Week of March 14th

The House and Senate are both in session this week. On Monday, the House voted on 14 bills under suspension of the rules, including the “Airport and Airway Extension Act of 2016” (H.R. 4721), a 3.5 month short term extension of the Federal Aviation Administration's authorization, through July 15, 2016. For the remainder of the week, the House will vote on (1) the “Satisfying Energy Needs and Saving the Environment (SENSE) Act” (H.R. 3797), which would ease emission rules for coal refuse power plants; and (2) the “Small Business Broadband Deployment Act” (H.R. 4596), which would exclude small businesses from certain federal broadband transparency rules. Later in the week, the Senate may resume consideration of the “Energy Policy Modernization Act of 2015” (S. 2012), which would revise programs related to energy cybersecurity, efficiency, infrastructure, and supply management. S. 2012 has been paired with the “Safe Drinking Water Act Improved Compliance Awareness Act” (H.R. 4470) to help municipalities such as Flint, Michigan, clean up lead-contaminated drinking water. The Senate may also consider a GMO labeling bill (S. 2609), which would invalidate state rules mandating labels for food containing genetically modified organisms and, instead, would create a voluntary federal labeling program.

House Budget Committee Chairman Tom Price (R-GA) is lining up support on his panel for marking up a FY 2017 budget resolution this week. The annual fiscal blueprint is meant to lay out the party's priorities and targets for spending, revenues and deficits in coming years. The House Republican conference held a meeting on Monday to discuss the proposed budget resolution, and if there is support for the plan, the House Budget Committee will likely hold a markup on Wednesday. The private session comes as the House Energy and Commerce and Ways and Means Committees begin a markup of legislation designed to help persuade reluctant Republicans to support the budget resolution by cutting the deficit by $16.5 billion over two years and $98 billion over 10 years. Senate Majority Leader Mitch McConnell's (R-KY) decision last week to have the Senate move forward with the appropriations process casts doubt on whether House GOP leaders will be able to win over enough fiscal hawks in their conference to pass their own budget resolution this year.

This week, President Obama is expected to announce his nominee to the United States Supreme Court, to succeed the late Justice Antonin Scalia, who died on February 13. The top contenders
Week in Review

Senate Passes Bill to Combat Opioid Abuse

On March 10, the Senate passed the "Comprehensive Addiction and Recovery Act (CARA) of 2016" (S. 524) with a 94-1 vote. The measure, introduced by Senator Sheldon Whitehouse (D-RI) approximately one year ago, authorizes $77.9 million in grants per year, from fiscal years 2016-2020, to be awarded by the U.S. Department of Health and Human Services (HHS) and the U.S. Department of Justice (DOJ) to combat a growing epidemic of prescription opioid abuse. Authorized funds could be used for treatment and recovery services, alternatives to prison for nonviolent offenders, law enforcement initiatives, and programs to prevent overdose deaths and improper prescriptions. Eligible recipients would include state, local, and tribal governments, educational institutions and nonprofit groups. Some programs would assist specific populations of opioid users such as prisoners, young people and pregnant women. Many of the bill's provisions would direct HHS and DOJ to coordinate with each other on grant decisions, support evidence-based practices, provide technical assistance to grant recipients and ensure an equitable geographic distribution of funds.

There is also an identical House companion CARA bill, H.R. 953, which currently has 92 cosponsors (66 Democrats and 26 Republicans) but has yet to see any action. The White House issued a Statement of Administration Policy on March 1 for S. 524, stating that the "Administration looks forward to working with the Congress on securing funding to provide families and communities with the support they need for opioid abuse prevention and to ensure that treatment is available for those who seek it." Read more...

White House Announces ConnectALL Initiative

On March 9, President Obama announced ConnectALL, an effort aimed at connecting 20 million more Americans to broadband Internet by 2020. The Obama Administration also announced its recommendation that the Federal Communications Commission (FCC) reform the Lifeline program to address the way people communicate in the 21st century. The Administration also released a new study on the economic importance of broadband and calling for nonprofits, businesses, technology experts, and government to join a national effort to reach the ConnectALL goal of connecting 20 million more Americans to broadband by 2020. Read more...

DOT Announces Procedures for Repurposing $2 Billion in Highway Money From "Dead Earmarks"

On March 8, the U.S. Department of Transportation announced the procedures for allowing states to redistribute almost $2 billion in highway funding from "dead earmarks" made by Congress in old surface transportation authorization or appropriations bills. States and territories will have until September 12, 2016 to re-designate some $1.958 billion in funding for new projects, which must then be legally obligated by the end of fiscal year 2019 (i.e. Sept. 30, 2019). To qualify as a "dead earmark," funds must have been provided by legislation that was at least 10 years old and for which less than 10 percent of the funding originally provided had actually been obligated (both measurements were against the date of enactment of the fiscal year 2016 appropriations act for USDOT which contained the language mandating the earmark repurposing
DOT reports that $1.906 billion in earmarks from SAFETEA-LU and previous authorization laws, as well as $51.9 million in earmarks from old appropriations bills, met the criteria. Under the terms of the law, the repurposed money "shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher." The Guidance Memorandum, FAQs page, and lists of eligible reprogrammable earmarks are available here.

Congressional Schedule

Tuesday, March 15

- House Appropriations Subcommittee on Defense "Member Hearing Day."
- House Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies budget hearing for Department of Agriculture, Rural Development.
- Full Senate Banking, Housing, and Urban Affairs Committee nominations hearing for Lisa Fairfax and Hester Peirce to be members of the U.S. Securities and Exchange Commission.
- Full House Education and the Workforce hearing entitled "Examining the Policies and Priorities of the U.S. Department of Health and Human Services."
- Full Senate Energy and Natural Resources Committee hearing entitled "Examining the Presidential Memorandum on Mitigation."
- Full Senate Homeland Security and Governmental Affairs Committee hearing entitled "The Security of U.S. Visa Programs."
- House Judiciary Subcommittee on Regulatory Reform, Commercial and Antitrust Law hearing entitled "The Chevron Doctrine: Constitutional and Statutory Questions in Judicial Deference to Agencies."
- House Judiciary Subcommittee on the Constitution and Civil Justice hearing entitled "Proposing an Amendment to the Constitution of the United States Relating to Parental Rights."
- Full House Natural Resources Committee markup of 14 bills: the "Shiloh National Military Park Boundary Adjustment and Parker's Crossroads Battlefield Designation Act" (H.R. 87); a bill "To reauthorize the Historically Black Colleges and Universities Historic Preservation program" (H.R. 295); the "Indian Employment, Training and Related Services Consolidation Act of 2015" (H.R. 329); the "Alabama Hills National Scenic Area Establishment Act" (H.R. 496); a bill "To modify the boundary of Petersburg National
Battlefield in the Commonwealth of Virginia, and for other purposes" (H.R. 1621); the "Clear Creek National Recreation Area and Conservation Act" (H.R. 1838); the "Pascua Yaqui Tribe Land Conveyance Act of 2015" (H.R. 2009); the "Nevada Native Nations Land Act" (H.R. 2733); the "EEZ Clarification Act" (H.R. 3070); a bill "To provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon" (H.R. 3211); the "Mount Hood Cooper Spur Land Exchange Clarification Act" (H.R. 3826); a bill "To exempt importation and exportation of sea urchins and sea cucumbers from licensing requirements under the Endangered Species Act of 1973" (H.R. 4245); the "Utah Test and Training Range Encroachment Prevention and Temporary Closure Act" (H.R. 4579); and the "National Park Service Centennial Act" (H.R. 4680).

- Full House Oversight and Government Reform Committee hearing entitled "Examining Federal Administration of the Safe Drinking Water Act in Flint, Michigan, Part 2."
- House Science, Space, and Technology Subcommittee on Oversight hearing entitled "Racing to Regulate: EPA's Latest Overreach on Amateur Drivers."
- House Transportation and Infrastructure Subcommittee on Coast Guard and Maritime Transportation hearing entitled "The President's Fiscal Year 2017 Budget Request for Coast Guard and Maritime Transportation Programs."
- Full Senate Veterans' Affairs Committee markup of: the "Veterans Choice Improvement Act of 2016" (S. 2646); the "Improving Veterans Access to Care in the Community Act (S. 2633); and the "Express Appeals Act of 2016" (S. 2473).

Wednesday, March 16

- Senate Appropriations Subcommittee on Defense budget hearing for National Guard and Reserve.
- Senate Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies budget hearing for Department of Transportation.
- Full Senate Commerce, Science, and Transportation Committee markup of the "Federal Aviation Administration Reauthorization Act of 2016" (S. 2658) and the "FCC Reauthorization Act of 2016" (S. 2644).
- Full House Education and the Workforce hearing entitled "Examining the Policies and Priorities of the U.S. Department of Labor."
- Full Senate Health, Education, Labor, and Pensions Committee markup of: the "Mental
Health Reform Act of 2016” (S. ____); the “Recovery Enhancement for Addiction Treatment (TREAT) Act” (S. 1455); the ”Co-Prescribing Saves Lives Act of 2015” (S. 2256); the “National All Schedules Prescription Electronic Reporting Reauthorization Act of 2015” (S. 480); and the “Plan of Safe Care Improvement Act” (S. ____).

- Full House Homeland Security Committee hearing entitled “DHS in Today’s Dangerous World: Examining the Department’s Budget and Readiness to Counter Homeland Threats.”
- Full Senate Homeland Security and Governmental Affairs Committee hearing entitled “DHS Management and Acquisition Reform.”
- Full House Judiciary Committee markup of the ”Refugee Program Integrity Restoration Act of 2016” (H.R. ____).
- Senate Judiciary Subcommittee on Immigration and the National Interest hearing entitled “The Impact of High Levels of Immigration on U.S. Workers.”
- Full Senate Judiciary Committee hearing entitled “Preventing America’s Looming Fiscal Crisis: the Need for a Balanced Budget Amendment to the Constitution.”
- Full House Natural Resources Committee markup of 14 bills: the “Shiloh National Military Park Boundary Adjustment and Parker’s Crossroads Battlefield Designation Act” (H.R. 87); a bill “To reauthorize the Historically Black Colleges and Universities Historic Preservation program” (H.R. 295); the “Indian Employment, Training and Related Services Consolidation Act of 2015” (H.R. 329); the “Alabama Hills National Scenic Area Establishment Act” (H.R. 496); a bill “To modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, and for other purposes” (H.R. 1621); the “Clear Creek National Recreation Area and Conservation Act” (H.R. 1838); the “Pascua Yaqui Tribe Land Conveyance Act of 2015” (H.R. 2009); the ”Nevada Native Nations Land Act” (H.R. 2733); the “EEZ Clarification Act” (H.R. 3070); a bill “To provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon” (H.R. 3211); the “Mount Hood Cooper Spur Land Exchange Clarification Act” (H.R. 3826); a bill “To exempt importation and exportation of sea urchins and sea cucumbers from licensing requirements under the Endangered Species Act of 1973” (H.R. 4245); the “Utah Test and Training Range Encroachment Prevention and Temporary Closure Act” (H.R. 4579); and the ”National Park Service Centennial Act” (H.R. 4680).
- House Ways and Means Subcommittee on Health hearing entitled “Preserving and Strengthening Medicare.”

Thursday, March 17

- Full Senate Special Aging Committee hearing entitled “Sudden Price Spikes in Decades-Old Rx Drugs.”
- Full House Agriculture Committee hearing entitled “Examining USDA organization and program administration-Part I.”
- Senate Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies budget hearing for Department of Labor.
• Senate Energy and Natural Resources Subcommittee on National Parks markup of 24 bills: the "Medgar Evers House Study Act" (S. 2177/H.R. 959); the "John Muir National Historic Site Expansion Act" (S. 651/H.R.1289); the "National Liberty Memorial Clarification Act of 2015" (H.R. 1949); a "bill to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes" (S. 1329/H.R. 2288); the "Martin Luther King, Jr. National Historic Park Act of 2016 (H.R. 2880); the "Kennesaw Mountain National Battlefield Park Boundary Adjustment Act of 2015" (S.1930/H.R. 3371); the "Wounded Veterans Recreation Act of 2015" (S. 119); a "bill to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, and for other purposes" (S. 718); the "Escambia County Land Conveyance Act" (S. 770); the "East Rosebud Wild and Scenic Rivers Act (S. 1577); the "Shiloh National Military Park Boundary Adjustment and Parker's Crossroads Battlefield Designation Act (S. 1943); the "Sewall-Belmont House Act of 2015" (S. 1975); the "Korean War Veterans Memorial Wall of Remembrance Act of 2015" (S. 1982); the "21st Century Conservation Service Corps Act of 2015" (S. 1993); a "bill to designate the mountain at the Devils Tower National Monument, Wyoming, as Devils Tower, and for other purposes" (S. 2039); the "National Memorial to Fallen Educators Act of 2015" (S. 2061); the "U.S. Civil Rights Network Act of 2015" (S. 2309); the "American Discovery Trail Act of 2016" (S. 2608); a "bill to facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes" (S. 2620); and the "National Emergency Medical Services Commemorative Work Act" (S. 2628).
• Full Senate Finance Committee hearing entitled "HealthCare.gov: A Review of Operations and Enrollment."
• Senate Homeland Security and Governmental Affairs Subcommittee on Regulatory Affairs and Federal Management hearing entitled "Examining Agency Use of Deference, Part II."
• Full Senate Judiciary Committee markup of the "Expatriate Terrorist Act" (S. 247); the "Federal Bureau of Investigation Whistleblower Protection Enhancement Act of 2015" (S. 2390); the "Adam Walsh Reauthorization Act of 2016" (S. 2613); and the "Kevin and Avonte's Law of 2016" (S. 2614).
• House Natural Resources Subcommittee on Oversight and Investigations hearing entitled "Implementation of the Department of the Interior's Law Enforcement Records System."
• Full House Oversight and Government Reform Committee hearing entitled "Examining Federal Administration of the Safe Drinking Water Act in Flint, Michigan, Part 3."
• House Small Business Subcommittee on Investigations, Oversight and Regulations hearing entitled "Risky Business: Effects of New Joint Employer Standards for Small Firms."

Friday, March 18

• Full House Agriculture Committee hearing entitled "Examining USDA organization and program administration-Part II."