Weekly Legislative Update
Week of July 28th, 2014

Congressional Outlook

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The House and Senate are in session this week, and legislators are zeroing in on highway and transit funding, the border crisis, and long wait times at veterans' facilities before leaving town by Friday for a five-week break.

Senate leaders have an agreement for floor consideration of a temporary highway and transit funding bill to address looming shortfall that threatens road projects around the country beginning August 1 when the highway trust fund is expected to run out of money.

House Republican leaders intend to bring to the floor a supplemental of $1 billion or less to respond to the influx of Central American minors crossing the U.S. border. Senate Democrats have teed up for floor consideration a $3.57 billion version, mostly for the border, with additional funds to help fight wildfires and bolster Israel's Iron Dome missile defense system.

There will likely be a conference agreement negotiated by House and Senate leaders on legislation to reverse wait times for veterans seeking medical care at Department of Veterans Affairs (VA) facilities. A compromise measure struck by House and Senate negotiators would provide $15 billion in up front emergency mandatory funds to help ease lengthy wait times at VA medical facilities. A conference committee will meet Monday to sign off on the deal, which seems likely to move thorough both chambers by the end of this week.

On the House floor will be a legislative package that rolls together four Endangered Species Act bills. One of them would require the federal government to publish on the Internet its data used for determining that a species is endangered or threatened.

The House chamber also has scheduled a vote on a resolution that would authorize a lawsuit against President Barack Obama for not implementing provisions of the 2010 health care law.

The planned changes in the House leadership lineup take effect at the end of the week: California Republican Kevin McCarthy will become House majority leader, succeeding Eric
Cantor, who lost his Virginia primary election and is giving up his leadership spot on July 31. Louisiana’s Steve Scalise will rise to become majority whip, replacing McCarthy.

**Week in Review**

**Senate Negotiations on MAP-21 Reauthorization and Highway Trust Fund Bailout**

Senators spent last week negotiating the path forward for H.R. 5021, the House-passed bill to reauthorize highway and transit programs through May 2015, and to provide $10.8 billion for the depleted Highway Trust Fund. Four amendments will be considered on the Senate floor. Sixty votes are required to adopt any of the amendments and pass the bill. Adoption of one of the amendments would return the bill to the House for further action.

**U.S. Army Corps of Engineers to Host WRRDA Listening Session Webinars**

Last week the Corps announced it will be holding a series of listening sessions related to the Water Resources Reform and Development Act of 2014, which was signed into law on June 10. In addition to participation in these listening sessions, the Corps is encouraging stakeholders to provide their views in writing, at any time. Each of the listening sessions will cover a different collection of the more important general program policy provisions of WRRDA. An announcement will be posted in the Federal Register this week. For more, click here.

**Three Disability Programs Transferred to the Department of Health and Human Services**

Under the Workforce Innovation and Opportunity Act that was signed into law last week, three formerly Department of Education programs will now be directed by the Department of Health and Human Services Administration for Community Living (ACL). The move is designed to consolidate disability programs in order to manage them more efficiently.

The National Institute on Disability, Independent Living, and Rehabilitation Research supports research programs into the inclusion, social integration, employment, and independent living of individuals with disabilities.

The Independent Living Program provides independent living services to individuals with disabilities through 500 community-controlled Centers for Independent Living and offers formula grants to states to support statewide independent living councils and provide or enhance independent living services.

The Assistive Technology Program provides technology solutions that increase well-being for individuals with disabilities including power wheelchairs, computer access and input devices, and other technologies. Read More...

**House T&I Subcommittee Holds Hearing on EPA Integrated Planning Bills**
Last week, the House Transportation and Infrastructure (T&I) Water Resources and Environment Subcommittee held a hearing on two bills and a draft bill regarding the Environmental Protection Agency's (EPA's) implementation of its Integrated Planning and Permitting Framework. The EPA Framework is intended to help communities prioritize investments in wet weather or stormwater projects that will bring the biggest benefit for ratepayer dollars spent. Also, under the Framework, communities would be allowed to stretch out their compliance timelines, but must still meet Clean Water Act (CWA) requirements. Read More...

**White House Rural Council Will Create Rural Investment Fund**

On Thursday, the White House Rural Council announced the creation of the U.S. Rural Infrastructure Opportunity Fund. The fund will channel capital from private investors to job-creating rural infrastructure projects around the country. An initial investment of $10 billion has been made by CoBank, a national cooperative bank that serves rural customers.

This innovative institution will use the knowledge that the U.S. Department of Agriculture and other federal agencies have of where investment opportunities are in rural America to attract and channel investment funds from pension funds, endowments, and other institutional funds towards projects like hospitals, rural water and wastewater systems, energy projects, and broadband expansion. The fund will be managed by Capitol Peak Asset Management, and is immediately open for business.

The creation of the new fund was announced during the first-ever White House Rural Opportunity Investment Conference in Washington, D.C. The conference brought together business and financial community leaders, Administration and other government officials, rural development experts, and others to promote investment opportunities in America's rural communities. NATaT President, Larry Merrill, was in attendance. Read More...

**DOT Announces Proposed Rules for the Safe Transportation of Crude Oil and Flammable Materials**

Last Wednesday, the U.S. Department of Transportation released a comprehensive rulemaking proposal to improve the safety of transporting large quantities of flammable materials by rail. As part of the proposal, DOT announced a Notice of Proposed Rulemaking (NPRM) for enhanced tank car standards, an Advanced Notice of Proposed Rulemaking (ANPRM) to expand oil spill response planning requirements, and a report summarizing the analysis of Bakken crude oil gathered by the Federal Railroad Administration and the Pipeline and Hazardous Materials Safety Administration. Read More...

**Congressional Schedule**

**Monday, July 28**

**Tuesday, July 29**
- House Oversight and Government Reform Committee Subcommittee on Economic
Growth, Job Creation and Regulatory Affairs hearing on "Examining Allegations of Corruption at the Export-Import Bank."

- House Agriculture Committee Subcommittee on Livestock, Rural Development, and Credit hearing on "Coordinating Future Investment in Broadband."
- House Science, Space, and Technology Committee Subcommittee on Research and Technology hearing to review the National Earthquake Hazards Reduction Program.
- House Natural Resources Committee Subcommittee on Public Lands and Environmental Regulation hearing on the following bills: H.R. 445 (Dent), to authorize a National Heritage Area Program, and for other purposes. "National Heritage Area Act of 2013;" H.R. 1785 (Reichert), to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington, and for other purposes. "Mountains to Sound Greenway National Heritage Area Act;" H.R. 4119 (Johnson of GA), to direct the Secretary of the Interior to conduct a special resource study of the West Hunter Street Baptist Church in Atlanta, Georgia, and for other purposes. "West Hunter Street Baptist Church Study Act;" H.R. 4901 (Bishop), to maximize land management efficiencies, promote land conservation, generate education funding, and for other purposes. "Advancing Conservation and Education Act of 2014;" H.R. 4979 (Thornberry), to provide legal certainty to property owners along the Red River in Texas, and for other purposes. "Red River Private Property Protection Act;" H.R. 5086 (Fortenberry), to amend the National Trails System Act to direct the Secretary of the Interior to conduct a study on the feasibility of designating the Chief Standing Bear National Historic Trail, and for other purposes; S. 311 (Landrieu), a bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes. "Lower Mississippi River Area Study Act;" S. 476 (Cardin), a bill to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission; and S. 609 (Udall), a bill to authorize the Secretary of the Interior to convey certain Federal land in San Juan County, New Mexico, and for other purposes. "San Juan County Federal Land Conveyance Act."
- House Natural Resources Committee Subcommittee on Energy and Mineral Resources hearing on the following bills: H.R. 596 (Gosar), to promote the development of renewable energy on public lands and for other purposes, "Public Lands Renewable Energy Development Act of 2013;" H.R. 1363 (Labrador), to promote timely exploration for geothermal resources under existing geothermal leases and for other purposes, "Exploring for Geothermal Energy on Federal Lands Act;" and H.R. 2004 (Simpson), to expand geothermal production, and for other purposes, "Geothermal Production Expansion Act of 2013."
- House Oversight and Government Reform Committee Subcommittee on Economic Growth, Job Creation, and Regulatory Affairs hearing on "OGR Examining Allegations of Corruption at the Export-Import Bank."
- House Rule Full Committee hearing on H. Res 676, providing for authority to initiate litigation for actions by the President or other executive branch officials inconsistent with their duties under the Constitution of the United States.
- Senate Budget Full Committee hearing to examine the economic and budgetary consequences of climate change, focusing on the cost of inaction.
- Senate Commerce, Science, and Transportation Committee Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard hearing to examine revisiting the Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economies (RESTORE) Act, focusing on progress and challenges in Gulf restoration post-
Deepwater Horizon.

- Senate Commerce, Science, and Transportation Committee Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security hearing to examine opportunities and challenges for improving truck safety on our highways.

**Wednesday, July 30**

- House Agriculture Committee Subcommittee on Horticulture, Research, Biotechnology, and Foreign Agriculture hearing to review the impact of enforcement activities by the Department of Labor on specialty crop growers.
- House Science, Space, and Technology Full Committee hearing on the “EPA’s Carbon Plan; Failure by Design.”
- House Small Business Full Committee hearing on “Regulatory Overreach: Is EPA Meeting its Small Business Obligations?”
- Senate Health, Education, Labor and Pensions Committee Subcommittee on Children and Families hearing to examine paid family leave, focusing on the benefits for businesses and working families.

**Thursday, July 31**

- House Energy and Commerce Committee Subcommittee on Oversight and Investigations hearing on “PPACA Implementation: Updated from CMS and GAO.”
- House Science, Space, and Technology Committee Subcommittee on Research and Technology hearing on “Technology Needed to Secure America’s Border.”
- Senate Banking, Housing and Urban Affairs Full Committee hearing to examine financial products for students, focusing on issues and challenges.