.

The Appropriations staff appear to have been charged with ironing out the differences in bill language between the House and Senate versions of the bill tonight, while leaving all of the dollar amounts in the bill until tomorrow.

The key political calculation behind the House-Senate stimulus

negotiations is the desire of President Obama and the Democratic leadership to get some kind of stimulus bill to Obama's desk by this weekend (at almost any price) versus the need to keep at least two of the three Republican Senators who supported the plan on board with the final conference product. In that light, the statement issued yesterday by Sen. Arlen Specter (R-PA), one of the three Senate GOP "yes" votes, is of particular relevance:

"My support for the Conference Report on the stimulus package will require that the Senate compromise bill come back virtually intact including, but not limited to, overall spending, the current ratio of tax cuts to spending, and the \$110 billion in cuts."

Sen. Olympia Snowe (R-ME), another of the three GOP "yes" votes, issued a statement this afternoon that was not quite as strong as Specter's but which was still strong enough to bother House Democrats:

"After speaking with the Vice President and the Majority Leader Monday morning, I've been assured that I'll be directly involved in the Senate-House conference committee process. This point was reiterated to me during my meeting this afternoon with Leader Reid. As I told them both, given the dire state of the nation's economy, it's imperative that the conference report achieves the critical balance of creating jobs and helping the displaced. The Senate Finance Committee, on which I serve as a senior member, provided \$551 billion in critical tax incentives, Medicaid funding, and unemployment insurance benefits. At 66 percent of the entire package, these provisions account for the vast majority of the legislation. In moving through the conference process, it's vital that tax relief is not abandoned at the expense of additional spending, especially when we already know the Senate tax provisions spend out entirely in the first two years."