

TO: Alina Gonzalez, Director of Intergovernmental Affairs

FROM: Jim Davenport, Partner
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RECENT TRP ACTIVITIES

- Informed the County that the Senate version of the Water Resources Development Act (WRDA) passed the Senate, which is important because the County supports the inclusion of language to authorize for construction the Corps of Engineers Back Bay Study in the final bill. We expect the final bill, including the Back Bay authorization, to be negotiated between the House and the Senate this fall and passed prior to the end of the year.
- Discussed additional WRDA language with County staff that might support additional County flood control-related objectives beyond the scope of the Back Bay Study. Recommended not pursuing such language in the 2024 bill, but suggested that we work more closely with the Corps of Engineers to develop appropriate language for the 2026 WRDA bill.
- Shared information on the Biden Administration's rule relating to extreme heat for workers, including that it interestingly would not cover public employees.
- Provided daily *Tip Sheet* and periodic *TRP Grants Newsletter*.

CAPITOL HILL UPDATE

DEMOCRATIC LEADERS OUTLINE SEPTEMBER PRIORITIES

During last week's Democratic National Convention (DNC), House and Senate Democratic leaders provided some insights into their legislative priorities for the upcoming three-week session. Of note, Senate Majority Leader Chuck Schumer (D-NY) told reporters he is "considering" utilizing the September work period to try and move a bipartisan rail safety bill that has been stalled by political disagreements in recent weeks. This potential move is widely viewed as an opportunity to boost Sens. Bob Casey (D-PA) and Sherrod Brown (D-OH), both of whom have cosponsored the legislation alongside Sen. JD Vance (R-OH), the Republican Vice Presidential nominee. However, similar to the Senate's vote on the Smith-Wyden tax bill last month, the rail safety legislation could struggle to get to 60 votes given the timing and political nature of the vote.

Meanwhile... House Minority Leader Hakeem Jeffries (D-NY) told reporters that he will "soon" talk with Speaker Mike Johnson (R-LA) on government funding ahead of the Sept. 30 deadline. In response to recent demands from the conservative House Freedom Caucus, Leader Jeffries stated that Democrats "are not accepting a dime less than the \$1.681 [trillion spending level], which is reflected in an agreement that we reached with the Republicans." Additionally, Leader Schumer is rallying support for full federal funding to replace Baltimore's Francis Scott Key Bridge as a policy rider to the forthcoming continuing resolution (CR). When Congress returns on Sept. 9, lawmakers will have 21 days to reach an agreement to keep the government funded. It is widely expected that another CR will be passed to avoid a shutdown and provide spending authority into late November or early December, but details remain in flux at this point.

UPDATE ON FEMA DISASTER RELIEF FUND

The Federal Emergency Management Agency (FEMA) announced that the Disaster Relief Fund (DRF) has transitioned to Immediate Needs Funding (INF) due to a funding shortfall, imposing spending restrictions for existing rebuilding projects to prioritize lifesaving and life-sustaining activities. With the DRF in need of additional funding, lawmakers will rally to tie additional funds to a forthcoming continuing resolution (CR) needed to keep the government funded past Sept. 30 when they return next month.

Click to view FEMA's [fact sheet](#), frequently asked questions ([FAQ](#)), and monthly [report](#) to Congress.

WHITE HOUSE ROLLS OUT NEW HOUSING POLICY ANNOUNCEMENTS

The Biden administration [announced](#) a series of actions tied to its Housing Supply Action Plan.

Notable announcements include:

- \$100 million in [grant funding](#) for the Pathways to Removing Obstacles to Housing (PRO Housing) program;
- New [actions](#) from the Departments of Treasury and Housing and Urban Development (HUD) intended to provide more interest rate certainty for state and local Housing Finance Agencies (HFAs) that use the Federal Housing Administration's (FHA) risk-sharing initiative with the Federal Financing Bank to finance new construction;
- [Guidance](#) from the Department of Transportation (DOT) to clarify that Transportation Infrastructure Finance and Innovation Act (TIFIA) and Railroad Rehabilitation and Improvement Financing (RRIF) loans used for conversion projects may be eligible for a categorical exclusion under the National Environmental Policy Act (NEPA);
- Up to \$250 million in loan financing from HUD for communities that use Community Development Block Grant (CDBG) funding to support new construction of Section 108 housing; and
- A forthcoming rule from HUD to update its Manufactured Home Construction and Safety Standards.

OTHER RELEVANT NEWS

Punchbowl: Lawmakers expect a bigger workload in a post-Chevron world (\$)

The Supreme Court's decision earlier this year to overturn the Chevron doctrine was one of the most consequential in the realm of federal policymaking in decades. It will give agencies far less discretion in how they implement laws and will make the courts — not regulators — the arbiters of how legislative gray areas should be interpreted. Most of the attention has focused on how agencies will handle the fallout from the ruling. But it will also have a big impact on how Congress writes laws, something members are just now trying to wrap their minds around. In short, Congress may have to be much more prescriptive in how it writes bills if it doesn't want the details hammered out in the courts. Republicans love the Court's decision while Democrats loathe the ruling. But now both parties will have to deal with its repercussions. More work ahead: Senate Finance Committee Chair Ron Wyden (D-Ore.) said the panel has always emphasized being as explicit as possible when writing tax bills to make Congress' intent clear. But in the wake of the Chevron decision, he told us staff will be working harder to be sure they're specific and direct when crafting laws. "We're going to focus on trying to do even more," Wyden said. ... Sen. Bill Cassidy (R-La.), who cheered the Chevron decision, also said his aides on the HELP Committee, where he's ranking member, are discussing how the ruling affects the process of drafting bills. Cassidy said he hopes the ruling will impact how Congress writes tax laws.

E&E News: House GOP broadens scrutiny of EPA 'green bank' grants (\$)

House Republicans are expanding their investigation into EPA's \$27 billion grant program to reduce greenhouse gas emissions. GOP leaders in the Energy and Commerce Committee wrote to EPA Administrator Michael Regan on Monday seeking copies of the full award agreements the agency signed with recipients under its Greenhouse Gas Reduction Fund program. The GOP has long been scrutinizing the program, which is the largest non-tax item stemming from the Inflation Reduction Act. It's sometimes called a "green bank," since its largest project, worth \$14 billion, will function like a bank to finance projects to reduce emissions. The panel's oversight to date has included a January hearing with a top EPA adviser working on the GGFR and some follow-up communications over issues like conflicts of interest, potential ties between grant recipients and the Chinese government and performance audits. But Republicans want more now. "In short, the EPA repeatedly sought to reassure the Committee that its award agreements with selected recipients would address the issues of concern and potential risks. The Committee seeks additional detail on how these award agreements will address the issues of concern and potential risks," wrote committee Chair Cathy McMorris Rodgers (R-Wash.) and Reps. Morgan Griffith (R-Va.) and Buddy Carter (R-Ga.)...

The Hill: Democrats divided over permitting reform's climate math

Sen. Martin Heinrich (D-N.M.) says a bipartisan energy bill would be a huge win for the climate; Sen. Bernie Sanders (I-Vt.) says it would be a disaster. The Democratic caucus is divided over whether to support legislation that seeks to speed up the nation's energy build-out — largely based on disagreements about what its actual climate impacts would be. Emissions analysts tell The Hill there's good reason for the conundrum: It's fairly unclear what the bill would mean for the climate due to political and economic uncertainties in the years ahead. ... The bill in question seeks to speed up the permitting processes for energy projects and is a compromise between Sens. Joe Manchin (I-W.Va.) and John Barrasso (R-Wyo.). When it came to a vote before the Senate Energy and Natural Resources Committee last month, seven Democrats and independents who caucus with them voted for it, while three voted against it. Both left-wing supporters of the bill and opponents invoked climate change. ... Provisions in the bill would give federal energy regulators greater authority to approve new power lines and those that require planning between regions of the electric grid. In addition, the legislation includes provisions aimed at speeding up the timelines for wind and solar projects on federal lands, as well as increasing opportunities to pursue offshore wind and geothermal energy, the latter of which comes from heat within the earth and does not produce planet-warming emissions.

Please let us know if you have any questions.