Congressional Outlook

Week of October 14th

Congress is still in recess, but there will be Congressional action later this week in response to the Ebola outbreak. The House Energy and Commerce’s Oversight and Investigations Subcommittee will hold a hearing on the U.S. public health response to the Ebola outbreak. This hearing comes on the heels of last week's move by two House to release a total of $750 million for the Obama administration to fight the Ebola crisis in West Africa.

Week in Review

WOTUS Comment Period Extended to November 14, 2014

Last Monday, the EPA and the U.S. Army Corps of Engineers extended the public comment period to the "Waters of the U.S." or "WOTUS" rule, which includes proposed changes to how those agencies determine jurisdiction of the Clean Water Act. The Scientific Advisory Board (SAB) will soon complete its peer review of the report on the connectivity of streams and wetlands, and this will give the public the opportunity to incorporate the SAB review into their comments.

Final Rule for FTA's Emergency Relief Program

Last Tuesday, the Federal Transit Administration (FTA) published a final rule establishing
procedures governing the implementation of the Public Transportation Emergency Relief Program authorized under MAP-21.

The Emergency Relief Program allows FTA, subject to the availability of appropriations, to make grants for eligible public transportation capital and operating costs in the event of a catastrophic event. That catastrophic event includes a natural disaster, as a result of which the Governor of a State has declared an emergency and the Secretary of Transportation has concurred, or the President has declared a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. While non-federal cost shares of 20-50% are generally required, the FTA Administrator may waive, in whole or part, the non-Federal share required. Read more...

FEMA is Seeking Comments on a Local Disaster Recovery Framework

The National Disaster Recovery Framework provides guidance to recovery managers and government agencies in coordinating recovery efforts from national disasters, i.e. those that receive a presidential declaration under the Stafford Act. Coordination of federal programs is especially important in disaster recovery efforts, and the framework ensures that resources provided by federal agencies are able to meet the specific needs of communities impacted by national disasters.

However, most incidents do not receive presidential declarations, and are managed by state, tribal, territorial, or local governments. For these incidents, coordination can be difficult because state and local recovery managers must combine resources from federal agencies other disparate sources that may not align neatly with their community’s needs. Last week, FEMA issued a draft guidance document, Effective Coordination of Recovery Resources for State, Tribal, Territorial, and Local Incidents, that applies the practices and principles outlined in the National Disaster Recovery Framework to incidents that do not receive a national disaster designation. The guidance is intended to help state, tribal, territorial, and local recovery managers identify recovery needs and priorities, reallocate existing resources, identify and synthesize available federal programs and other assistance, and engage traditional and non-traditional partners.

FEMA is seeking comments from stakeholders on the draft guidance through October 22nd. If you would like to provide feedback, comments can be sent to Rachel.Meyerson@fema.dhs.gov using the comment matrix that FEMA has provided.

Senator Boxer Continues Push for Long-term HTF Solution

Senator Barbara Boxer (D-CA) continued her push last week to move forward on a long-term fix to the Highway Trust Fund issue by writing another letter on the subject to House Ways and Means Chair, David Camp (R-MI). In her letter the Senate Environment and Public works Chair urged Chairman Camp to provide feedback on the handful of options she developed and provided to him last month, that would address the Highway Trust Fund shortfall.

While she has not publicized her exact recommendations to Chairman Camp, Senator Boxer has been very vocal on what she supports. She is supportive of user fees, not general fund transfers. She strongly supports a vehicle-miles-traveled fee, but she does not think it has enough widespread support in the Congress. She has also said that a move away from the gas tax would be a fairer solution than what is in place now, since people who drive electric vehicles do not pay anything even though they use the roads.

Overall, Senator Boxer is seeking to find a long-term, bipartisan solution that ultimately
separates the Highway Trust Fund from the daily congressional budget battles.

Congressional Schedule

Congress is currently in recess, however, one hearing is scheduled this week.

**Thursday, October 16**

House Energy and Commerce Committee Subcommittee on Oversight and Investigations hearing on "Examining the U.S. Public Health Response to the Ebola Outbreak."