

Hicks-Ray Associates



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TO: WESTCAS Membership
FROM: Fred B. Hicks and Tom Ray
SUBJECT: Conference Report on the Stimulus Bill

Late last night, the Stimulus Conference Report, and the joint explanatory statement, became available. We downloaded the documents around midnight but they are so huge that we're going to have to use a special program to compress them down into a form that can be emailed. For those of you who are impatient to see the actual documents, you can try the following:

- Go to www.house.gov
- On the left margin of the site that opens up, locate "Committees" and click on that.
- Go to "Rules Committee."
- And you will see the four documents for the Stimulus that you can download.
- Unless you're interested in the tax provisions of the Stimulus you will need to click on "Text of the Conference Report Division A" and "Joint Explanatory Statement, Division A."

In the meantime, here are the highlights of the conference report for the Stimulus which will be taken up by the House starting at 1:00 PM today and by the Senate after House passage. No amendments will be allowed so action should be swift and the bill signed into law without delay. Here are highlights of special interest for WESTCAS Members:

Conference Report, Division A

Corps of Engineers

- Page 51, line 9, \$2,000,000,000 for Corps of Engineers Construction.
- Page 51, lines 10-11, \$200,000,000 set-aside for Environmental Infrastructure.
- Page 51, lines 19-20, the "heretofore and hereafter" Appropriations language is retained.
- This means that there will be new opportunities that will allow local sponsors to enter local/Federal partnerships with the Corps to build water and wastewater projects.

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- There are also many provisions throughout the bill concerning Congressional intent with regard to how quickly Stimulus funding should be disbursed, the penalties on Federal and also State pass-through agencies that do not meet these deadlines, and also Congressional intent with regard to what constitutes “shovel ready” projects.”
- Here is the Report language for the Corps of Engineers which appears on page 21 of the “Joint Explanatory Statement.”
- “The Conferees direct the Corps to consider the following criteria when allocating funds:
 - (a) Programs, projects, or activities that can be obligated/executed quickly;
 - (b) Programs, projects, or activities that will result in high, immediate employment;
 - (c) Programs, projects, or activities that have little schedule risk;
 - (d) Programs, projects, or activities that will be executed by contract or direct hire of temporary labor; and
 - (e) Programs, projects, or activities that will complete either a project phase, a project, or will provide a useful service that does not require additional funding.”

Bureau of Reclamation

- Page 56, line 18, \$1,000,000,000 is retained in the Conference Report as opposed to \$500,000,000 in the House version and \$1,400,000,000 in the Senate.
- Page 56, line 20, \$126,000,000 is retained in the Conference Report for Title 16. This was the House level of funding as opposed to the Senate’s \$110,000,000.

USEPA

- Page 137, line 12, \$4,000,000,000 is retained for Clean Water SRF funding as opposed to the \$6,000,000,000 in the House version of the bill.
- Page 137, line 15, \$2,000,000,000 for Drinking Water SRF which was the level provided by both the House and the Senate.

Conclusion

The Corps of Engineers and Bureau of Reclamation portions of the Stimulus contain important new funding and also guidance that will be of the greatest interest to WESTCAS members. Funding for Clean Water and Drinking Water SRF falls short of what had been hoped for. The national advocacy organizations had requested \$10 billion each for the Clean Water and Drinking Water SRF. The \$4,000,000,000 and \$2,000,000,000 in the conference report falls far short of the national need for these programs.