Weekly Legislative Update
Week of June 30, 2014

Congressional Outlook

Week of June 30th

The House and Senate are currently in recess and will return to work next week.

The NATaT staff wishes you all a happy and safe Independence Day!

Week in Review

No Plan Yet to Replenish Highway Trust Fund

Last week, Senate Finance Committee Chairman Ron Wyden (D-OR) postponed the markup of a six-month $9 billion Highway Trust Fund bill. The Committee meeting was more of an executive session on approaching the legislation in a more bipartisan and bicameral manner. The current Senate bill calls for a variety of tax increases over 10 years, including a boost in the maximum heavy vehicle use tax, and a transfer of money from the general fund. Following the July 4th recess, when the Senate Finance Committee will revisit the debate on amendments, House Ways and Means Committee Chairman Dave Camp (R-MI) intends to have his own proposal ready for consideration, one that provides spending cuts and will be more receptive to House Republicans.

House Hearing on Waters of the U.S. Rulemaking

Last Tuesday, the House Natural Resources Committee’s Water and Power Subcommittee held an oversight hearing on the proposed Waters of the U.S. (WOTUS) rule by EPA and the Corps of Engineers. The hearing also examined the proposed US Forest Service groundwater directive. The oversight hearing on the Administration’s proposed rule to ‘clarify’ the Clean Water Act follows similar hearings in recent weeks by the House Small Business Committee and the House Transportation and Infrastructure Committee. In the previous week, the House
Appropriations Committee approved a FY 2015 appropriations bill for the Corps that prohibits further work on the proposed rule. For a summary memo, [click here](#).

The Administration announced earlier this month that the comment period on the proposed WOTUS rule would be extended from July 21 to Oct. 20. The official notice of the extension was published in the Federal Register last week. It can be found [here](#).

### House Speaker Initiatives Lawsuit Against the President

Last Wednesday, House Speaker John Boehner (R-OH) sent a memo to House members outlining his intent to sue the President for the administration's use of executive actions. The memo states that Boehner will "...bring to the floor in July legislation that would authorize the House of Representatives - through the House General Counsel and at the direction of the Bipartisan Legal Advisory Group (BLAG) - to file suit in the coming weeks in an effort to compel the president to follow his oath of office and faithfully execute the laws of our country.

### Congressional Budget Office: State, Local Jurisdictions Could Lose Millions from Internet Tax Bill

The Permanent Internet Tax Freedom Act (H.R. 3086) would make permanent a moratorium on state and local taxes on services that provide Internet access as well as some taxes on electronic commerce. The moratorium is set to expire November 1. In its revenue estimate, released last Friday, the CBO said that enactment would mean a small number of jurisdictions in which the moratorium doesn't apply could lose "more than several hundred million dollars annually." Jurisdictions in seven states-Hawaii, New Mexico, North Dakota, Ohio, South Dakota, Texas and Wisconsin-currently collect Internet access taxes because their tax laws existed before the initial moratorium. H.R. 3086 strikes this "grandfather clause."

H.R. 3086 was approved by the House Judiciary Committee on June 18, and the bill may receive a vote on the House floor in July.

### Members of Congress Urge FCC to Spur Municipal Broadband Deployment

Last Friday, eight Democrats from the House and Senate sent a letter to the Federal Communications Commission (FCC) supporting potential FCC preemption of municipal broadband laws that have been passed in nearly 20 states. Those laws either discourage or prevent local governments from building broadband networks that may compete with incumbent commercial Internet service providers. This letter counters a letter from Republican lawmakers that oppose FCC preemption of municipal broadband laws.

### Department of Homeland Security Funding Bill Moves Forward

The Senate Appropriations Committee on Thursday advanced a $47.2 billion Homeland Security appropriations bill for Fiscal Year 2015. It includes a $77 million increase in funding for the Customs Service and Border Patrol for the processing and handling of unaccompanied immigrant minors along the southern border of the US. The bill also maintains current funding levels to Assistance to Firefighters (FIRE) and the Staffing for Adequate Fire and Emergency Response (SAFER) grant programs at $340 million each. The House DHS appropriations bill passed...
committee on June 12th, but has yet to be brought to the floor. **Read More...**

**Preservation Group Will Appeal Court's Digital Billboards Decision**

Scenic America sued the Department of Transportation in 2013 over its 2007 guidance that allows digital billboards along federally funded highways. But last Wednesday, the D.C District Court dismissed the case, saying that the guidance is an interpretation and not a substantial change of the 1965 Highway Beautification Act, and does not go against the act's prohibition of billboards with flashing or moving lights. Scenic America announced they will appeal the decision, stating that "digital billboards violate the spirit and letter of Highway Beautification Act." **Read More...**

**Congressional Schedule**

There are no scheduled hearings this week.