

September 30, 2011 – VOLUME 8, ISSUE 9

## CR Cuts Water Infrastructure

Despite the widely recognized need for substantial investment in our nation's drinking water and wastewater infrastructure, Congress continues to slash funding for both. The most recent cuts come in the latest continuing resolution (CR) to keep the government running. The CR is necessary because lawmakers have been unable to agree on long-term appropriations bills to fund the federal government.

The [short-term CR](#) passed by Congress continues funding for federal agencies with a 1.503 percent cut across-the-board compared to 2011 funding. This arbitrary cut continues a troubling trend and translates to less money for critical water infrastructure programs.

Earlier this year, the House Appropriations Committee approved legislation ([H.R. 2584](#)) that would dramatically slash funding for the Environmental Protection Agency (EPA). The legislation would eliminate nearly \$1 billion from the agency's State Revolving Funds (SRFs), which provide resources for water infrastructure projects. On July 15, the House approved a measure ([H.R. 2354](#)) trimming \$89 million in civil works funding for the Army Corps of Engineers.

While the ultimate budgetary fate of water investments remains unresolved, Congress' willingness to continually cut the programs threatens the integrity of drinking water and sewer systems, and by extension, public health. The latest CR continues funding for four days into the new fiscal year, which begins on Oct. 1, buying lawmakers a few more days to consider a long-term compromise for keeping the government running through 2012.

As Congress weighs its options, ACPPA is reminding lawmakers of our nation's dire water infrastructure needs. The association also is continuing its push to lift the cap on private activity bonds for water infrastructure projects and other innovative financing methods that leverage private investment.

It is critical that lawmakers hear from you about the importance of maintaining safe and efficient drinking water and wastewater systems. [Click here](#) to share your concerns with lawmakers and encourage them to make water infrastructure a top priority.

## Congress Keeps Transportation Construction Dollars Flowing

On Sept. 16, President Obama signed the Surface & Air Transportation Extension Act of 2011 ([H.R. 2887](#)). The bill extends funding for surface transportation and airport construction programs until March 31, 2012 and January 31, 2012, respectively. Had the programs lapsed, the Highway Trust Fund would have lost \$100 million per day in gas tax revenue and more than 1.6 million jobs would have been in jeopardy.

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Given Washington's political dynamics, this is an important victory. Nevertheless, it falls far short of giving the construction industry the certainty essential for recovery and job creation. Congress must not delay in passing a new multiyear highway bill that provides America the robust investment necessary for the economy to grow and flourish.

As further evidence that the Hill is waking up to the need for action on highway reauthorization, a Sept. 16 [memo outlining the GOP's plan for creating jobs](#) cited infrastructure spending as an area ripe for bipartisan cooperation. Word on the Hill is that House GOP leaders have granted Transportation & Infrastructure Chairman John Mica (R-FL) permission to hunt for additional transportation dollars.

Please help us continue to move the ball forward. [Click here](#) to tell your lawmakers to support a robust multiyear highway bill.

### **Obama's Jobs Act Falls Short**

In a joint address to Congress on Sept. 8, President Obama outlined his plan for putting America back to work. While the president had some worthwhile proposals, his [plan](#) largely falls short of its target.

Given the pre-speech hype, ACPPA was hoping the White House would finally lay out a bold, new, long-term plan to rebuild America's crumbling infrastructure and replace our decaying water systems. Obama instead called for a \$50 billion immediate investment in highways, transit, rail, and aviation. Glaringly absent from the president's proposal were any investments in water, perhaps the nation's most critical infrastructure need.

The president's proposal might help around the margins, but the 2009 stimulus bill taught an important lesson: contractors are not going to make major new capital investments or staff up for shovel-ready projects. What the industry needs is a reliable sense of what markets will look like for the next few years. The president's plan won't provide that certainty.

The construction industry is still suffering through the worst economic conditions and unemployment in generations. Until the construction sector recovers, it will remain a drag on the rest of the economy. That recovery will not happen until Congress and the president get their priorities straight and work together on issues that will lay a solid foundation for economic growth. We think infrastructure investment and restoring long-term certainty to the tax code should be at the top of the list.

### **GOP Hunting for Regulations**

In an Aug. 29 [memo](#), House Majority Leader Eric Cantor (R-VA) outlined the GOP's jobs agenda. At the top of that list: repealing burdensome government regulations.

Cantor unveiled the top ten job-destroying regulations that the House GOP plans to target this fall. So far, the House is off to a brisk start, already tackling the first item on the list, a National Labor Relations Board (NLRB) ruling that would restrict an employer's ability to decide where to create jobs (see related story below). Other Republican targets include items familiar to *Actionline* readers such as the NLRB "ambush

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elections" rule, healthcare grandfathering, and [the three percent government contractor withholding tax](#). ACPPA was pleased to see [harmful fly ash regulations](#) on the majority leader's hit list. .

In addition to specific regulatory goals, several proposed bills aim to implement fundamental and structural regulatory reform. Rep. John Sullivan (R-OK) has targeted EPA regulations with the proposed Transparency in Regulatory Analysis of Impact on the Nation (TRAIN) Act ([H.R. 2401](#)), mandating a cost-benefit analysis of EPA regulations. The Regulation from the Executive In Need of Scrutiny (REINS) Act ([H.R. 10, S. 299](#)), introduced by Rep. Geoff Davis (R-KY), would [require congressional approval](#) before implementing any regulation with an economic impact of more than \$100 million. The broadest regulatory reform bill under consideration is the Regulation Moratorium and Jobs Preservation Act ([H.R. 2898](#)), introduced by Rep. Reid Ribble (R-WI), which would prevent any agency from issuing significant regulatory action until the nation's unemployment rate reaches 7.7 percent or less.

To encourage your lawmakers to act on these issues, visit [www.ACPPA-Action.org](http://www.ACPPA-Action.org).

### **House Seeks to Check Runaway Labor Board**

On Sept. 15, the House approved, by a margin of 238-186, the Protecting Jobs from Government Interference Act ([H.R. 2587](#)), which would prohibit the National Labor Relations Board (NLRB) from telling employers where they can operate or expand.

The legislation, introduced in response to the Board's action against Boeing for opening a production line in South Carolina, now heads to the Senate.

ACPPA [supported](#) the legislation, joining our allies at the [Coalition for a Democratic Workplace](#) (CDW) in opposing the Obama administration's determination that the federal government has the right to tell employers where they can create jobs.

Encourage your senators to support H.R. 2587 by [clicking here](#).

### **New Mandatory NLRB Poster Available**

A poster describing employee collective bargaining rights is now available from the National Labor Relations Board (NLRB). Pursuant to a [new NLRB rule](#), employers must comply with the posting requirement by Nov. 14.

The [11-by-17 inch notice](#) describes employee rights and employer and union activities prohibited by the National Labor Relations Act. Companies must place the poster in a conspicuous area where other workplace notices are posted. An employer who fails to fulfill the new mandate may be charged with an unfair labor practice.

[Click here](#) to download the notice. It is also available from the NLRB's regional offices. For a list of frequently asked questions about the rule, [click here](#).