

# ***PRESIDENT VETOES DEATH TAX BILL TODAY***

**Volume 6, Issue 33**

**August 31, 2000**

*Faxed to:*

*Chapter Executives*

*Executive Committee*

*PAC Contributors*

*Legislative Network*

## ***The Construction Legislative Week in Review***

President Clinton vetoed the "Death Tax Elimination Act" today, one week after it was sent to him by Congress. According to a White House spokesperson, the bill is "too expensive and undermines our ability to pay down the debt and strengthen Social Security." The House is planning a vote to override this veto next Thursday, September 7th. While 279 Representatives voted for the bill last month, a total of 290 will be needed next week (assuming all 435 Members of Congress vote, as a 2/3 majority of those voting is needed to override a veto.) It is especially critical that all 65 Democrats who voted for the bill last month maintain their support. AGC has set up a toll free line, 1-800-456-8947, so you can call your Representative and ask for his or her support for the override attempt. Simply call the number and ask the Capitol switchboard operator to connect you to your Representative's office. Once connected, simply ask for his or her support of the veto override.

**Speaker Hastert Seeks Deal with President:** Speaker of the House Dennis Hastert this week sent a letter to President Clinton seeking an agreement on a minimum wage increase tied to small business tax relief provisions. The Speaker stated in the letter that he will agree to leave death tax repeal out of this proposal, as it is an issue strongly opposed by the President. Other issues of importance to construction companies, such as the repeal of the installment sales prohibition passed last year, are included in his proposal. At press time, the President had not responded to the Speaker's proposal. AGC believes that the Speaker's proposal should not be viewed as an abandonment of his support for death tax repeal, especially given the fact that there is a veto override vote scheduled next week. Rather, the Speaker recognizes that there are issues of shared support that should be passed into law before Congress adjourns for the November elections.

**Transportation Department Shuts Down a Trucking Firm for Falsified Driving Logbooks:** The Federal Motor Carrier Safety Administration (FMCSA) issued an out-of-service order to Rusman Transportation Inc. of Indiana after safety investigators determined that some of the company's 44 drivers were falsifying their logs to avoid recording their true hours of operation. FMCSA acting director Clyde Hart said, "Our number one job is to save lives by reducing the risk of fatalities and injuries involving large trucks." He continued, "We will continue to identify unsafe motor carriers and drivers and take strict enforcement action against those carriers who refuse to assume personal responsibility."

**AGC Urges Withdrawal of Blacklisting Proposal:** In response to the June 30 Administration proposal, AGC provided comments detailing the many flaws of the proposed regulation. Contrary to the assertions of the Administration, the regulation as proposed would create greater uncertainty in the responsibility determination by the contracting officer. The proposed regulation places contracting officers in the position of making determinations about compliance with laws and regulations of which they have no knowledge. AGC repeated its concern about the disruption of a contractor's due process rights. The June 30 proposal is the second attempt by the Administration to amend a contractor's responsibility determination. The Davis-Moran Amendment preventing the implementation of this regulation passed in the House of Representatives 228-190. Senator Hutchinson (R-AR) introduced the Just Opportunities in Bidding Act, S. 2986, that would prevent the implementation of the regulation until a study is conducted by the General Accounting Office to determine if there is indeed a problem being addressed by this proposal.

**Year Eight, Time To Regulate:** Despite denials from the Administration, it appears the Environmental Protection Agency could attempt to issue almost 70 regulations before January 20, 2001, the final day of the Clinton Administration. Of those regulations, several could affect the construction industry. EPA is attempting to move forward on the 8-hour ozone designations, even though the Supreme Court will hear oral arguments on the validity of the rule November 7. On June 2, EPA proposed a reduction in sulfur contained in diesel engines and changes to diesel engine equipment. Proposed is a standard that would mandate 15 parts per million (PPM) sulfur gasoline to be produced. EPA estimates this would raise the price of gas 5 cents per gallon, while the petroleum industry estimates the price of gas to rise 15 cents per gallon. AGC's comments on the low sulfur diesel rule can be found on the new Environmental Services section of the website ([www.agc.org](http://www.agc.org)).

**AGC Florida Chapters Awarded Federal Grants to Improve Workplace Safety in Florida:** The Florida East Coast Chapter and the South Florida Chapter were awarded two Susan Harwood Training Grants from the Occupational Safety and Health Administration (OSHA) totaling \$224,000. The Florida region has recently been the focus of OSHA's Construction Accident

Reduction Emphasis (CARE) Program. Each Chapter will conduct worker training sessions that concentrate on preventing falls from roofs, ladders, scaffolding, and unprotected edges and openings. Preventing falls is the latest emphasis of the CARE program to reduce the number of construction fatalities in Florida. Statewide, in 1999, 26 construction workers lost their lives from falls. The state ranks third in the nation and is the South's leader in number of fatal worker accidents. Utilize "Congress At Your Fingertips" Located in the Member's Only Section at [www.agc.org](http://www.agc.org) to contact your Congressional Representatives.

**AGC of America**  
**333 John Carlyle Street, Ste 200, Alexandria, VA 22314**  
**PH: 703-548-3118**  
**Fax: 703-837-5407**