



Weekly Legislative Update Week of April 11, 2016

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Week of April 11th

The House and Senate are both in session this week. On Tuesday and Wednesday, the House will vote on [9 bills](#) under suspension of the rules, including the "State and High-Risk Urban Area Working Group Act" ([H.R. 4509](#)), which would require states and high-risk urban areas that receive funding under the Homeland Security Grant Program to establish a state planning committee or urban area working group, unless a similar committee or commission already exists. Later this week, the House will vote on the "No Rate Regulation of Broadband Internet Access Act" ([H.R. 2666](#)), which would bar the Federal Communications Commission from regulating consumer broadband Internet rates.

The Senate will continue debating and voting on amendments for the "Federal Aviation Administration Reauthorization Act of 2016" ([S. 2658](#)), which would reauthorize FAA programs and revenue-collection authority through September 30, 2017. Outstanding issues include whether to include a tax package to extend the Investment Tax Credit for geothermal, fuel cells, small wind, and other renewable technologies, which expire at the end of 2016, as well as an amendment ([SA 3558](#)), introduced by Sens. Dianne Feinstein (D-CA), Thom Tillis (R-NC), and Richard Blumenthal (D-CT), which would remove the currently included blanket preemption of state and local laws relating to drones and replacing it with much more limited and situational federal preemption and requirements for concurrent federal-state-local enforcement.

Both the House and Senate Appropriations Committees have [scheduled](#) hearings and markups this week as they begin to move fiscal year 2017 spending bills, using the spending levels outlined in last year's budget deal as a framework. On Wednesday, House appropriators are scheduled to [consider](#) allocations for the dozen FY17 spending bills. The vote on the so-called 302(b) allocations, dividing the \$1.07 trillion budget pie, would come on the same day that the House Appropriations Committee plans to mark up its Military Construction-VA spending bill and the panel's subcommittees are scheduled to consider Energy and Water Development and Agriculture-FDA spending measures. The Senate Appropriations Committee has scheduled a

Thursday [markup](#) of 302(b) allocations as well as the Energy and Water Development and MilCon-VA spending bills.

The appropriations actions comes as House leaders resume efforts to cut spending as a way to rally support for the top-line discretionary spending figure agreed to last year. House Republicans face an imminent April 15 deadline to complete action on a FY17 budget resolution, which they are almost certain to miss.

Supreme Court nominee Merrick Garland will meet with Senate Judiciary Committee Chairman Chuck Grassley (R-IA) and GOP Senators Kelly Ayotte (R-NH), Jeff Flake (R-AZ), Lisa Murkowski (R-AK), Rob Portman (R-OH), and Pat Toomey (R-PA) this week. Each of the senators backs the Senate GOP leadership's strategy of denying Garland a hearing or a vote, though, Sen. Flake has suggested he could support taking up the nomination during a lame-duck session if Republicans lose the November election.

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Senate Begins Consideration of FAA Reauthorization Bill

Last week, the Senate began consideration of the "Federal Aviation Administration Reauthorization Act of 2016" ([S. 2658](#)), voting [98-0](#) on April 6 to limit debate on the procedural motion to put the bill before the Senate. On April 7, the chamber [adopted](#) two amendments to the reauthorization measure by votes of [85-10](#) and [91-5](#), respectively - one from Sen. John Thune (R-SD) which would tighten the vetting process for airport employees, while the other from Sen. Martin Heinrich (D-NM) would increase security in non-secure areas at airports and other transport hubs. Senators also rejected an [amendment](#) from Sen. Chuck Schumer (D-NY), by a vote of [42-54](#), which would stop airlines from making airplane seats smaller. The Senate also adopted, by voice vote, five additional amendments to the bill on April 7:

- ε Sen. Bob Casey's (D-PA) amendment [#3458](#), requiring the installation of secondary cockpit barriers on all new passenger aircraft;
- ε Sen. Dean Heller's (R-NV) amendment [#3495](#), making FAA drone occupations subject to veterans' preferences;
- ε Sen. Ron Wyden's (D-OR) amendment [#3499](#), directing the FAA to review heads-up technologies in aircraft;
- ε Sen. Jon Tester's (D-MT) amendment [#3505](#), requiring a GAO study of the universal deployment of advanced imaging technologies; and
- ε Sen. Susan Collins' (R-ME) amendment [#3508](#), directing the FAA to identify the process by which it analyzes the safety hazards associated with the elimination of the contract weather observer program and to prohibit the FAA from discontinuing the program before October 1, 2017.

The Senate will resume consideration of the FAA Reauthorization bill on April 11, and will likely hold a final vote on the bill by April 15. With 98 additional amendments filed for consideration to the bill, the Senate will likely hold additional votes this week on amendments extending the Investment Tax Credit for geothermal, fuel cells, small wind, and other renewable technologies, which expire at the end of 2016, and an amendment regarding the preemption of state and local authorities' ability to regulate drones and replace it with a more limited preemption relating to the manufacture and design & operations of civil drones. The House and Senate have until July 15,

2016 to pass a long-term FAA reauthorization bill, when the most recent short-term authorization expires. [Read more...](#)

Senate Passes Older Americans Act Reauthorization Act of 2016, Sending Bill to President Obama

On April 7, the Senate passed, by voice vote, the House amendment to the "Older Americans Act Reauthorization Act of 2016" ([S. 192](#)), which would authorize a total of \$6.01 billion from FY 2017-FY 2019 for HHS and Labor Department programs that provide a wide range of social, nutritional, and employment services for older Americans. The House previously passed the bill by voice vote on March 21. In addition to providing grants to states for senior social and nutrition services, from Meals on Wheels to senior centers, the reauthorization also aims to protect vulnerable elders from abuse by increasing existing abuse screening and prevention efforts. This includes programs to ensure that all residents of a long-term care facility have access to an ombudsman. The reauthorization streamlines federal level administration of programs, promotes effective use of transportation services, and improves coordination between programs at the federal, state, and local levels. The reauthorization also adjusts the formula that allots state grants to account for geographic changes in the older population. The Older Americans Act has been due for reauthorization since 2011. [Read more...](#)

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Tuesday, April 12

- ⌚ Full Senate Energy and Natural Resources Committee hearing "to examine the status of innovative technologies in advanced manufacturing."
- ⌚ Senate Environment and Public Works Subcommittee on Superfund, Waste Management, and Regulatory Oversight hearing entitled "American Small Businesses' Perspectives on Environmental Protection Agency Regulatory Actions."
- ⌚ Full Senate Finance Committee hearing entitled "Cybersecurity and Protecting Taxpayer Information."
- ⌚ Full Senate Health, Education, Labor, and Pensions Committee hearing entitled "ESSA Implementation in States and School Districts: Perspectives from the U.S. Secretary of Education."
- ⌚ Senate Homeland Security and Governmental Affairs Subcommittee on Federal Spending Oversight and Emergency Management hearing entitled "FEMA: Assessing Progress, Performance, and Preparedness."
- ⌚ Full House Rules Committee hearing to consider: the "No Rate Regulation of Broadband Internet Access Act" (H.R. 2666); the "Financial Stability Oversight Council Reform Act" (H.R. 3340); and a bill "to raise the consolidated assets threshold under the small bank holding company policy statement, and for other purposes" (H.R. 3791).

Wednesday, April 13

- ⌚ Full House Agriculture Committee hearing entitled "Energy and the Rural Economy: The Impacts of Oil and Gas Production."

- ε Full House Appropriations Committee markup of the FY 2017 Military Construction and Veterans Affairs Bill and Report on the Interim Suballocation of Budget Allocations.
- ε House Appropriations Subcommittee on Energy and Water Development markup of the FY 2017 Energy and Water Development Appropriations Bill.
- ε House Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies markup of the FY 2017 Agriculture Appropriations Bill.
- ε Senate Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies markup of the FY 2017 Military Construction and Veterans Affairs Appropriations Act.
- ε Senate Appropriations Subcommittee on Energy and Water Development markup of the FY 2017 Energy and Water Development Appropriations Act.
- ε Full Senate Budget Committee hearing entitled "Fixing the Broken Budget Process: Outcome Budgeting to Maximize Taxpayer Value."
- ε House Energy and Commerce Subcommittees on Environment and the Economy & Health hearing entitled "Flint Water Crisis: Impacts and Lessons Learned."
- ε House Energy and Commerce Subcommittee on Communications and Technology legislative hearing on: the "Kelsey Smith Act of 2016" (H.R. 4889); the "Kari's Law Act of 2015" (H.R. 4167); the "Controlling the Unchecked and Reckless Ballooning of the Lifeline Fund (CURB Lifeline) Act" (H.R. 4884); the "Rural Health Care Connectivity Act of 2015" (H.R. 4111); the "Spectrum Challenge Prize Act of 2015" (H.R. 4190); the "Securing Access to Networks in Disasters (SANDy) Act" (H.R. 3998); and the "Anti-Swatting Act of 2015" (H.R. 2031).
- ε Full Senate Environment and Public Works Committee hearing entitled "Examining the Role of Environmental Policies on Access to Energy and Economic Opportunity."
- ε Full House Financial Services Committee markup of the "Taking Account of Bureaucrats' Spending (TABS) Act of 2015" (H.R. 1486) and a bill to repeal title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes (H.R. ____).
- ε Full Senate Homeland Security and Governmental Affairs Committee hearing entitled "America's Insatiable Demand for Drugs."
- ε Full Senate Indian Affairs Committee business meeting to "authorize the issuance of a subpoena to EPA Administrator Gina McCarthy, to testify before the Senate Committee on Indian Affairs, on April 22, 2016, in Phoenix, Arizona" and legislative hearing on: the "Tribal Healing to Wellness Courts Act of 2015" (S. 2205); a bill "a bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, and for other purposes" (S. 2421); the "Dine College Act of 2016" (S. 2564); the "Pueblo de Cochiti Self-Governance Act" (S. 2643); and the "Dam Repairs and Improvements for Tribes (DRIFT) Act of 2016" (S. 2717).
- ε Full House Judiciary Committee markup of the "Bulletproof Vest Partnership Grant Program Reauthorization Act of 2015" (S. 125) and the "Email Privacy Act" (H.R. 699).
- ε Full Senate Judiciary Committee hearing entitled "The Distortion of EB-5 Targeted Employment Areas: Time to End the Abuse."
- ε Full House Natural Resources Committee legislative hearing on a Discussion Draft of the "Puerto Rico Oversight, Management, and Economic Stability Act."
- ε House Natural Resources Subcommittee on Water, Power and Oceans hearing entitled "Empowering States and Western Water Users Through Regulatory and Administrative Reforms."
- ε Full House Natural Resources Committee markup of the "Puerto Rico Oversight,

- Management, and Economic Stability Act" and other pending legislation.
- ε Full House Oversight and Government Reform Committee hearing entitled "Waste and Inefficiency in the Federal Government: GAO's 2016 Duplication Report."
 - ε House Small Business Subcommittee on Economic Growth, Tax and Capital Access hearing entitled "Keep it Simple: Small Business Tax Simplification and Reform, Main Street Speaks."
 - ε Full House Small Business Committee hearing entitled "'Keep it Simple: Small Business Tax Simplification and Reform, the Commissioner Responds."
 - ε House Transportation and Infrastructure Subcommittee on Highways and Transit Roundtable Policy Discussion on "Implementing Motor Carrier Provisions of the FAST Act."
 - ε House Veterans' Affairs Subcommittee on Disability Assistance and Memorial Affairs markup of the "Veteran Engagement Teams (VET) Act" (H.R. 3936); the "Fair Treatment for Families of Veterans Act" (H.R. 4087); a bill "To amend title 38, United States Code, to expand the eligibility for headstones, markers, and medallions furnished by the Secretary of Veterans Affairs for deceased individuals who were awarded the Medal of Honor and are buried in private cemeteries" (H.R. 4757); a bill "To amend title 38, United States Code, to authorize the award of the Presidential Memorial Certificate to certain deceased members of the reserve components of the Armed Forces and certain deceased members of the Reserve Officers' Training Corps" (H.R. 4758); a bill "To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to pay costs relating to the transportation of certain deceased veterans to veterans' cemeteries owned by a State or tribal organization" (H.R. 4759); the "Veterans' Compensation Cost-of-Living Adjustment Act of 2016" (H.R. 4782); the "Final Farewell Act of 2015" (H.R. 3715); a draft bill entitled the "Medal of Honor Legacy Act"; a draft bill entitled the "Love Lives On Act of 2016"; a draft bill "To amend title 38, United States Code, to improve the consideration of evidence by Board of Veterans' Appeals"; and a draft bill "To amend title 38, United States Code, to pay special compensation to certain veterans with the loss or loss of use of creative organs."
 - ε House Ways and Means Subcommittee on Tax Policy hearing entitled "Member Proposals Relating to Fundamental Reform of the Income Tax System."

Thursday, April 14

- ε Full Senate Agriculture, Nutrition, and Forestry Committee markup of the Commodity Futures Trading Commission Reauthorization bill.
- ε Full Senate Appropriations Committee markup of the FY 2017 Energy and Water Development & Military Construction, Veterans Affairs, and Related Agencies Appropriations Acts and consideration of 302(b) Subcommittee Allocations.
- ε Senate Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment hearing entitled "Examining Current Trends and Changes in the Fixed-Income Markets."
- ε House Education and the Workforce Subcommittee on Health, Employment, Labor, and Pensions hearing entitled "Innovations in Health Care: Exploring Free-Market Solutions for a Healthy Workforce."
- ε House Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade hearing entitled "Oversight of the National Highway Traffic Safety Administration."
- ε House Energy and Commerce Subcommittee on Energy and Power legislative hearing on the "Ozone Standards Implementation Act of 2016" (H.R. 4775).
- ε Senate Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining oversight hearing to receive testimony on the Bureau of Land Management's

- proposed rule, entitled "Waste Prevention, Production Subject to Royalties, and Resource Conservation."
- ε House Financial Services Subcommittee on Capital Markets and Government Sponsored Enterprises hearing entitled "The JOBS Act at Four: Examining Its Impact and Proposals to Further Enhance Capital Formation."
 - ε Full Senate Homeland Security and Governmental Affairs Committee hearing entitled "The Federal Perspective on the State of Our Nation's Biodefense."
 - ε House Judiciary Subcommittee on the Constitution and Civil Justice hearing on H.R. _____, the "Prenatal Nondiscrimination Act (PRENDA) of 2016."
 - ε 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).
 - ε Full House Natural Resources Committee markup of the "Puerto Rico Oversight, Management, and Economic Stability Act" and other pending legislation.
 - ε House Oversight and Government Reform Subcommittee on National Security hearing entitled "Connecting Veterans With PTSD With Service Dogs."
 - ε House Rules Subcommittee on Rules and Organization of the House hearing entitled "Proposed Reforms to Rule XXI and the Modern Authorization and Appropriations Process."
 - ε House Science, Space, and Technology Subcommittee on Research and Technology hearing entitled "Can the IRS Protect Taxpayers' Personal Information?"
 - ε Full House Small Business Committee hearing entitled "Regulation: The Hidden Small Business Tax."
 - ε House Transportation and Infrastructure Subcommittee on Coast Guard and Maritime Transportation hearing entitled "Maritime Transportation Safety and Stewardship Programs."
 - ε House Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings, and Emergency Management hearing entitled "Blackout! Are We Prepared to Manage the Aftermath of a Cyber-Attack or Other Failure of the Electrical Grid?"
 - ε House Veterans' Affairs Subcommittees on Health & Oversight and Investigations hearing entitled "Evaluating VA IT: Scheduling Modernization and Choice of Consolidation."
 - ε House Veterans' Affairs Subcommittee on Economic Opportunity markup of: the "GI Bill STEM Extension Act of 2015" (H.R. 748); the "Veterans' Entry to Apprenticeship Act" (H.R. 2551); the "Honoring Investments in Recruiting and Employing American Military Veterans (HIRE Vets) Act" (H.R. 3286); the "Support for Student Veterans with Families Act" (H.R. 3419); a bill "To authorize the Secretary of Veterans Affairs to recoup relocation expenses paid to or on behalf of employees of the Department of Veterans Affairs" (H.R. 4138); a draft bill "To make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to educational assistance, and for other purposes"; a draft bill entitled the "Veterans Success on Campus Act of 2016"; a draft bill entitled the "GI Bill Oversight Act of 2016"; and a draft bill "To direct the Secretary of Labor to carry out a research program to evaluate the effectiveness of Transition Assistance Program in addressing needs of certain minority veterans."
 - ε House Ways and Means Subcommittee on Trade hearing entitled "Miscellaneous Tariff Bill: Helping U.S. Manufacturers through Tax Cuts."
 - ε Full House Ways and Means Committee hearing entitled "The Tax Treatment of Health Care."

Friday, April 15

- ⌘ House Energy and Commerce Subcommittee on Oversight and Investigations hearing entitled "Unlawful Reinsurance Payments: CMS Diverting \$3.5 Billion from Taxpayers to Pay Insurance Companies."
- ⌘ House Oversight and Government Reform Subcommittee on Government Operations hearing entitled "The Taxpayer Advocate Annual Report to Congress."

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