

Hicks-Ray Associates



April 30, 2013

TO: WESTCAS Membership
FROM: Fred B. Hicks and Tom Ray
SUBJECT: DC Updates

Congress is currently on recess having worked three straight weeks after their two week spring vacation. When they return on Monday, May 6, progress is expected on at least two areas of concern to WESTCAS members.

On May 6th, the Senate is scheduled to begin procedural votes to proceed to debate on the Senate version of WRDA [S. 601] Sixty votes are required before any piece of legislation can move on to the debate phrase. It is not yet clear whether these votes have been secured but we should know more soon.

A major factor contributing to this uncertainty is the opposition of a broad spectrum of environmental organizations. They are upset by provisions in the Senate bill designed to accelerate the environmental review of Corps projects by other Federal agencies such as the US Fish and Wildlife Service. Unless Federal agencies act within an allotted timeframe they would face fines of as much as 5% of their annual budget. Environmental groups have used the environmental review process to great effect to stall or kill Corps projects and they are reluctant to give up this option in a future WRDA.

The Senate vote on May 6 is by no means the end of the WRDA process, particularly in light of the decision by the House Transportation and Infrastructure Committee to draft their own bill and not rely on S. 601 as a guide. WESTCAS is drafting its comments on the WRDA issue which should be available to the membership soon.

The FY14 Appropriations cycle also continues. One little appreciated impact of the current Sequestration is that it not only reduces funding for FY13 but also establishes lower spending limits for each subsequent fiscal year. FY14 funding for discretionary Federal spending is \$984 billion, and this includes shutting down tours of the White House, closing parts of the Smithsonian for the remainder of the fiscal year, and before the recent Congressional action, the furloughing of FAA Air Traffic Controllers.

This situation gets even worse under the House Budget Resolution for FY14 which has a spending cap of \$967 billion versus the \$984 billion currently available for FY13. The House Appropriations Committee Chair has suggested that it may be impossible to mark up FY14 bills under such a Draconian cap because Members simply will not accept the

Fred Hicks - 703.866.4290
P.O. Box 2115
Springfield, VA 22152-0115
fred@hicks-ray.com

Tom Ray - 254.855.0880
P.O. Box 955
Waco, TX 76703-0955
tom@hicks-ray.com

Hicks-Ray Associates



corresponding low levels of funding for many pet programs. One possibility may be an initial markup under the current \$967 billion cap, followed latter in the year by a second markup based upon a grand bargain between the House, the Senate, and the Administration with regard to Federal funding.

If the first two options for FY14 appropriations bills are (1) bills that have such a low level of spending that they are unacceptable to a majority of the Congress and (2) waiting for a “grand agreement” that has not materialized over the last generation before doing a second round of markups, there would have to be added a third option which is inaction and confusion.

We’re just barely a month past the previous FY13 mess which saw Federal spending decisions put off from October 1 to late March. Under the “Continuing Resolution” agencies like the Corps of Engineers and the Bureau of Reclamation are still completing their FY13 “Work Plans” which provide details on how they are going to spend the money Congress just gave them under the CR. We expect to learn more details in May.

Let us hope that the FY14 Appropriations cycle does not mimic the current fiscal year.