Congressional Outlook

Week of May 5th

The House and Senate are in session this week, and NATaT members will be in Washington, D.C. for NATaT’s annual legislative fly-in. NATaT members will be on Capitol Hill this Thursday to discuss the organization’s federal priorities with Members of Congress.

Senate leaders have queued up energy legislation as their next item of business. There is expected to be an agreement to pair the bill with a separate vote on authorizing the construction of Keystone XL pipeline by TransCanada Corp. Transportation Secretary Anthony Foxx will testify Wednesday at a Senate Commerce, Science and Transportation Committee hearing on the surface transportation reauthorization process, and the Senate Finance Committee, which has jurisdiction over the financing part of the highway bill, holds a hearing tomorrow on how to fund funding highways and transit programs.

On Wednesday, the House Appropriations’ Transportation, Housing and Urban Development Subcommittee will mark up the FY 2015 spending bill for the departments of Transportation and HUD. On Thursday, the House Transportation and Infrastructure's Subcommittee on Water Resources and Environment will hold a hearing on potential impacts of proposed changes to the Clean Water Act's jurisdictional rule.

Week in Review

Minnesota Congressman Jim Oberstar Dies at 79

Last Friday night, the transportation policy world lost a "titan." The Democrat from Minnesota's Iron Range region served 36 years in the House sitting on the Transportation and Infrastructure Committee. He was the panel's top Democrat for 12 years before becoming chairman in 2007. Known as "Mr. Transportation" for his encyclopedic knowledge of transportation policy and
history, Congressman Oberstar was a well-liked, moderate lawmaker. The native of Chisholm, Minnesota, served for 18 terms before narrowly losing reelection in 2010 to Republican Chip Cravaack, who two years later lost to Democrat Rick Nolan.

**President Sends Congress Proposed Transportation Reauthorization Bill**

Last Tuesday, the Obama administration sent Congress its proposal for reauthorizing the nation's surface transportation law. Known as the GROW AMERICA Act, the measure proposes a four-year $302 billion surface transportation bill. The proposal relies on corporate tax reform to address the shortfall of the Highway Trust Fund and renames it the Transportation Trust Fund, reiterating use of the Fund for all modes of transportation. For more on the President's proposal, click here.

**Members of Congress to EPA - Withdraw CWA Rule**

Last Thursday, 231 lawmakers (212 Republicans, 9 Democrats) sent a letter to the heads of the EPA and the U.S. Army Corps of Engineers objecting to the Clean Water Act rule that would clarify jurisdiction over the nation's waters and wetlands. The letter asks the EPA and the Corps to withdraw the rule to address the "serious legal, economic, and scientific deficiencies of the proposal." The lawmakers said the proposed rule was built on an incomplete scientific study and flawed economic analysis. It also asserts that, rather than providing clarity and making identified covered waters less complicated and more efficient, the rule creates more confusion and will lead to unnecessary litigation based on its reliance on undefined and vague concepts.

**Final WRDA Deal Expected Within Two Weeks**

At a House Transportation and Infrastructure (T&I) Water Resource and Environment Subcommittee hearing last week, key lawmakers stated that the conference committee negotiating the Senate/House differences on the Water Resource Development Act (WRDA) should wrap up its work within the next two weeks. The hearing focused on 11 projects that have received a final U.S. Army Corps of Engineers (Corps) “Chief's Report” recommending that Congress authorize the projects for construction. Also, projects that were not yet approved (necessary to be eligible for inclusion in the new WRDA bill's authorized projects list) were brought up at the hearing, with congressional sponsors of the yet to be recommended projects criticizing the Corps for not doing enough to move projects forward in time for the WRDA bill's new project authorization process.

Corps projects must be authorized before funding can be requested by the Administration and appropriated by Congress for construction. The new WRDA bill is expected to take a novel, non-earmark approach to authorizing new Corps projects, allowing projects that have received a final Chief's Report to be authorized in the bill as an Administration request. Those projects that have not yet received a final report may have to wait until the next WRDA bill passes Congress to be authorized. House T&I Chairman Bill Shuster (R-PA) has stated that once the WRDA bill passes Congress and is signed into law, the Committee will begin work on the next WRDA bill.

**Hiring and Community Development Grant Program to Open Soon**

The Department of Justice's COPS program expects to release solicitations for the Hiring and Community Policing Development grant program on or shortly after May 19. The FY 2014 application and guide is now posted so that local law enforcement agencies can see what the
grant program is asking for and collect the needed information ahead of time.

**Employers Much Inform Laid Off Employees of Insurance Options**

The Obama administration [issued a rule Friday](https://www.whitehouse.gov) that employees must notify workers of their health plan options through the Affordable Care Act exchanges, as an alternative to COBRA.

**Republican Senator Calls for Earmark Return**

In a C-SPAN interview that aired yesterday, Senator John Hoeven (R-ND), a member of the Appropriations Committee, urged his party to end the moratorium on earmarks. The Senator said, "I think there's got to be ... full, open transparency and disclosure, but Congress has to work to make these decisions about where the dollars are spent and how." This viewpoint is similar to some other veterans of the appropriations committee, including Majority Whip Richard Durbin (D-IL). Despite this effort, any change is highly unlikely before the November elections.

### Congressional Schedule

#### Tuesday, May 6

- Senate Finance Full Committee hearing on "New Routes for Funding and Financing Highways and Transit."
- Senate Budget Full Committee hearing on the President's FY 2015 budget request for education.

#### Wednesday, May 7

- House Committee on Oversight and Government Reform Full Committee hearing on "Is EPA Leadership Obstructing Its Own Inspector General?"
- House Natural Resources Full Committee hearing on "Keeping the Lights On and Reducing Catastrophic Forest Fire Risk: Proper Management of Electricity Rights of Way on Federal Lands."
- Senate Appropriations Committee's Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee hearing to examine proposed FY 2015 budget estimates for the Department of Health and Human Services.

#### Thursday, May 8

- House Judiciary Committee's Regulatory Reform, Commercial and Antitrust Law Subcommittee oversight hearing on "Competition in the Video and Broadband Markets: Proposed Merger of Comcast and Time Warner Cable."
- House Education and the Workforce Full Committee hearing on "Big Labor on College Campuses: Examining the Consequences of Unionizing Student Athletes."
- House Transportation and Infrastructure Committee's Water Resources and Environment Subcommittee hearing on "Potential Impacts of Proposed Changes to the Clean Water Act Jurisdictional Rule."
- Senate Energy and Natural Resources Full Committee hearing to examine the North American energy boom, focusing on realizing the opportunities and the challenges.
- Senate Health, Education, Labor and Pensions Full Committee hearing to examine the nomination of Sylvia Mathews Burwell of West Virginia to be Secretary of Health and Human Services.