



*Week of 2-13-17
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Congressional Overview

The Senate spent most of the week confirming four more of President Trump's nominees, including: Treasury nominee Steven Mnuchin, Veterans Affairs nominee David Shulkin, Small Business Administration nominee Linda McMahon and Environmental Protection Agency nominee Scott Pruitt. The Senate voted on whether to roll back more of the Obama Administration's regulations passed by the house under the Congressional Review Act, and they undid a rule requiring the Social Security Administration to submit names of mentally-impaired adults to a list prohibiting them from buying guns.

Meanwhile, in the House, members passed a resolution to allow states to cut federal family-planning funding to Planned Parenthood or other health clinics that provide abortions. This legislation eliminates an Obama Administration rule that went into effect last month and barred states from withholding Title X funding from clinics because they provide abortions. The House also passed a resolution that would provide states more flexibility to drug test people who receive unemployment benefits.

Department of Commerce Files Final Third Remand Redetermination in Regards to Curtainwall Tariff

On Feb. 8, the U.S. Department of Commerce filed their Final Third Remand Redetermination and maintained their position that Yuanda's curtain wall unit imports are still covered by the antidumping and countervailing duty orders. It's important to remember that the China tariffs remain in place and currently they range from 49 to 229 percent, depending on the identity of the Chinese exporter.

Congressional Earmark Rebranding

Earlier this week, House Rules Committee Chairman Pete Sessions (R-TX) stated that House Republicans are moving forward with plans to review and possibly bring back earmarks later this year. Chairman Sessions discussed the issue with Speaker Paul Ryan (R-WI) during a closed-door GOP conference meeting to let the conference know that the House Rules committee will hold public hearings on earmarks or "congressionally-directed spending" (as they are now being called) in the coming months. The panel will release its recommendation to the conference before the Fourth of July recess. After that report is released, it will be up to House Republicans to decide if and how they want to bring back earmarks.

The process will include testimony before the House Rules Committee from members of Congress, what Chairman Sessions called "guests," constitutional experts, members of the Trump administration and representatives of the Army Corps of Engineers and law enforcement. The term "earmark" is not one that Republicans are particularly fond of and Sessions took time to correct questions that used the word. Per Chairman Sessions, "For anyone to use the term earmark that would be at least a six-year-old term. The term that is used is congressionally-directed spending."

Since the Rules Committee is not releasing a report until July, that would mean members of Congress likely could not add earmarks to the 11 remaining FY 17 spending bills. Even if the conference decides to allow congressionally-directed spending in some form during July and holds a floor vote before the August recess, it's likely the FY 18 spending bills would also be excluded from earmarks. The Senate has no plans to bring back earmarks, so their future is even more unclear.

Congress Rolls Back More Obama Administration Environmental Regulations

Congress continued to roll back President Obama's environmental regulations through the Congressional Review Act, with the House overturned a Fish and Wildlife Service rule regarding wildlife management on refuge lands in Alaska. The Senate also voted on a House-passed measure stopping the Interior Department rules limiting methane waste from gas-drilling operations.

On Thursday, the House Energy and Commerce Committee's Environment Subcommittee held a hearing examining opportunities to modernize or rewrite landmark environmental laws, including the Clean Air Act, Brownfield cleanup programs and laws governing hazardous waste. Finally, the Committee's Energy Subcommittee held a hearing on Wednesday regarding the electricity grid and distribution systems.

Zika Funding in FY 18

Doctors and other health experts are expressing renewed concern over federal funding for Zika treatment and prevention going into next year. A number of medical associations, including the American Academy of Pediatrics and the American Congress of Obstetricians and Gynecologists, have sent a letter to congressional leadership who oversee appropriations to ask for ample Zika-related funding in FY 18. After much budgetary debate last year, Congress granted \$1.1 billion in funding for Zika research and prevention efforts.

President Trump Insists He Can Get Good Price for Wall

President Trump is insisting he can get a good price for a wall along the U.S.-Mexico border. In comments posted Saturday on Twitter, Trump said the estimated costs will come "WAY DOWN" when he gets involved in the design and negotiations. He was responding to a report by a U.S. Customs and Border Protection agency that estimates the cost of building fences and walls in phases along the southern border with Mexico could reach as much as \$21.6 billion over several years. The plan is to build the wall in three phases to cover about 1,337 miles of the 2,000-mile border. The remaining 654 miles already have some combination of a wall or a fence. The estimates include costs not only for construction of the fence, but also for buying land, environmental mitigation and other support costs.

The first two phases would cover about 177 miles of new construction as well as replacement fencing for 272 miles, at a cost of about \$8.2 billion. The third phase would cover 1,080 miles and cost about \$13.4 billion. The timeline for construction of all three phases would depend on many factors including the ease of acquiring land. If any landowners dispute the U.S. government's claims of eminent domain the court battles could last for years.

To begin any construction, Congress would need to appropriate funding to Homeland Security or allow the agency to reprogram funds already allocated for fiscal 2017. If money is appropriated by May, construction could begin in parts of the border by the fall. Republican leaders said last month they plan to seek \$12-\$15 billion in a supplemental appropriations bill to begin construction of the wall.

House Bill Introduced That Would Eliminate EPA Programs and Initiatives

Rep. Sam Johnson (R-TX) introduced the Wasteful EPA Programs Elimination Act, legislation that would terminate certain Environmental Protection Agency initiatives, including climate change, greenhouse gas and ozone pollution programs, shut down all regional offices and force the EPA to lease vacant and underutilized properties. The legislation claims it would save \$7.5 billion per year and reduce EPA's annual budget to less than \$1 billion.

Construction Proceeds with Dakota Access Pipeline

The company behind the Dakota Access Pipeline restarted construction on the portion that had attracted protests after the Army Corps of Engineers granted the company an easement to continue construction on federal land.

Shale Production Will Drive Oil Production Until 2026

A recent Energy Information Administration (EIA) report claims U.S. shale production is expected to top 6 million barrels per day by 2026, accounting for most of total U.S. oil production through 2040. Per the EIA report, after 2026, U.S. shale production growth will come to a standstill in major shale plays, except for the Permian, as well productivity declines and oil fields become less productive.