

<i>113th Congress Convenes Amidst Uncertainty Over Next Steps on Budget</i> <i>Pages 1 - 2</i>	<i>Representative McClintock Set to Introduce Citizen Suit Legislation</i> <i>Page 2</i>	<i>EPA Discusses Status of Hydraulic Fracturing Study</i> <i>Senator Murkowski Drawing Up Revenue Sharing Legislation</i> <i>Pages 2 - 3</i>	<i>Senate Republicans Announce Committee Assignments</i> <i>Page 3 - 4</i>	<i>New Reports, Legislation, Studies</i> <i>Page 4</i>
---	---	--	---	---



### 113<sup>TH</sup> Congress Convenes Amidst Uncertainty Over Next Steps on Budget

On Thursday, the 113<sup>TH</sup> Congress convened after a twenty-four hour respite. The interregnum between the 112<sup>TH</sup> and 113<sup>TH</sup> Congress was notable, aside from securing punditry's award for the most unproductive and unpopular Congress in history, for the dubious achievement of voting on New Year's Eve for the first time in sixty years.

With the decision to raise taxes, extend a number of tax breaks and delay the sequestration trigger for two months, the next eight weeks will pose one of the largest challenges in recent memory for Congress. These challenges are monumental if only because of the compressed timeline for action. First, the Administration must send up and secure Senate confirmation of a series of Cabinet appointments to the Senate. This currently includes the big four: Defense, State, Treasury and Central Intelligence Agency as well as the informal Cabinet role of the USEPA Administrator. Second, the debt ceiling limit will require an increase by March at the latest. Third, Congress must receive the President's fiscal year 2014 budget request in March and begin the budget formulation and spending process. Fourth, finalization of the fiscal year 2013 budget must occur before March 27 to avoid a government shutdown. Fifth, the House and Senate must organize the committee system, including the appointment of Members to subcommittees. And finally, Congress and the White House must design a strategy to avoid massive spending cuts on domestic and national security program spending that will be triggered under the

#### LINKING YOU TO WASHINGTON

[Thomas - Legislative Resource Center](#)

[White House](#)

[U.S. House of Representatives](#)

[U.S. Senate](#)

[U.S. Environmental Protection Agency](#)

ENS RESOURCES, INC.

1101 14th Street, NW

Suite 350

Washington, D.C. 20005

202.466.3755

[WWW.ENSRESOURCES.COM](http://WWW.ENSRESOURCES.COM)



revised sequestration rule that was part of the tax bill ([H.R. 8](#)) passed on New Year's Eve.

The agenda for the first few months is crowded, unlike past new Congress'. But because the issues essentially line-up as fiscal matters, the potential to develop a comprehensive agreement presents itself. Assuming such an outcome (a humongous bet), Congress could then use the remaining half of the year and the second session to address policy needs ranging from public infrastructure to tax and regulatory reform.

Smoke signals of an activist Congress can be seen. The large number of freshman Members in the House and Senate (95) urging action and seeking bipartisan approaches, calls by senior committee members to address infrastructure financing needs ranging from roads to water to ports, and a series of bills expected to be reintroduced to address the regulatory framework governing the environment and public health all offer up ways to deliver federal program benefits within an ever increasingly limited budgetary environment.

So with a pair of rose colored glasses and a half-full glass, we begin the 113<sup>TH</sup> Congress.

### **Representative McClintock Set to Introduce Citizen Suit Legislation**

Representative Tom McClintock (R-CA) is preparing to reintroduce legislation which addresses how citizen suits can be initiated under the Clean Water Act. The bill will likely mirror his legislation ([H.R. 3544](#)) introduced during the 112<sup>TH</sup> Congress. In that bill, McClintock sought to limit citizen suits against publicly owned treatment works, to provide various defenses and to limit attorneys' fees. Additionally, the bill provided an extended NPDES permit term of fifteen years for POTWs and required that any new or renewed permit conditions are subject to cost-benefit analysis to ensure the benefits of any mandates outweigh the costs.

### **EPA Discusses Status of Hydraulic Fracturing Study**

On January 3, the U.S. Environmental Protection Agency (EPA) conducted a webinar to discuss the status of a national study they are charged with producing on potential impacts of hydraulic fracturing on drinking water resources. During the briefing, EPA provided an update on the

ENS RESOURCES, INC.

1101 14th Street, NW

Suite 350

Washington, D.C. 20005

202.466.3755

[WWW.ENSRESOURCES.COM](http://WWW.ENSRESOURCES.COM)



scope of research, technical roundtables held in November 2012, and outlined next steps. Leading the discussion for the EPA was Jeanne Briskin, Hydraulic Fracturing Research Coordinator, Office of Science Policy, Office of Research and Development.

Briskin noted that the EPA is focusing the study on five stages of the hydraulic fracturing water cycle: water acquisition, chemical mixing, well injection, flowback and produced water, and wastewater treatment and waste disposal. Briskin announced that EPA has plans to hold a series of technical workshops throughout 2013 focusing on Analytical Chemical Methods, Water Acquisition, Wastewater Treatment and Modeling, Well Construction/Operation and Subsurface Modeling, and the Case Studies.

**Related news article:** [How Shale Gas Firms Could Cut Water Costs](#) - Enviro Leader, January 2, 2013

### Senator Murkowski Drawing Up Revenue Sharing Legislation

According to Senate staff, Committee on Energy and Natural Resources Ranking Member Lisa Murkowski (R-AK) is working on legislation to expand revenue sharing with states to cover fossil fuels and renewable energy sources located both offshore and on federal land. The legislation would grant an automatic revenue share of 27.5 percent to more states with coastline production of wind, oil, natural gas and other energy resources. Another 10 percent would be available if the funds are directed to research and development, alternative energy, efficiency and conservation. Details of the legislation have not yet been presented; as the committee organizes, more information is expected to come forward.

### Senate Republicans Announce Committee Assignments

This week, Senate Republicans announced new committee assignments. Senators Lamar Alexander (R-TN), Jeff Flake (R-AZ) and Tim Scott (R-SC) will join the [Committee on Energy and Natural Resources](#). They are replacing Senators Bob Corker (R-TN), Dan Coats (R-IN) and Rand Paul (R-KY). In the [Committee on Environment and Public Works](#), Senators Roger Wicker (R-MS) and Deb Fischer (R-NE) are replacing Senators Alexander and Mike Johanns (R-NE). In the

ENS RESOURCES, INC.

1101 14th Street, NW

Suite 350

Washington, D.C. 20005

202.466.3755

[WWW.ENSRESOURCES.COM](http://WWW.ENSRESOURCES.COM)



[Committee on Agriculture](#), Senator Thad Cochran (R-MS) will be the new Ranking Member, replacing Senator Pat Roberts (R-KS).

The [Committee on Commerce, Science, and Transportation](#) will have five new Republican members: Senators Dan Coats, Ron Johnson (R-WI), Ted Cruz (R-TX), Deb Fischer, and Tim Scott. Senators John Boozman (R-AR), Johnny Isakson (R-GA), and Pat Toomey (R-PA) are leaving the Committee. In the [Committee on Banking, House, and Urban Affairs](#), Senators Tom Coburn (R-OK) and Dean Heller (R-NV) join while Senator Wicker departs.

### Reports/Regulations/Studies

[Cyber Security - National Strategy for Information Sharing and Safeguarding](#) - This White House policy document is grounded in three core principles: (1) information is a national asset; (2) proper information sharing and safeguarding requires shared risk management; and (3) information informs decision-making.

### Next Week

The Senate is in session and the House is on recess - no hearings announced.

ENS RESOURCES, INC.

1101 14th Street, NW

Suite 350

Washington, D.C. 20005

202.466.3755

[WWW.ENSRESOURCES.COM](http://WWW.ENSRESOURCES.COM)