

# Hicks-Ray Associates



March 21, 2013

TO: WESTCAS Membership  
FROM: Fred B. Hicks and Tom Ray  
SUBJECT: Springtime in Washington

Yesterday was the first day of spring. Here in DC, the daffodils and the crocuses have appeared. The Cherry Blossom Festival of 2013 also started yesterday and will run for the next several weeks. Peak bloom times are predicted to be around April 4-5.

But there is also something very odd about Washington's meteorological spring 2013. Cherry blossoms and daffodils notwithstanding, it is currently 37 degrees with a 17 mph wind and there is a real possibility for snow on Monday. So things aren't quite normal.

The same could be said about the Congressional budget process. In the past, advocacy groups like WESTCAS would be hard at work this time of year drafting testimony to submit to the Appropriations Subcommittees which have jurisdiction over USEPA, the Corps of Engineers, and the Bureau of Reclamation. If we didn't think a budget category was adequately reflected in the President's budget, we would propose a higher figure. If we were concerned about a water resources related policy, we would be advocating for an environmental rider.

But just like a 37 degree "spring" day in March, the FY14 Appropriations process has become confused. Under the normal scenario, the President would have submitted a proposed budget to the Congress on or about February 4<sup>th</sup>. And in the subsequent weeks, there would have been extensive hearings in Congress which in turn would have afforded opportunities for associations like WESTCAS to provide testimony and comments. But this year, the President won't submit his budget until Monday, April 8.

This means that until that date, we don't know what the FY14 budget requests for water resource related agencies will be. That makes it all but impossible to create comments and testimony in response. Current Rules also frustrate another tried and true tactic used by advocacy groups which was to reach out to individual Members of Congress and ask them to request additional money for selected line items in the budget.

The House Appropriators are still asking for "Member requests" which have to be turned in by close of business on April 12. But this solicitation is also accompanied with the following warning from each Subcommittee Chair:

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“I would like to emphasize that earmarks, as defined by clause 9(c) of Rule XX1 of the Rules of the House, will not be considered. Please also be aware that, should a Member request an earmark, such request invokes the Code of Official Conduct. Clause 17 of the Code prohibits Members from requesting a congressional earmark without disclosing certain information to the Chair of the Committee of jurisdiction. Members are advised to carefully consider their submissions to the Committee in light of this to avoid inadvertently triggers the earmark rules and requirements.”

This means that House Members of Congress will have to be very careful when they submit any “programmatically and language submissions” to the various Appropriations Committees.

In conclusion, there will be opportunities for WESTCAS to submit policy statements on the FY 14 Appropriations cycle. But much like spring in DC, the process is just going to be somewhat delayed this year.

Please don't hesitate to contact us if you have questions or comments.