

# Weekend staff exchange leaves WRDA at a standstill

**By Lucy Kafanov, *E&E Daily* reporter**

Originally posted E&E DAILY -- December 5, 2006

Prospects of a Water Resources Development Act conference report passing Congress this week are all but dead after tough negotiations between House and Senate staff members made little headway over weekend, according to sources on and off the Hill.

Sources said Senate WRDA negotiators sent over a package outlining positions indicating where the Senate was willing to compromise, with a goal of producing a conference report by today. But the House rejected the compromise, making WRDA passage highly unlikely in the few remaining days of the lame-duck session.

"[Senate negotiators] got a reply back from House staff saying that they still had real problems with what came over from the Senate side," said a lobbyist representing environmental interests. "They decided to go back to the drawing board Monday."

House Transportation and Infrastructure Committee spokesman Justin Harclerode confirmed that the Senate offered several compromises late Friday that were rejected.

"There were offers on each side this weekend," said Harclerode. "We did reject the Senate offer this weekend, and the Senate also rejected our latest offer."

But according to Jim Berard, director of communications for the Democrats on the T&I Committee, "there was no flat rejection by the House, just not a blanket acceptance of the Senate's position."

Steve Ellis of Taxpayers for Common Sense was skeptical about the chances of squeezing WRDA through before the next session, adding that "with each passing moment, their chances get worse and worse."

"But the Kabuki dance is still going on," added Ellis.

While the specifics of the compromises are unclear, some speculate that environmental infrastructure projects supported by the House but opposed in the Senate remain a hurdle. These include projects for municipal water supply and wastewater treatment facilities and surface water resource protection and development not necessarily associated with other Army Corps of Engineers projects. Several sources, including incoming T&I Committee Chairman Rep. James Oberstar (D-Minn.), have said that the Senate provision on corps reform is no longer the main obstacle.

A well-placed congressional source said the standoff is more about the cost of the total package than about specific sections of the bill. The source said the Senate came to the negotiating table with the position that the House needed to give up some of their numerous projects to even out the cost of the package.

The House bill, **H.R. 2864**, would authorize more than 700 projects and is worth about \$10 billion, according to the Congressional Budget Office. The Senate's **S. 728** includes more than 200 projects and authorizes more than \$13 billion, according to taxpayer groups.

Even if a breakthrough took place, some sources said the bill has little chance of passing in the Senate because of growing concern about pork-barrel spending.

One source pointed out that lawmakers like Sens. Jeff Sessions (R-Ala.), Tom Coburn (R-Okla.) and Jim DeMint (R-S.C.), all of whom have blocked the passage of a pork-filled omnibus spending bill, are unlikely to support WRDA.

"There is no chance that it would end up as a public law," the source said. "It's not clear to me that Republican leadership would be willing to bring to the floor legislation that could be characterized, rightly or not, as being nothing but a bill of earmarks."

Ellis agreed. "If you leave town and don't get your appropriations done and you unanimous consent a big porky bill, it certainly is another insult to the Republican claims of fiscal responsibility," Ellis said. "The Senate is a wildcard. You can have the greatest legislation ever, and one senator can disrupt the apple cart pretty easily."