



# washington dc update

December 15, 2010

## ALERT

### The Lame Duck has Gone Amuck?

The Omnibus bill and reports can be viewed at:

<http://appropriations.senate.gov/news.cfm?method=news.view&id=9ac3518e-7e19-4328-bf52-16a6c2a1d333>

In October, we talked about the potential of an omnibus spending bill during the Lame Duck session, and the dangers or at least the unexpected and unwanted gifts that might be added (recall Ralphie's rabbit suit?). It would be humorous, but for the serious consequences not only for the West and its water communities but also for the nation's fiscal status as a whole. WESTCAS will need to carefully watch this bill and others, see report below on Senate EPW action on S787. This is Wednesday, December 15<sup>th</sup>, days from the Christmas recess, the last few days of the 111<sup>th</sup> Congress will be explosive. Definitely, stay-tuned and watch for our ALERTS.

Even though it was unveiled only yesterday, you have no doubt heard of this 1,914 page omnibus bill that would fund the federal government through FY2011. The unabashed number of earmarks, clearly unconcerned with the message of the recent elections, is estimated in the thousands and adds up to around \$8 Billion. The total spending of this bill is well over \$1,000,000,000 (that's a frightening number of zeros!).

Senator Daniel Inouye (D-HI), Chairman of the Appropriations Committee, introduced the bill and was confident of having the 60 votes to overcome a filibuster. He further commented that the omnibus, while not perfect, fulfills "the Congress' most basic responsibility, to exercise the power of the purse."

There will certainly be strong opposition. Senator Orrin Hatch (R-Utah) issued the following statement:

"Having failed to pass even a single appropriations bill all year and with the clock ticking, the majority is now trying to jam through an almost 2,000 page, \$1.1 trillion spending bill. This is exactly the kind of irresponsible legislating the American people rebelled against on November 2nd. I will strongly oppose this catch-all spending measure and hope my colleagues do the same."

Senate Minority Leader Mitch McConnell (R-Ky) told reporters "I am actively working to defeat it." Instead, McConnell urged the Senate to proceed in a way "that is fully transparent" by passing a short-term CR that would probably last through February. Despite the strong opposition being voiced, Senators Thad Cochran (R-Miss.), Bob Bennett (R-Utah), Kit Bond (R-Mo.), George Voinovich (R-Ohio) and Lisa Murkowski (R-Alaska) have signaled that they are willing to support an omnibus.

The current CR is set to expire this Friday. To avoid a government shut-down, the Congress must extend the current CR – either short or long-term, or adopt the omnibus package.



**Summary of Content:**

The omnibus would provide less money -- about \$3.5 billion -- for EPA-managed revolving funds that states can utilize to finance drinking water and sewer infrastructure, but would fund more than 1,000 individual water and sewer projects.

The bill, which would provide \$5.320 billion for the Army Corps' Civil Works program, a \$439 million increase over the President's budget request, would restore 172 on-going construction projects in 41 states and 138 studies in 35 states that were proposed to be cut in the President's budget request.

The Bureau of Reclamation would receive \$1.13 billion for Western and rural water projects, including \$939 million for spending on water and related resources, \$40 million for the California Bay-Delta Restoration account, \$50 million for the California Central Valley and \$43 million for the Central Utah Project.

A summary of the Energy and Water Section of the bill is attached.

**ALERT****Senate Environment and Public Works Committee has placed S787, the "Clean Water Restoration," on the Legislative Calendar**

We learned today from minority staff of the Committee that the Senate EPW Committee has placed S. 787 on the legislative calendar. The Committee originally held a hearing in June 2009, and reported it out favorably with an amendment. We are confident that several Senators will strongly oppose the bill, including Texas Senator John Cornyn and Oklahoma Senator Inhofe.

The Omnibus Lands bill that we reported on last week is certainly a potential vehicle for carrying S787. We are working closely with relevant Senate staff for any developments to prevent action on this bill just as the 111th Congress comes to a close. Time certainly needs to run out quickly on the 111<sup>th</sup> Congress!

We will continue to give you updates on the status of these omnibus bills.

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