



# washington dc update

## FY11 Continuing Resolution

February 15, 2011

Following hard on the footsteps of yesterday's release of President Obama's FY12 proposed budget, today the House of Representatives began floor debate on HR1 which is the year-long Continuing Resolution that will keep the Federal government open the rest of the fiscal year. House Republicans plan to spend the next three days debating and passing this legislation and some of their ranks have pledged to try to include up to \$100 billion in cuts for the remainder of the current fiscal year.

HR1 also contains a number of provisions that are sure to be controversial. Included among these are Sections 1746 and 1747 [please see attached]. Section 1746 prohibits USEPA from enforcing or promulgating any regulation associated with greenhouse gases while Section 1747 prohibits the use of EPA funds to "implement, administer, or enforce a change to a rule or guidance document pertaining to waters of the US.

These are two examples of the Executive Branch of government attempting to regulate by the use of Administrative orders, rules and regulations that have not been passed into law by the Congress. The Republican House is pushing back by refusing to allow EPA to spend appropriated funds to enforce these regulations. It is very likely that these provisions will be enacted by the House. We'll have to wait and see how they fare when the Senate takes up this legislation.

HR1 is being debated under an "open rule" which allows Members to offer amendments that would further trim the budget. We have attached for your review two amendments submitted by the new Chair of the Water and Power Subcommittee of the Natural Resources Committee, Congressman McClintock. The first would prohibit the Bureau to use any of the money contained in HR1 for the Title XVI Water Reclamation program and the second would prohibit any funds being spent on the Bureau's WaterSMART Grant programs. We will monitor how these amendments fare in the floor debate.

All of these are controversial measures and of great interest to the WESTCAS constituency. Please stay tuned for additional updates as the House moves towards passage of HR1.

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