



November 1, 2024

## Political Landscape and Election Outlook

Since late September, Congress has been in recess and will remain as such until after the November election. To avoid a full shutdown, a Continuing Resolution (CR) was passed to keep government open and running until December 30, continuing all programs at their FY24 funding levels.

Once newly elected and tenured officials return to Washington, priority will first be put on subsequent election of leadership positions before discussions on FY25 appropriations continue.

Polls across the country have shown no clear leader in this year's race for the United States Presidency. Per the New York Times and Siena College final national poll, Kamala Harris and Donald Trump are currently locked in a dead heat for the popular vote at 48% each and most swing states polling at or near the margin of error.

Considering the result of the November elections will largely dictate the direction of new administrative and legislative policy decisions pertinent to our agenda, the CWCC is analyzing three scenarios in preparation:

**Best case:** Democratic Administration/Two-House Democratic Congress, based on consistent prior support for SRF funding and Title XVI policies.

**Neutral:** Republican Administration/Two-House Democratic Congress would still give Democrats the upper hand on funding decisions.

**Worst case:** Split Congress or any other scenario different from the above.

The two leadership positions of the most interest in Congress are the House Speaker and the Senate Republican Leader. Senator Mitch McConnell intends to step aside as party leader with three Members vying for the position— Senator Thune (R-SD), Cornyn (R-TX) and Scott (R-FL). The fate of the House Speaker position is ultimately tied to whether the Republicans can hold their majority.

## General Appropriations Status

Of the 12 FY25 appropriations bills, seven bills have been approved by the House Appropriations Full Committee and five have passed the House. Contrary to the bipartisan spending agreement per the debt limit extension bill, the House approach has been to provide a 1% increase in defense spending over the appropriated level and a 6% reduction in non-defense discretionary spending. The Senate Appropriations Committee has approved 11 bills with no action on the 12th and no floor action on any of the 11.

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Kyle England - Chairman

AGC of America ♦ AGC of Texas ♦ Alabama Utility Contractors Association ♦ Associated Pennsylvania Constructors ♦ Associated Utility Contractors of Maryland\* ♦ CIC of Westchester County & Hudson Valley\* ♦ General Contractors Association of New York ♦ Georgia Utility Contractors Association ♦ Indiana Constructors, Inc. ♦ Long Island Contractors Association ♦ Maryland Transportation Builders & Materials Association ♦ Michigan Infrastructure & Transportation Association ♦ Minnesota Utility Contractors Association\* ♦ National Rural Water Association ♦ Ohio Contractors Association ♦ Public Works Contractors Association of Maryland ♦ Tennessee Road Builders Association ♦ Underground Contractors Association of Illinois\* ♦ UCA of Anne Arundel County ♦ Utility Contractors Association of New England\* ♦ Utility & Transportation Contractors Association of New Jersey\* ♦ Contractors Association of West Virginia ♦ Wisconsin Underground Contractors Association

\*Steering Committee Member



The Senate Appropriations Committee has passed a bill that would provide \$1.63 billion in overall spending for Clean Water State Revolving Funds (CWSRF). Including the reduction from earmarks, Clean Water SRF's are set to receive a total of \$1.27 billion from the Senate. The House has passed a bill that would provide \$1.2 billion to CWSRF, reduced to \$649 million after earmarks.

Safe Drinking Water SRF's are slated to receive \$1.12 billion in funding from the Senate bill, if passed, while the House-passed bill appropriates \$883.5 million. Assuming earmarks as a takedown from base funding, allocations for the Safe Drinking Water SRF's project to be \$883.6 million in the Senate bill and \$404 million in the House legislation.

### **WIIN Grant Funding**

Of the House and Senate Committee approved appropriations bills, the House has agreed to \$30 million to be allocated for Water Infrastructure Improvements for the Nation (WIIN) Grants, while the Senate has approved \$20 Million.

### **President's FY25 SRF Allocations**

Per the President's FY25 budget, \$1.24 billion has been requested for the Clean Water SRF, \$4 million for the WIIN Grant Program and no funding for the SRF related earmarks.

### **CWCC's Position**

The Coalition continues to fully oppose the use of earmarks as takedowns. The Coalition has requested a minimum of \$4.4 billion for Clean Water SRF's (\$1.24 billion from the President's Budget and \$3.25 billion from the Bipartisan Infrastructure Law), \$4.3 billion for Safe Drinking Water SRF's (\$1.126 billion from President's Budget and \$3.25 billion from the Bipartisan Infrastructure Law) and minimum of \$20 million for WIIN grant funding.

### **OSHA Proposed National Heat Standard**

The Coalition has been engaged to oppose a new ruling from OSHA , in its current form, that would trigger certain employer obligations when the outside temperature reaches a certain degree. The proposed rules would require employers to develop and implement a work site heat injury and illness protection plan (HIIP) specific to each site to evaluate and control heat hazards on the job.

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When the initial trigger of a heat index of 80 degrees Fahrenheit is reached, employers must take certain actions, including identifying heat hazards, providing rest breaks and cool drinking water, monitoring employees for heat stress and adjusting workload to allow employees to become acclimated.

If the heat index reaches 90 degrees, employers would be required to provide paid 15-minute mandatory rest breaks every two hours, continuously monitor workers for heat stress and give hazard alerts reminding employees to stay hydrated.

While the health and safety of our members' company workers are always top priority, this mandate would have real-world implications and pose unique challenges to our businesses, most of whom already implement such measures.

### **Other Legislative Initiatives**

The CWCC is still working with Senator Butler's staff on a potential new version of the "STREAM Act," providing \$750 million for surface and groundwater storage and conveyance projects, \$300 million for water recycling, \$250 million for environmental restoration, \$150 million for desalination projects and \$100 million for drinking water projects in disadvantaged communities. The Coalition has submitted a request for more information.

In partnership with several other stakeholder groups, the Coalition continues to support the Garamendi Amendment to H.R. 7023 which would allow the EPA to issue National Pollutant Discharge Elimination System (NPDES) permits for certain public works projects for 10 years instead of five years as allowed under current law. Senate action is still pending as of this report.

There has been no action taken on the CWCC-backed "DROUGHT Act of 2024" which aims to increase the federal share of Water Infrastructure Finance and Innovation Act (WIFIA) funding from 80% to 90%.

The Coalition continues to pursue additional funding for mega recycling projects and the Alternative Water Source Program.

### **Key Advocates Report**

Included with this notice is Key Advocates' report from October 31, 2024 which provides more detail on these and other issues.

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