



RESOURCES

Weekly Washington Update October 19, 2007



Congressional Honor

This week, the Dali Lama arrived in Washington D.C. to receive the Congressional Medal of Honor. Past recipients include Mother Teresa, former South African President Nelson Mandela, former British Prime Minister Winston Churchill and baseball and civil rights icon Jackie Robinson. President Bush called him a "universal symbol of peace and tolerance, a

shepherd of the faithful and a keeper of the flame for his people". The ceremony was a chance for Democrats and Republicans to declare a brief ceasefire.

WRDA Being Readied for Showdown

According to House and Senate WRDA leaders, the final agreement to renew WRDA is being readied for transmittal to the President for signing or vetoing. The most recent signals from the White House indicate a veto is expected. However, there appears to be an overwhelming consensus in Congress that an override of the veto is likely because of the priority to respond to the nation's ports, locks and other water infrastructure needs. The legislation when it is received by the White House must be signed or vetoed within ten days of receipt excluding Sundays.

SCHIP Veto Override Fails

On October 18, the House's Democratic leadership failed to override President Bush's veto of the State Children's Health Insurance Program (SCHIP) expansion (HR 976). The effort failed by a vote of 273-156, just 13 votes shy of the two-thirds majority needed. The measure would have expanded the SCHIP program by \$35 billion over five years, to \$60 billion, with the costs offset by increased tobacco taxes. House Speaker Pelosi (D-CA) and Senate Majority Leader Reid (D-NV) said that they would begin working to send a new SCHIP bill to President Bush.

Appropriations—Showdown On The Horizon

The federal government's fiscal year (FY) 2007 began on October 1, but lawmakers are still a long way from concluding the FY 2008 budget. The SCHIP battle highlights the difficulty Democrats face in succeeding with their plan to send President Bush spending bills that will result in a certain presidential veto. This week the Senate approved the Commerce, Justice, Science appropriations bill and next week expect to move the Labor-HHS-Education bill. The

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Administration has stated that these spending bills “include irresponsible and excessive funding and objectionable provisions.”

Currently, federal agencies are operating under a continuing resolution that funds programs at FY 2007 levels through November 16. Congressional leadership has indicated that they expect to pass an additional continuing resolution, carrying through into December, to give appropriators enough time to finish work on an omnibus package(s).

Senate Passes C-J-S Funding Bill

On October 16, the Senate overwhelmingly approved its FY 2008 Appropriations for the Departments of Commerce, Justice, Science and related agencies (H.R. 3093). The bill provides \$56 billion to fund the Departments of Commerce and Justice, as well as independent agencies, including NASA and the National Science Foundation. The total is almost \$5 billion more than the President’s budget request of \$51.2 billion.

The Senate approved an amendment to increase funding for the Community Oriented Policing Services (COPS) program by \$110 million, to a total of \$660 million – \$112 million more than FY07 funding and \$628 million more than the President’s budget. The House bill funds COPS at \$725 million.

California Water Measures

This week, the House Committee on Natural Resources, Subcommittee on Water and Power marked up three California water bills.

- ↪ H.R. 123, introduced by Rep. David Dreier (R-CA) authorizes \$135 million in appropriations for the San Gabriel Basin Restoration Fund, to help clean up perchlorate contamination and provide safe drinking water to Southern California.
- ↪ H.R. 236, introduced by Reps. Mike Thompson (D-CA) and Lynn Woolsey (D-CA), authorizes the Secretary of the Interior to create a Bureau of Reclamation partnership with the North Bay Water Reuse Authority and other regional partners to achieve objectives relating to water supply, water quality, and environmental restoration in Marin County, Napa County, Solano County, and Sonoma County.
- ↪ H.R. 2498 was introduced by Rep. Jim Costa (D-CA) provides for a study regarding development of a comprehensive integrated regional water management plan that would address four general areas of regional water planning in both the San Joaquin River Hydrologic Region and the Tulare Lake Hydrologic Region, inclusive of Kern, Tulare, Kings, Fresno, Madera, Merced, Stanislaus, and San Joaquin Counties.

Flood Insurance Program Moves through Senate Committee

On October 17, the Senate Committee on Banking, Housing, and Urban Affairs approved the overhaul of the National Flood Insurance Program (NFIP). The NFIP was established in 1968 to make affordable flood insurance available in communities that would adopt and enforce measures to make future construction safer from flooding. From 1968 through 2004, a total of \$15 billion had been paid out to cover more than 1.3 million claims. During that same time period, the NFIP took in \$20.5 billion in earned premiums. The draft measure would reauthorize the program through FY 2013. The panel approved the bill 21-0.

Lawmakers Honor Clean Water Act 35th Anniversary

On October 18, lawmakers held a hearing to honor the accomplishments of the Clean Water Act and discuss its future challenges. Lauded as one of the most influential environmental laws of our nation's history, Committee on Transportation and Infrastructure Chairman James Oberstar (D-MN), noted that in 1972, only 1/3 of the nation's water met water quality goals. Today, while 2/3 of those waters meet water quality goals, 1/3 still remain impaired. Oberstar continued that much of the success of the CWA is attributable to the increased number of municipal sewage treatment plants constructed to address point source pollution.

Despite the accomplishments achieved since 1972, lawmakers highlighted some concerns about the CWA. Rep. Don Young (R-AK) harangued "malicious lawsuits" that take advantage of the CWA. Oberstar advocated for the Clean Water Restoration Act, by sharing that the CWA's original intent was to cover all waters of the United States, not just navigable waters. The bill, H.R. 2421, aims to clarify the current ambiguity of CWA jurisdiction over certain water bodies that are not clearly covered, such as certain wetlands, headstreams, and intrastate waters. Committee ranking member, John Mica (R-FL), seized on Oberstar's commentary by warning lawmakers that H.R. 2421 would likely lead to more lawsuits.

Witnesses flagged nonpoint sources of pollution, including mercury deposition, as a leading source of impairment to the nation's waters. Oberstar implored the Senate to take-up the \$14 billion SRF program reauthorization and the \$800 million program for Combined Sewer Overflows.

Chairman Oberstar Advocates for Water Enterprise Bonds

During last week's hearing before the House Committee on Transportation and Infrastructure, Chairman James Oberstar (D-MN) encouraged Congress to look into alternative forms of financing for POTWs. Oberstar noted that five years ago, his committee was able to advance legislation to lift the cap on private activity bonds (PABs), only to have the Committee on Ways and Means strip out the authority to lift the cap. Oberstar indicated that the loss in revenue would be less than \$200 million to the Federal treasury; however, over \$1 billion of public/private investment would likely follow a lift of the cap on PABs. Oberstar took the opportunity to applaud the EPA and Department of Treasury for coming together to support raising the cap, but also noted the Administration's initial opposition several years earlier.

House Takes Testimony on Raw Sewage Overflow Community Right-to-Know-Act

On October 16, House lawmakers heard testimony in support of increasing public notification of sewer overflows. The House Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, heard from the EPA, State and local governments, public health officials, and other stakeholders on the Raw Sewage Overflow Community Right-to-Know Act (H.R. 2452). The measure aims to strengthen the notification requirements for local communities in the event of Sanitary Sewer Overflows and Combined Sewer Overflows. Proponents of the legislation emphasized the health, economic and environmental impacts of sewage overflows. Lawmakers and witnesses alike testified that the more the public becomes aware of sewer overflows, the more amenable they will be increasing wastewater infrastructure financing, be it through increased rates or local bond initiatives. A

companion bill to H.R. 2452 (S. 2080) has been introduced in the Senate by Senator Frank Lautenberg (D-NJ) and awaits Senate action.

Upcoming Congressional Hearings

Hearing on Broadband in Rural America

Date: Oct. 23, Time: 10:00 a.m.

House Committee on Appropriations, Subcommittee on Agriculture and Rural Development

Hearing on Surface Transportation Budget

Date: Oct. 25, Time: 10:00 a.m.

House Committee on Budget

Hearing on Increased Costs of Highway and Transit Construction Materials

Date: TBA

House Committee on Transportation, Subcommittee on Economic Development

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