

# Hicks-Ray Associates

*Implementing Strategies, Achieving Success*



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January 10, 2018

TO: WESTCAS Membership

FROM: Hicks-Ray Associates

SUBJECT: Second Session of the 115<sup>th</sup> Congress Gains Momentum

## **Reauthorization of the Water Resources Development Act**

The House and the Senate have convened for the second session of the 115<sup>th</sup> Congress that will run into December of 2018. Key Congressional Committees are already holding hearings on important legislative issues including the reauthorization of the Water Resources Development Act [WRDA]. There appears to be a strong commitment on both sides of the Hill to continue with the two-year cycle of WRDA reauthorizations that began in 2014 and was continued in 2016.

In late December the Chair and ranking Democrat of the Senate Committee on Environment and Public Works [EPW] circulated a “Dear Colleague” letter to Committee members requesting their thoughts and input with regard to how to proceed with a WRDA authorization. Today, the EPW Committee is holding a public hearing titled, “America’s Water Infrastructure Needs and Challenges” with public witnesses offering testimony. The House Transportation and Infrastructure continues with its activities including working on a House WRDA draft that may be released within the next 90 days.

WRDA bills have increasingly been used as vehicles to address a number of issues including those associated with the Corps of Engineers, USEPA, and the Bureau of Reclamation. WESTCAS will continue to be involved in the WRDA process especially with regard to how its provisions impact the Arid West.

## **A Return to Earmarks [aka “Congressionally Directed Spending”]**

President Trump surprised everybody yesterday by his endorsement of a limited return to earmarks by the Congress: “Maybe we should think about it. Maybe all of you should think about getting back to a form of earmarks. You should do it. We have to put [in] better controls because it got a little out of hand, but that brings people together.”

The “earmark” ban of 2010 was largely a function of the rule adopted by the House Republican caucus in that year. At that time House Republicans pledged not to advance any legislation containing earmarks and they have held to this policy for the past 8 years. House/Senate Republican and Democratic caucuses adopt these rules at the start of each Congressional year but like all things political they are subject to change. Presidents have traditionally opposed earmarks so President Trump’s position was a surprise.

It is too soon to know for certain but there appears to be some momentum in the Congress to bring back “Congressionally Directed Spending” accompanied by requirements for transparency both with regard to which Member is making the request and one who’s behalf. The House Rules Committee will hold a hearing on this issue on January 17. Many WESTCAS members have specific project related needs and would likely find the restoration of Congressionally Directed Spending a useful new tool for creating local Federal partnership. We will closely watch these developments and keep you updated. This is also an issue that will be discussed during the WESTCAS Federal Issues Workshop on February 22 in Phoenix.

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