

First Quarter of Federal Fiscal Year: A Good Time for Advocacy



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The 114th Congress is not over yet. Therefore, November and December are still good times to meet with your Members of Congress to remind them of North Carolina county priorities and the impact those issues have on their congressional district and our state.

Where we are now

Congress must pass 12 appropriations bills that fund all federal government programs prior to the start of the new federal fiscal year on October 1. If that cannot be done, then Congress must pass a continuing resolution (CR) to avert a government shutdown and create more time to work out their disagreements. That's exactly what Congress did on September 28 at 10 p.m. The U.S. House of Representatives passed a 10-week stopgap spending bill (H.R. 5325) that passed the U.S. Senate earlier in the day. This will fund the federal government through December 9. (Senate Vote 151 and House Roll Call 573.)

The CR allowed lawmakers to spend all of October campaigning in their districts and states before the November 8 election. The House reconvenes for a lame-duck session on November 14. The Senate returns on November 15. The amount of time Congress will be in session at the end of this calendar year depends on the number of legislative items they plan to finish and that also depends on the outcome of the elections. Which party controls the White House and the

Senate will have an impact on the legislative items that are dealt with now versus those postponed until the 115th Congress and the new Administration is in place early 2017.

What's ahead

While any number of issues may come up during the lame-duck session, the only must-pass item is an appropriations package. If history repeats itself, Congress will pass an omnibus appropriations bill that combines all 12 individual bills into one massive package for one up or down vote. The other alternative is another CR that extends government funding again until after the new Congress convenes in 2017. That deadline is usually sometime in March to give Members time to settle into their new offices and to finalize changes in committee assignments.

There have been some rumors that November votes could possibly take place on the Trans-Pacific Partnership and criminal justice reform. Additionally, the House and Senate both passed the Water Resources Development Act (WRDA) before adjourning, but must now conference and pass a compromise bill during the lame-duck session. This bill will be a priority because a deal was struck to attach assistance for the Flint, Michigan water crisis to the WRDA in exchange for passage of the CR.

House Judiciary Chairman Bob Goodlatte (R-VA) published his proposal for addressing online

sales tax, a priority for NCACC.

According to the National Association of Counties (NACo), Chairman Goodlatte's draft is not the ideal legislation compared to the Marketplace Fairness Act, but it does provide an opportunity to move the debate forward. It is not certain that any online sales tax legislation would make it through the lame duck, but the release of the Chairman's proposal fits well with Speaker Paul Ryan's (R-WI) encouragement for Members to request their priorities in advance of the rush next Spring. Speaker Ryan apparently instructed House Ways and Means Chairman Kevin Brady (R-TX) to have a draft tax reform bill ready by December. That means NC counties should continue to voice opposition to any effort to change tax exempt municipal bonds. Overall, expect tax reform legislation introduced by Chairman Brady to largely reflect the vision described in "A Better Way for Tax Reform." Tax reform is part of the Republican Leadership's A Better Way campaign, which also includes principles on poverty, national security, the economy, the constitution and health care.

Any legislation introduced in the 114th Congress that is not completed prior to adjournment sine die will have to be reintroduced in the next Congress. Therefore, ongoing communication is key to maintaining these important relationships and to keeping North Carolina counties and our issues on the minds of our North Carolina Congressional Delegation. ■