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SUBJECT: JULY MONTHLY LEGISLATIVE UPDATE

DATE: JULY 28, 2016

MONTHLY LEGISLATIVE UPDATE

On July 15, the House and Senate gavelled out of session for an extended summer recess to accommodate the Republican and Democratic presidential nominating conventions in Cleveland and Philadelphia, respectively. Both chambers will return to Washington after Labor Day for four short weeks of business before they break again from early October until the third week of November for election season.

STATUS OF FY 2017 APPROPRIATIONS BILLS

Despite significant progress made by both chambers in approving FY 2017 annual appropriations bills, the compressed legislative schedule makes it likely that Congress will have to approve a continuing resolution (CR) to keep the government running after the fiscal year ends on September 30, especially because of partisan issues that have killed several House spending bills. It is also likely that a year-end omnibus appropriations measure will be needed to pass all spending bills in the three weeks Congress is in session after the November elections through the end of the calendar year.

By late June, the Senate Appropriations Committee cleared all 12 annual appropriations bills, the earliest passage point since 1988. The Senate now has nine spending bills to approve on the floor. So far, the three bills that have been approved on the floor include Transportation, Housing and Urban Development (THUD), Military Construction and Veterans Affairs (MilCon-VA), and Energy and Water (E&W). The E&W bill cleared the full Senate in May, breaking a 40-year record to become the earliest stand-alone appropriations bill approved by the full chamber.

On July 14, the House Appropriations Committee approved its 12th and final spending bill, funding the Departments of Labor, Health and Human Services, and Education. The full House has considered six bills on the floor, one of which failed to gain approval from the chamber. The E&W bill was overwhelmingly voted down in May due to controversy over LBGT provisions. Democratic appropriators already opposed provisions in the bill they say would undermine the Clean Water Act, prohibit the use of funds to implement parts of the National Ocean Policy, and undermine efforts to study flood risk at national and regional scales, among others. The White House issued a [veto threat](#) on May 23 outlining its concerns with these provisions and others.

HOUSE AND SENATE 2016 WATER RESOURCES DEVELOPMENT ACT BILLS

Due to the short legislative calendar, neither the House nor Senate Water Resources Development Act (WRDA) bills received floor consideration before the summer recess. However, because there are significant differences between the House and Senate bills, mostly due to the inclusion of clean water and drinking water provisions in the Senate version, the committees of jurisdiction (Senate Environment and Public Works Committee (EPW) and House Transportation and Infrastructure Committee (T&I)) will be pre-conferencing in August to get a jumpstart on resolving differences.

There is still no official word from leadership on when either bill will get floor time. Senate EPW Chairman James Inhofe (R-OK) and Ranking Member Barbara Boxer (D-CA) have been pushing leadership hard to get WRDA on the floor, and therefore, it is possible that the bill will get consideration sometime before Congress recesses from early October to mid-November for elections. It is possible the House WRDA will get consideration in September as well; however, some reports suggest it may not get floor time until the lame-duck session.

[For more information on provisions in the House and Senate WRDA bills that may be of interest to the Topsail Island Shoreline Protection Commission and coastal communities in general, please refer to the "Section-by-Section Review of Noteworthy House and Senate Water Resources Development Act Provisions" document submitted to the Commission in May 2016, which is attached.]