



Weekly Legislative Update

October 16, 2023

Congressional Outlook

Congress is back in session this week, with the Senate returning today and the House Tuesday.

The House of Representatives remains without a Speaker since Kevin McCarthy was ousted from the role on Oct. 3 by a vote of 216-210. After narrowly receiving the House GOP Conference's nomination last Wednesday by a vote of 113-99, House Majority Leader Steve Scalise (R-La.) announced a day later that he would [withdraw himself from consideration](#) after failing to receive the remaining votes to reach the 217 vote threshold. That left House Judiciary Committee Chair Jim Jordan (R-Ohio), who re-entered the race for Speaker and beat Rep. Austin Scott (R-Ga.) for the nomination last Friday, by a vote of 124-81. A second vote lowered the number of no votes for Jordan down to 55, and over the weekend, Rep. Jordan and his allies worked to lower the number further. GOP leaders on the House Appropriations and Armed Services Committees originally planned to form a bloc to block Rep. Jordan's bid to become Speaker. However, the move was short-lived as Speaker nominee [Jordan recently won over the votes](#) of House Armed Services Committee Chair Mike Rogers (R-Ala.) and House Appropriations Defense Subcommittee Chair Ken Calvert (R-Calif). Chair Rodgers shared in a message of support for Jordan that they "agreed on the need for Congress to pass a strong NDAA, appropriations to fund our government's vital functions and other important legislation like the Farm Bill." As Jordan closes in on the Speaker role, many expect a Tuesday vote on the House floor. When the floor vote occurs

Tuesday afternoon, Republican opposition to Speaker nominee Jordan is expected to [nominate an alternative option](#).

As the House remains at a standstill deciding on a Speaker, the Senate is also facing roadblocks to passing legislation. The upper chamber plans to continue consideration of the three-bill FY 2024 appropriations package (Agriculture, Military Construction – Veterans Affairs, and Transportation – Housing and Urban Development spending bills) which was initially considered beginning on September 12. Many lawmakers are concerned that there will not be enough time to fund the federal government beyond Friday, November 17 and pass aid for Israel and Ukraine. Senate Majority Leader Chuck Schumer (D-NY) announced that he will work to [craft the “most generous package possible”](#) to assist Israel and hopes the legislation will pass in the next few weeks.

If a Speaker of the House is elected this week, the House will consider [five suspension bills](#), including the **Modernizing the Acquisition of Cybersecurity Experts Act of 2023** ([H.R. 4502](#)), allowing Federal agencies to establish educational requirements for certain cybersecurity positions in the competitive service. The House will also vote on two FY 2024 Appropriations bills, the **Legislative Branch Appropriations Act** ([H.R. 4364](#)) and the **Energy and Water Development Appropriations Act** ([H.R. 4394](#)). The Senate will vote on the nominations of **Jennifer Hall** to be a U.S. District Judge for the District of Delaware, **Julia Munley** to be a U.S. District Judge for the Middle District of Pennsylvania, and **Karla Gilbride** to be General Counsel of the Equal Employment Opportunity Commission.

For the remainder of the week, the Senate will hold several hearings, including a Banking, Housing, and Urban Affairs Committee [hearing](#) on “**How Community Development Financial Institutions Promote Housing and Economic Opportunity**”; and an Energy and Natural Resources Committee [hearing](#) to “**Examine the Department of Energy’s Decision-Making Process for Awarding Competitive Loans and Grants Funded Through the Inflation Reduction Act and the Bipartisan Infrastructure Law.**” The House will hold an Oversight and Accountability Select Subcommittee on the Coronavirus Pandemic [hearing](#) on “**Strengthening Biosafety and Biosecurity Standards: Protecting Against Future Pandemics**,” and a Small Business [hearing](#) on “**Burdensome Regulations: Examining the Effects of DOL Rulemaking on America’s Job Creators.**”

Bills and Regulations of Interest to You

Bill	Title	Sponsors	Background
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H.R. 5915	Improving the Office	Rep. Alma Adams (D-NC-12)	Amends the Department of Agriculture Reorganization Act of 1994 to improve the Office of Urban Agriculture and Innovative Production.
H.R. 5929	Bill to Permanently Authorize the PILT Program	Rep. Brittany Pettersen (R-CO-7)	Permanently authorize Payments in Lieu of Taxes (PILT) funding. Currently the program must be reauthorized every year, creating the potential for disruption in payments to counties that support essential local government services like education, law enforcement, emergency services, transportation infrastructure, and health care.
H.R. 5934	Streamlining Federal Grants Act	Rep. Barbara Lee (D-WA-3)	Improves the effectiveness and performance of certain Federal financial assistance programs. The bill would standardize and coordinate grant administration across the federal government to make it easier for communities and organizations to apply for grant.
H.R. 5940	Creates a disaster assistance fund for housing and community development	Rep. Al Green (D-TX-9)	Establishes a community disaster assistance fund for housing and community development and to authorize the Secretary of Housing and Urban Development to provide, from the fund, assistance through a community development block grant disaster recovery program.
H.R. 5944	Bill to establish the NOAA offshore aquaculture Center of Excellence	Rep. Nancy Mace (R-SC-1)	Requires the Administrator of the National Oceanic and Atmospheric Administration to establish an assessment program for offshore aquaculture, to establish Aquaculture Centers of Excellence, to require a study and report.
H.R. 5951	Soil Conservation & Regeneration Education (Soil CARE) Act	Rep. Andrea Salinas (D-OR-6)	Requires the Secretary of Agriculture to establish and maintain a training program for Department of Agriculture personnel and third-party providers on the rapidly evolving methodologies, science, and practices of biological soil health management systems on agricultural land.

Agency	Title	Proposed Regulation	Comment Deadline
FEMA	Programmatic/Class Floodplain Review Procedures for Specific Preparedness Grant Projects	FEMA aims to improve the determination that a programmatic/class review is appropriate for six categories of activities in specific grant programs that do not have an adverse impact individually or cumulatively on floodplain values placing property and persons at risk.	November 3, 2023
FEMA	Simplifying FEMA Preparedness Grants	FEMA aims to improve the management and administration of its preparedness grant programs to continue to assist the nation in building and sustaining capabilities to prevent, prepare for, protect against, and respond to terrorist attacks and other hazards.	November 7, 2023
DOL	Proposed Overtime Rule	Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees	November 7, 2023
DOEd	Potential New Program, From Seedlings to Scale (S2S)	Assistance to fund quick-turnaround high-reward, scalable solutions intended to improve education outcomes for all students.	November 13, 2023
GSA	Updated Guidance for Non-Federal Entities Access to Federal Supply Schedules	Updates and clarifies the requirements for use of Federal Supply Schedule (FSS) contracts by eligible non-Federal entities, such as State and local governments.	November 17, 2023
Treasury	Coronavirus State and Local Fiscal Recovery Funds	The guidance would implement the amendments made by the Consolidated Appropriations Act, 2023 with respect to the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund established	November 20, 2023

		under the American Rescue Plan Act.	
EPA	<u>Proposed Design of a New Grant Program Regarding the Health Care Provider (HCP) Training Program</u>	The new training program creates a cooperative agreement to help medical professionals better prevent, recognize, treat, and manage pesticide-related illness.	November 24, 2023
FTA / DOT	<u>Programmatic Assessment of Greenhouse Gas Emissions From Transit Projects</u>	The guidance provides a framework for agencies to consider the effects of a proposed action on climate change, as indicated by its estimated GHG emissions. It also advises agencies to assess the effects of climate change on their proposed actions.	November 24, 2023
NIST	<u>Preventing the Improper Use of CHIPS Act Funding</u>	Implement conditions in the Act that seek to prevent funding provided through the program from being used to directly or indirectly benefit foreign countries of concern.	November 24, 2023
OSTP	<u>Development of a Federal Environmental Justice Science, Data, and Research Plan</u>	OSTP seeks information to assist in developing a coordinated Federal strategy to identify and address gaps in science, data, and research related to environmental justice. Information received through this RFI will inform the biennial Environmental Justice Science, Data, and Research Plan.	December 12, 2023