

Bridgeton's Polluted Waters: Confidential Information for Representative Duffy

Years ago, your District was heavily industrialized, and you benefitted from labor union support. Much of that industry has moved or closed, along with the labor unions that represented their employees. As a result, elections in your District are more contested than they were in the past, and you depend even more on such union support as remains.

You definitely need a victory on cleaning Bridgeton's waters attached to the Water Infrastructure Bill of 2025 (WIB). Your only recent "success" was working together with former Republican Representative Martinez to secure a \$20M environmental technology Research and Development Grant Program^e 18 months ago to fund previously uncommercialized environmental technologies. But despite your hopes that this program would bring jobs and economic development to your District, the few applications for grants from the Program were rejected by Program staff on the grounds that the projects for which funding was sought had already been commercialized.

You are not personally close to Rep. Roberts, but the two of you have a cordial working relationship, resulting from your being Ranking Member, and Roberts being Chair, of the House Water Resources and Environment Subcommittee of the House Transportation and Infrastructure Committee. You have also worked well with Roberts on the House Energy & Commerce Environment Subcommittee, which Roberts recently joined. Roberts represents a largely conservative District with no single major employer, but with an increasing number of high-tech startups. Roberts and you both won by slim margins in your last elections, each of you winning with 51% of the vote.

You have been told by colleagues that Roberts has occasionally disclosed confidential information learned during legislative negotiations, but this has not taken place in any of your past dealings with Roberts. Still, the risk that Roberts will do so in this negotiation seriously concerns you, and therefore you need be quite cautious in sharing with him/her any information, the disclosure of which could be harmful to you.

Your position, supported by both the Democratic members on the Transportation and Infrastructure Committee and your constituents, is that the Committee should authorize your legislative proposal that

^e The grant program was authorized by the House Energy & Commerce Environment Subcommittee on which you sit.

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includes \$280 million that would be available to build the four water treatment plants recommended by the Bridgeton Water Commission. The contamination of the Bridgeton Reservoir was not caused by the residents of your District, and there is no reason they should be expected to pay for eliminating that contamination. This would be true even if the money were available to pay for the cleanup, which it is not. The loss of most of the industry in your District has led to a significant loss of tax revenues, and finding \$280 million to deal with the water pollution problem would not be possible. Hence you believe that federal funding of the cleanup effort is not only appropriate, but necessary.

Your goal of obtaining funding for 4 water treatment plants is based upon two factors. First, the Water Commission found that the construction and operation of these plants is necessary to ensure clean, safe drinking water for your constituents. Additionally, 4 water treatment plants would bring 100 well-paying jobs into your District (25 per plant). You have what will probably be a highly contested election coming up in 14 months, and you are counting on the support of what remains of the union movement in your District. Of particular importance is Local 12 of the American Utility Workers Union (AUWU), which represents electric, gas, and water workers throughout your District. You have told the Local 12 leadership that you are working to bring 100 new long-term jobs to them when the water filtration plants are up and running, and a failure to deliver those jobs would likely cost you critically important Local 12 support. As a result, you do not see how you could accept any proposal for water cleanup that did not include the 4 water treatment plants and the 100 long-term jobs that they would bring.

On the other hand, the optics are important. Your public support of federal funding for the pollution cleanup effort has been based entirely on your District's need for clean drinking water. You can't afford to base your rejection of a proposal from Roberts on the ground that you want to obtain 100 union jobs, as your doing so, if it became known to the public, would align you with the unions to the detriment of the public interest in clean drinking water.

Your staff has advised you that there are high-tech substitutes for traditional water treatment plants, and that at least one of these substitutes – photocatalytic filters – has been successfully tested and commercially deployed at a number of locations. If Roberts proposes such a solution, and it does not provide the jobs you need, you can still oppose it on the grounds that you will not entrust your constituents' need for safe and clean drinking water on a new technology that can, as any technology, go disastrously wrong.

Your staff also discovered another approach to the water pollution problem. Water Solutions, Inc., which is in your District, recruits and trains what it calls "urban rain foresters", who instruct and supervise residents and businesses in using lightweight inexpensive cisterns, also developed by Water Solutions, Inc. These cisterns, which are provided to users at no cost, are used to collect, lightly treat, and store runoff rain water in safe and sanitary conditions. Water so collected and stored can be used for all purposes other than drinking, substantially reducing water consumption. The average annual income (wages and benefits) of each urban rain forester is \$60,000. The annual cost of engaging 100 urban rain foresters at \$60,000 per year would thus be \$6 million, or \$24 million for 4 years. There would also be \$10 million in annual costs for cisterns and supervision costs. The total cost of a 4-year urban rain forester program employing 100 urban rain foresters, the most that could be usefully deployed in your District, would thus be \$64 million. [Since the foresters would be working with water,

they would fall under the AUWU jurisdiction, thus insuring that the 100 new jobs would be not only good jobs, but union jobs. (Indeed, your staff discovered that in the few areas in which urban foresters have been used, they have been successfully organized by AUWU.)

Experience has shown that the commercial deployment of 100 urban foresters has reduced the consumption of river and lake water in an amount generally in the 25-30% range, but occasionally as high as 50%. Using the more conservative measure, as you must to protect water quality, a 25% reduction in water demand would enable you to reduce your demand from 4 plants (\$280M) to 3 plants (\$210M) plus 100 urban foresters (\$64M), for a total of \$274M.

In sum, this could be a difficult negotiation. In order to succeed, you must obtain both a solution to the water pollution problem (which is necessary to move WIB out of Committee), and the 100 long-term jobs expected by AUWU. These are high stakes since failure to reach a resolution will anger your fellow Democrats who are looking forward to the infrastructure investments in their districts from WIB. If you come away from this negotiation without these 3 goals being met – a solution to Bridgeton's water pollution problem, WIB agreement, and 100 or more jobs for AUWU -- your advisors tell you that your chances of being re-elected 14 months from now will be sharply reduced. Accordingly, you should not enter into any agreement that does not achieve these goals.