

Hicks-Ray Associates

Implementing Strategies, Achieving Success



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TO: WESTCAS Members

FROM: Hicks-Ray Associates

SUBJECT: The Political New Year

Most people celebrate the New Year at the stroke of midnight January 1. But the political New Year is prefaced by two events: (1) The President returns to Washington from Christmas vacation. (2) The Senate and the House convene for the second session of the 116th Congress. The President has now returned to DC. The Senate went into session on January 3, and the House reconvenes today, so all the set pieces of the political New Year are now in place.

Currently there are more questions than answers with regard to what will happen in the Federal sector in 2020: Will there be a Presidential impeachment trial in the Senate for President Trump and if “yes” when will it be held? Who will win the Democratic nomination for President? Who will win the Presidency on November 3? Which Party will win a majority in the House of Representatives and the Senate? How will all of these distractions impact the ability of the Legislative and Executive Branches to get anything done? What will be the impact on water resources related legislation?

The answer to this last question has been addressed at least in part by the decision of the House Democratic Leadership to make H.R. 535, “The PFAS Action Act of 2019” the first bill of 2020 to be debated on the House under a Rule. The Rules Committee is meeting today, and the bill is scheduled for House floor debate on Thursday.

H.R. 535 requires the Administrator of the USEPA to designate PFOA and PFOS substances as hazardous under CERCLA Section 102(a) within 1 year of enactment and to designate all remaining PFAS substances within 5 years of passage of the bill. The legislation’s chief sponsor is Congresswoman Debbie Dingell (D) Michigan who was joined by 62 Democrats and 4 Republicans as cosponsors of the bill.

The prioritization of H.R. 535 for House floor action is a reminder that even in the confused and uncertain atmosphere of Washington, legislation that impacts water and the environment can still move to the head of the line. There were many candidates for the first bill to be debated in the House for 2020 but a PFAS bill won out over all the other issues. This is a reminder that the best theme we can suggest for the New Year is for organizations like WESTCAS to “expect the unexpected.”

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