

that Tim Cole was wrongfully convicted; and in 2010 he received the first posthumous pardon in Texas history.

Ms. Session fought for justice for her son, but throughout all of that, she still fought for justice for everyone in the State who had been wrongfully convicted. Thanks to her efforts, Texas now has additional safeguards to prevent wrongful convictions and to provide restitution to former prisoners who have been exonerated of their crimes.

I am honored to have known Ms. Session and to have supported her pursuit of justice while I served in the Texas Legislature. Her spirit lives on in her reforms and in the many individuals whose lives she has touched.

#### A GREAT LEADER HAS PASSED

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, last Friday, I became aware of the death of a great United States Congressman, BILL YOUNG, from Florida.

Mr. YOUNG was the senior Republican Member, who served in this House since 1970. He was a gentle soul, congenial, friendly—always nice to me. I asked him to join with me in the Tourette Syndrome Caucus, and he did. He was one of the founding members. He was a leader in seeking funds for biomedical research, which doubled during the time in which he was the chairman of the Appropriations Committee. He understood earmarks were the responsibility of this Congress, and he fought for them and supported them.

He was close friends with John Murtha, and I was proud to serve and to know both of them. Both men were in the military reserve, and both men towards the end of their careers recognized that war was wrong in places where they had previously been for it—John Murtha in Iraq, and, in 2012, Mr. YOUNG said that it is time to get out of Afghanistan.

A great leader has passed. His funeral will be tomorrow in the State of Florida. I was proud to know him. This country was fortunate to have him serve in this body.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 62

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor of H.J. Res. 62.

The SPEAKER pro tempore (Mr. POE of Texas). Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### WATER RESOURCES REFORM AND DEVELOPMENT ACT OF 2013

Mr. WEBSTER of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 385

and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 385

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3080) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule.

SEC. 2. (a) In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-24. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived.

(b) No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a sepa-

rate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

□ 1245

Mr. WEBSTER of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), my good friend and colleague, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Mr. WEBSTER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WEBSTER of Florida. Mr. Speaker, I rise today in support of this rule and the underlying bill.

House Resolution 385 provides a structured rule for consideration of H.R. 3080, the Water Resources Reform and Development Act, the first WRRDA bill since 2007. The rule makes 24 amendments submitted to the Rules Committee in order, half of which are sponsored by my colleagues across the aisle, and it provides for robust debate in the House of Representatives.

The underlying bill was marked up by the Committee on Transportation and Infrastructure, which reported the bill favorably with unanimous bipartisan support. The bill before us today garnered that support because of four reasons: this bill reforms the Federal bureaucracy; this bill is fiscally responsible; this bill strengthens accountability; and this bill creates jobs.

Mr. Speaker, talk to anyone around the country that relies on the Army Corps of Engineers; talk with anyone that depends on our water infrastructure, water resources and so forth; talk to anyone who wants to develop a new water resource infrastructure; talk to anyone who ships in or out of our harbors or ports. Maybe you have the opportunity to talk with our shipping companies, or maybe with the women and men who work on our tugboats and barges, or maybe with the farmer who needs to get his corn to the right markets, or maybe the manufacturer who needs to ship her product or his product to a foreign customer, or maybe the port director who is trying to get America prepared for the economic opportunities that will come with the larger ships coming through the Panama Canal. Mr. Speaker, if my colleagues spoke with these men and

women, they would hear the same refrain: our bureaucracy delays American investment; our bureaucracy costs American jobs; and our bureaucracy helps America's foreign competitors.

The approval process of our critical water infrastructure takes years too long, and sometimes well over a decade. One project that my friend from Florida is familiar with is a project in Port Everglades, which has been studied for nearly two decades. Some bureaucrats have spent their entire career studying this one project. The study of the project of Port Everglades is a prime example of Washington bureaucracy crushing America's jobs and America's future.

This bill before us today does away with these delays: it sets hard deadlines on the time and cost of the studies; it consolidates or eliminates duplicative studies; it requires concurrent project review by multiple agencies; and it puts our projects on a path to construction.

Mr. Speaker, this bill reforms Federal bureaucracy, but it also is fiscally responsible. We all know that our Nation spends too much, our Nation oftentimes spends money haphazardly without a plan and without restraint. This bill does not.

Chairman SHUSTER is committed to restraining spending and is committed to managing American taxpayer dollars wisely. This bill is proof of that. This bill restrains spending. I commend Chairman SHUSTER and Ranking Member RAHALL for actually making the tough choices necessary to get our budget in order.

Mr. Speaker, when was the last time an infrastructure bill was brought to the House floor and it cut more than it spent? The bill before us today does just that: it deauthorizes \$12 billion of old, inactive projects; it pays for the new projects by canceling old projects; and it sunsets the construction of new projects in order to prevent future backlogs. Mr. Speaker, this bill reforms Federal bureaucracy, is fiscally responsible, and it strengthens accountability.

Many of our constituents, when they hear us talk about infrastructure, remember the days of pork barrel spending. Many of our colleagues might remember the 1939 movie about a newly appointed Senator who goes to Washington running head-on into a political machine built on earmarks and pork barrel spending. "Mr. Smith Goes to Washington" is a dramatic rendering of how most infrastructure bills were put together in the past. In fact, the bill that was debated in the movie was a water resource bill, and the filibuster was over an earmark in that bill. This bill ends that earmark process.

The bill before us today strengthens accountability for the American people. Gone are the days of inserting earmarks at the last minute. Gone are the days of creating new pet projects. Gone are the days of wasting taxpayer money on pork barrel spending. Mr.

Speaker, this bill contains no earmarks.

It also establishes a new, transparent process for future bills that will ensure that taxpayer dollars are spent on necessary projects. It will prioritize our spending and provide strong Congressional oversight. This bill reforms Federal bureaucracy, is fiscally responsible, strengthens accountability, and creates jobs.

The key to creating American jobs is expanding our economy. American producers must be able to get their products to the world market. This push to sell to the world is a high-stakes competition that America must win. Our farmers are being pressured by our neighbors in South America. Our manufacturers are being pressured by both European and Asian countries. Our energy producers are being pressured by many foreign countries in all corners of the globe. Investing in our infrastructure will boost trade, increase American competitiveness, and position our country for economic growth. These advancements will put America to work.

While construction workers will immediately be put to work on these projects, every single American job that depends on our transportation infrastructure will benefit from this bill. Our economy will grow, our producers will compete with the world, and American jobs will be created.

Mr. Speaker, it is easy to see why this bill garnered unanimous bipartisan support from the members of the committee and why it deserves to be passed here. This bill reforms Federal bureaucracy; this bill is fiscally responsible; this bill strengthens accountability; and this bill creates jobs.

For these reasons, Mr. Speaker, I rise in support of the rule and the underlying bill. Chairman SHUSTER, Ranking Member RAHALL, and the Committee on Transportation and Infrastructure have provided us with a unanimously supported bipartisan bill that will move our Nation forward.

I encourage my colleagues to vote "yes" on this rule and "yes" on the underlying bill.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from Florida for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise today and agree with everything that my good friend and colleague from Florida said—everything that he said—with the exception of the fact that I am opposed to the rule. While I may support the underlying legislation, the rule blocks over 70 amendments, many of which were germane to the bill. This kind of rule is not conducive to an open process.

The bill, though far from perfect, is long overdue. There is a lot of go-nowhere, do-nothing talk about creating jobs here on the Hill, but this bill, like the highway bill and the farm bill, will actually create jobs.

The bill also reinforces a point that I have been making for some time, and that is: repairing our Nation's aging infrastructure, including our water infrastructure, is the best jobs program out there. The resulting economic benefits will ripple from our ports to Main Street America as badly needed jobs across a wide range of industries. For example, every dollar spent on Everglades restoration, like the ones authorized here, is returned fourfold by stimulating related industries like tourism, construction, and retail.

Despite these undeniable benefits, it has been 7 years since the last WRRDA bill. That is 7 years of productivity lost. But if you think 7 years is a long time, try waiting 17 years, as my colleague Mr. WEBSTER pointed out. That is how long Port Everglades has been waiting for a Chief's Report from the Army Corps to deepen its channels in anticipation of the new Panama Canal standards. At long last, the report is due shortly, yet this bill fails to authorize the pending project. While much of the blame for the delay falls outside of this Chamber, Congress can and should do right by the port.

Mr. Speaker, the port has already waited its turn. With the new Panama Canal expansion becoming operational in 2015, any further delay for such a vital piece of our Nation's infrastructure will be too late.

I do understand that tough choices have to be made. The way I see it, the Army Corps' lengthy review process is in part to blame for the backlog of projects. Though this bill contains some partisan measures addressing this issue, the Corps has already begun testing its own way of increasing the speed of review.

One of these successful tests was the pilot program for the Central Everglades Planning Project, yet that project is not included in this bill either, despite the Chief's report for CEPP being anticipated within a few months. This new approach, when coupled with a more frequent WRRDA bill, could help eliminate the massive backlog of projects that has forced Congress to make these tough decisions.

When we look what CEPP actually does, the urgency for authorization is even more obvious. CEPP will help end the discharges of polluted water from Lake Okeechobee that have been devastating Florida communities for years. The water is choked green with algae and killing wildlife, tourism, fishing, and oyster industries, particularly in the Indian River area of our State.

The people of Florida can't wait for another WRRDA bill to roll around. The streamlined successful pilot program is infinitely more preferable than the streamlining of environmental review contained in this bill.

My friends across the aisle seem oddly opposed sometimes to having fresh water and clean air, attacking NEPA and environmental regulations at every opportunity, including otherwise inappropriate vehicles like this

bill. But I understand that no one is happy all the time.

I do have grave reservations about some of the policies in the bill and hope that we can work them out through the legislative process. There is no need for Congress to make the waters rougher than they already are. Let's continue to do our work constituents sent us here to do.

I reserve the balance of my time.

Mr. WEBSTER of Florida. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Mr. Speaker, nearly one-third of our economy depends on international trade, and 99 percent of that trade passes through our Nation's ports. Since transportation accounts for as much as 10 percent of the cost of the products we buy, it is so very critically important that our ports and waterways run efficiently and are properly maintained.

I am proud to be a cosponsor of the Water Resources Reform and Development Act, which is a part of the critical role laid out to Congress by our Founding Fathers in regulating interstate commerce. With this bill we can reform the Army Corps of Engineers' management of important infrastructure projects and reduce their project backlog in order to create the conditions for a much stronger American economy. Mr. Speaker, this bill does that, and that is why I am proud to support it.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. MCGOVERN), my good friend.

Mr. MCGOVERN. Mr. Speaker, I thank my colleague from Florida for yielding me the time.

Mr. Speaker, let me first of all begin by opposing the rule. This House is becoming much too closed. I would remind my Republican colleagues of the promises they made when they took over this place. They promised a more open and more transparent House of Representatives. What we have seen is closed and restricted rules time and time and time again. There is no reason why this can't be an open rule. So I would urge my colleagues on both sides of the aisle to vote against the rule.

Secondly, with regard to the underlying bill, it is my intention to support the underlying bill, but I do have serious reservations. The proponents of this bill talk about the streamlining provisions that are in this bill that somehow streamline the environmental review process and that somehow the environmental review process causes delays.

I would remind my colleagues that the facts are clear that delays are caused by funding that doesn't correspond to the demand. The last WRRDA bill authorized over \$23 billion in new projects, and since that time appropriations have been at \$1.5 billion per year. The Ryan budget, which my Republican colleagues seem to love so

much, will cut that by another third. Add to that sequestration and all the other budget cuts that my colleagues are proposing here, it is lack of money, not environmental reviews, that is causing the delays.

Further, environmental reviews are really the only way voters have any say about the Federal projects in their community.

□ 1300

We need a WRRDA bill, but we don't need to sacrifice the environmental review process or a process that allows our constituents to have a say on how projects proceed. I hope when this bill moves to conference committee with the Senate, we can fix some of these, I think, egregious problems with the bill with regard to the environmental review process.

We do need a WRRDA bill, and we also need a transportation bill. I would hope my colleagues on the other side could convince the Tea Party members to allow that to come to the floor because we have an aging infrastructure, not only in terms of water projects but in terms of highways, roads, and bridges. I could go on and on and on.

If we get this right, we can create some jobs. I urge my colleagues to oppose the rule, and support the underlying bill.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I rise to support the rule and the underlying bill, H.R. 3080.

This bill provides commonsense reforms to the construction of water infrastructure projects, which will help facilitate commerce and get this country back to work, and it does so without earmarks. It also addresses our regulatory framework amidst commonsense solutions that we can use.

Article I of the Constitution clearly spells out that the Federal Government has a role in regulating commerce, and when we talk about building ports and dams, these are the types of projects that the Federal Government can and should undertake, which will allow the private sector to thrive, as well as encouraging private sector participation.

I want to thank the chairman and the committee for their work on this bill, which also advances the cause of the Savannah Harbor expansion project, which is one of the many projects that can move forward under this bill. The Savannah Harbor deepening will allow the State of Georgia to begin construction on this much-needed project. When it is completed, consumers and businesses all across the country will benefit from the imports and exports that flow through Savannah.

The bill also provides residents across the country with a framework that advances long-term economic growth opportunities by expanding and improving our sources of water supply.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time

to yield 2 minutes to the gentleman from Michigan (Mr. DINGELL), the dean of the House of Representatives.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, I am proud to say thanks to my good friend from Florida for yielding me this time.

I urge that the rule be rejected. There is no reason why we can't have an opportunity to amend this legislation to address some of its failures. As the author of the National Environmental Policy Act of 1969, I was proud to usher in a new era of environmental and wildlife conservation. Moreover, NEPA passed the House with overwhelming bipartisan support, by a vote of 372-15. A similar vote took place in the Senate. During the debate on NEPA, I noted:

Mankind is playing an extremely dangerous game with his environment. We have not yet learned that we must consider the natural environment as a whole and to assess its quality continuously if we really wish to make strides in improving, preserving, and protecting it.

NEPA has a very simple promise: look before leaping. The law ensures that Federal agencies weigh the environmental consequences of development projects before they are undertaken. This bill puts its finger in the eye of that particular approach. I worry that the provisions included in the bill before us today will lead us down a path going back to those days of impunity and disregard for the well-being and concerns of the public, where actions were taken without any full appreciation or understanding of the environmental impact of that.

That was the reason NEPA was passed, so that we would know what we were doing, and so that we would have a fair opportunity for people to participate in the judgments by having these decisions made in an open and a transparent fashion. Now perhaps changes are needed, and perhaps an update, if you will. We cannot say that this legislation does that. However, before we make changes, we need to have some comprehensive hearings in the committee of jurisdiction. I note that the committee that brings this legislation to the floor is not necessarily the committee of jurisdiction.

This is a proposal which is disregarding one of the things which was said by President Nixon when he signed it. He said that this was going to stop the decay of the environment. We are renewing that decay.

Mr. WEBSTER of Florida. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Speaker, I would like to thank the chairman for the inclusion of the provisions in the bill to help expedite environmental reviews and for the language that was requested by myself and Congressman FARENTHOLD which would help increase private investment in our Nation's ports and expedite the completion of large critical projects.

One important project that is authorized in this bill is the deepening of the Sabine-Neches Waterway. I have been working on the authorization of this project since I was elected in 2004. My predecessors, Nick Lampson and Jack Brooks, worked on this project. Mr. WEBBER, who now represents this area, has been working on this project. In fact, the original Chief's Report for the Sabine-Neches Waterway was authorized to begin in 1997, 16 years ago. That was three Presidents ago. It was in the last century.

Since that time, all four of my kids have finished high school, graduated from college, gotten married, and have given me 10 grandkids. The United States has fought two major wars. Sixteen years to do an authorization on a Federal project—something is wrong with this picture, Mr. Speaker.

This project was supposed to cost \$300 million. Today, if it is authorized, it will be \$1.1 billion. That is a 287 percent increase, and we still haven't moved any dirt. There is something wrong with this picture, Mr. Speaker.

That is why this WRRDA bill is so important. It makes critical structural improvements to the way the Corps of Engineers does business so we can end these absurd delays. It shouldn't take 20 years to complete a project, and I'm talking about authorization just to approve a project, like the Sabine-Neches Waterway.

The Sabine-Neches Waterway is critical to America's energy and national security. It was first authorized at 40 feet. This WRRDA bill will make the depth 48 feet, permitting deeper draft vessels to come through. Right now, tankers that come up the Sabine-Neches Waterway can't be full because they drag bottom. They have to offload part of their fuel before they come up the waterway. That is why this is important to the United States.

It is also vital to the United States military. The Sabine-Neches Waterway, actually is the home of the largest commercial military out-load port in America, and it is the second-largest military port in the world. The channel is home to two designated military strategic seaports: Beaumont and Port Arthur, Texas.

Additionally, 20 to 30 percent of the Nation's commercial jet fuel and a significant majority and classified amount of our military's jet fuel is produced on the Sabine-Neches Waterway.

This is the energy corridor of the United States. Refineries line this entire waterway. Delays by the Corps of Engineers have cost millions of dollars, all because they cannot make up their mind to approve the project.

Mr. Speaker, pick a horse and ride it. Either approve the project or deny the project, but make up your mind. These delays are absurd.

And that's just the way it is.

Mr. HASTINGS of Florida. Mr. Speaker, at this time I am pleased to yield for a unanimous consent request to the gentlewoman from California (Ms. LORETTA SANCHEZ).

(Ms. LORETTA SANCHEZ of California asked and was given permission to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. I thank the gentleman from Florida.

Mr. Speaker, while not a perfect bill, I will be voting for it.

Mr. Speaker, I rise today in support of H.R. 3080, the Water Resources Reform and Development Act, better known as WRRDA.

As a member of the California Delegation, I am particularly supportive of reauthorizing WRRDA, which is such a critical bill for our state.

Although this bill was intended to be reauthorized every two years, it has been six years since the last Water Resources Development Act (WRRDA) was signed into law.

After examining the provisions included in this legislation, I am encouraged by provisions like Section 124 which helps our state by requiring a comprehensive review of the Corps of Engineers' policy guidelines on vegetation management for levees.

I am hopeful that this provision will help eliminate some of the challenges that local governments and flood control agencies face because of current vegetation removal policy.

Additionally, provisions like the one outlined in Section 130 mandate that a report be issued on the practices, priorities, and authorized purposes at Corps of Engineers reservoirs in arid regions and their effect on water supply during times of drought.

This is a good start to begin addressing the need and ability for local water agencies to be able to store more water in their dams for water replenishment.

Although we do not have the ideal reauthorization bill of WRRDA in front of us, I believe this to be a good start to once again focus on the importance of water supply and management.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. MATSUI), my good friend and a former member of the Rules Committee.

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Florida for yielding me time.

Mr. Speaker, I rise in strong support of the bipartisan WRRDA bill. I want to commend Chairman SHUSTER and Ranking Member RAHALL, along with Chairman Gibbs and Ranking Member BISHOP. I would also like to thank Senator BOXER for leading the Senate in passing its WRRDA bill earlier this year.

Mr. Speaker, my district of Sacramento is the most at-risk metropolitan area for major flooding, as it lies at the confluence of two great rivers: the American and the Sacramento. We have a lot at risk. We waited too long for this bill, and we need Congress to act.

Since the last WRRDA in 2007, a number of key flood protection investments have been carefully studied by the Army Corps of Engineers. One such project that has been thoroughly studied by the Corps of Engineers and holds a Chief's Report is the Natomas Levee Improvement Project. Levee defi-

ciencies were found in the area in 2008, and it was remapped by FEMA in 2008. The Corps of Engineers put the level of protection at 1 in 33 years, a third of the national standard. Since then, costly flood insurance has become mandatory.

The area to be protected by the project is home to over 100,000 people, two interstate highways, and an international airport. It is heavily urbanized, and home to dozens of schools and hundreds of small businesses. If a levee broke, the damage would be similar to that experienced in New Orleans.

To fully underscore the importance of this project, my constituents have voluntarily voted twice to pay their local share. Despite the significant local investment, work remains uncompleted. The project needs congressional authorization.

Mr. Speaker, we must pass this bill. We must establish a conference committee with the Senate, and we must work to ensure WRRDA becomes law this year. It is too important for our Nation, and I look forward to working in a bipartisan way to ensure that.

Mr. WEBSTER of Florida. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Mr. Speaker, I thank the gentleman.

I rise today in support of H.R. 3080, as well as a bipartisan amendment that we will have on the floor later today. This bill works to address our Nation's competitiveness and increasing economic growth by maintaining our infrastructure in a sensible manner.

Our amendment that we will offer today will work to address the challenges that invasive species present to our country today. As the cochair of the Invasive Species Caucus and the only Member who has the privilege to represent three of the five Great Lakes, I am honored to speak on the floor today about the threat that these species bring to our natural environment. They also represent a huge economic cost to each of our districts. It costs over \$100 million a year in the Great Lakes alone to have these invasive species fought and controlled.

Mr. Speaker, our amendment is simple. It does not authorize any new funds or create new programs. Simply put, it helps address the invasive species issue by requiring the GAO to complete a comprehensive report on Federal spending for the operations and cost of invasive species. Why is this important? A report that takes into account all species nationwide will allow Congress to identify both gaps and duplicative efforts in the future. By beginning with a comprehensive report, we can effectively target areas for improvement in the future.

Mr. Speaker, I urge your support and all Members' support for this bill and our amendment.

Mr. HASTINGS of Florida. Mr. Speaker, would you be kind enough to tell us the time remaining for both sides.

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) has 19½ minutes remaining. The gentleman from Florida (Mr. WEBSTER) has 16½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to the distinguished gentlewoman from California (Ms. HAHN) who is the cochair of the PORTS Caucus, of which I am a proud member.

Ms. HAHN. Mr. Speaker, I rise in support of the underlying bill, and as my colleague said, as a founder and co-chair, along with my friend, TED POE, of the Congressional PORTS Caucus, I am happy that today the House has this opportunity to pass a water resources bill that will provide long-needed investment to our Nation's ports and create jobs. Our ports and waterways have been waiting for over 6 years for a new water bill. It is time to end their wait.

One of the things I came to Congress to do was to fight for the full use of the Harbor Maintenance Trust Fund and to ensure that we address the expanded use needs of ports like the Port of Los Angeles and the Port of Long Beach that see so much commerce but so little of this harbor maintenance funding.

Do I wish that we would have been able to be more aggressive in this bill? Of course—but the bill we have before us is a huge step in the right direction. Congress, I think, is finally recognizing that our ports aren't just gateways; they are engines of growth, of prosperity, and of jobs. Passing this legislation would be a big victory for our ports, a strong signal that this House recognizes the critical importance of our ports to our economic health.

I am going to be voting for this bill, and I encourage my colleagues to do the same.

□ 1315

Mr. WEBSTER of Florida. Mr. Speaker, I yield 4 minutes to my good friend from Georgia (Mr. WOODALL).

Mr. WOODALL. Mr. Speaker, I thank my friend on the Rules Committee for yielding.

This is a big bill for Georgia. It is a big bill for all of America. Mr. Speaker, it is so often that we hear about conflict in this body. We all know that jobs are important to absolutely everyone's constituency; and when we all know that 99 percent of our imports and exports travel through our ports, it is easy to come together and get excited about doing things that matter.

We have got the Panama Canal opening for newer and wider and bigger ships, but my own home port in Savannah is not ready, through no fault of our own. We began that process back in the 1990s to begin to expand the Port of Savannah, and it has taken 15 years to get through that permitting process. This bill says: Who benefits from that? Whose constituency is it that benefits from jobs being slowed or delayed for 15 years? No one's does. So we are able to come together and say let's do it; let's

do it right, but let's do it in an efficient manner.

Three years is what we have given, 36 months, to study each and every aspect in the permitting process, and to do those things concurrently. Today, Mr. Speaker, as you know, you have to do one study first and then a second one and then a third one and then a fourth one, and you can't start the next one until the first one is finished. Today we say, if we know we have six studies to do, let's do them simultaneously. Let's go ahead and get all the work done. We all benefit from that, Mr. Speaker.

The reforms in this bill go into those projects that are authorized, Mr. Speaker, that represent spending on our books that we know we are not going to do. We say that if we have any new projects we are interested in doing, let's take those old projects off that are no longer a priority for America. Let's set our priorities. We know we have to spend money in this government, but we ought to spend it on the best projects, not the least of these; and this bill recognizes, in a budget-neutral way, a way to authorize those projects that are most important to us while we are moving those that are the least.

Mr. Speaker, I live in a county that relies on a Corps of Engineers' lake. Working with the Corps of Engineers in partnership is critical to my community for our drinking water, for our recreation, for our economy. The Corps has been a good partner, but the Corps is often hamstrung by the laws that this Congress has put in place and by the implementation of those laws by administrations, both Republican and Democrat.

Mr. Speaker, this bill reclaims to this House, for both sides of the aisle, the authority to direct the projects of the Corps of Engineers. We direct these not through earmarks, Mr. Speaker, but by recognizing that constitutional responsibility that we have to our constituents back home to decide where those dollars are spent, how those projects are prioritized. Rather than punt on that issue, this bill reserves those powers rightfully to this House and to this Congress.

Mr. Speaker, this bill is not everything that I would like for it to be. Candidly, in 3 years of serving in this Congress, I have yet to see a bill that is everything that I would like for it to be. What I know is that this bill is a step in the right direction, a step that we can take and a step that we must take.

I thank my friend from Florida for his leadership on the issue, for his leadership on the Rules Committee, and for yielding me the time today.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. LOWENTHAL), my friend.

Mr. LOWENTHAL. I thank the gentleman from Florida.

Mr. Speaker, we are a country of interdependent States that share pros-

perity, challenges, and resources, united with a goal of a healthy economy supported by quality infrastructure.

At times, though, inequities in the collection and distribution of Federal resources create such an imbalance that one region is put at a distinct disadvantage. This is the case for California, which collects nearly one-third of the Nation's harbor maintenance taxes but receives less than 7 percent of the expenditures for port projects.

Mrs. NAPOLITANO's amendment, had it been allowed to come to this floor, would have brought a measure of equity to this stark imbalance. I believe this was a missed opportunity for our Nation's ports.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 3 minutes to Mr. SOUTHERLAND, my fellow Floridian and good friend.

Mr. SOUTHERLAND. Mr. Speaker, I thank the gentleman from Florida for yielding to me today.

Today I rise in support of this rule for the Water Resources Reform and Development Act, and I agree with my colleague on the other side of the aisle, the gentlewoman from California (Ms. HAHN). She understands how important this bill is, as do I.

Make no mistake, this is a jobs bill. We are going to be able to take advantage of economic opportunities because of this piece of legislation. I am proud to serve as a member of the Transportation Committee. That this bill passed unanimously out of committee is something that I think needs to be noted.

This legislation enhances the Army Corps of Engineers' ability to develop and support America's port and waterway infrastructure, and it does so with full spending offsets and zero earmarks. That is the kind of common-sense reform I believe the American people expect and deserve.

This bill places hard caps on the time and cost of studies, eliminates duplications and delays, places a 3-year cap on those studies and caps in dollar amounts of \$3 million. It expands the role of public-private partnerships in water infrastructure and makes significant changes to the Harbor Maintenance Trust Fund so that monies that are collected for harbor maintenance are more fully utilized for their design purpose. I know it is a novel idea that those monies collected for the Harbor Maintenance Trust Fund would be there, and this bill addresses that.

Perhaps most importantly to the people of my district, this bill begins a critically important conversation that began at the committee level on the impact of the decreased water flows down the ACF River system and into the Apalachicola Bay. The Apalachicola Bay is a natural treasure, producing 90 percent of Florida's oyster harvest and 10 percent of the Nation's oyster harvest. The oystermen, small businesses, and hardworking families who depend on this bay have seen their livelihoods put at risk.

I am pleased that Chairman SHUSTER and the ranking member have worked in good faith to begin this dialogue with me. For these reasons, I urge my colleagues to support this rule, as well as the underlying bill, which provides critical support to Florida's 15 deep-water ports and allows us to be fully prepared for the economic opportunities as a result of the Panama Canal expansion.

Mr. WEBSTER of Florida. Mr. Speaker, can you tell me how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Florida (Mr. WEBSTER) has 1½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to the distinguished gentleman from North Carolina (Mr. MCINTYRE),

my good friend and fellow Helsinki Commission member.

Mr. MCINTYRE. Mr. Speaker, I thank Mr. HASTINGS for this time.

As the cochairman of the Congressional Waterways Caucus, I do support many of the provisions of this bill, but I am concerned that it has no language to reauthorize expiring coastal protection projects.

Our beaches are the economic engines and environmental treasures that protect our coasts from storms and create jobs for our community. In fact, when you talk about return on tax dollars, the beaches can't be beat. For every \$1 spent by the Federal Government on beach renourishment, \$320 is returned in revenue. I know of no other Federal program that gives that kind of return.

When we think about the inclusion of coastal renourishment projects, there are over 50 that will be expiring if this is not addressed. We have found at Carolina and Kure Beach in North Carolina, and as many of our colleagues all over the Nation have found, a few thousand dollars on the frontside saves millions of dollars on the backside after a vicious storm like Sandy, Katrina, Fran, or Hugo. The list goes on.

It is imperative that the WRRDA language contain the reauthorization of these projects that are already in progress; otherwise, we lose these investments, and that is not a good use of taxpayer money. These are investments that ultimately create jobs and save money.

EXPIRING COASTAL NOURISHMENT PROJECTS

Member	State	Project	End Year
Rep. Mike McIntyre	NC	Carolina Beach and Vicinity	2014
Rep. Bill Young	FL	Pinellas County—Treasure Island Segment	2019
Rep. Lois Frankel	FL	Broward County—Segment II	2020
Rep. Patrick Murphy	FL	Fort Pierce Beach St. Lucie	2020
Rep. John Carney	DE	Delaware Coast Protection, Indian River Inlet	2021
Rep. Jack Kingston	GA	Tybee Island	2023
Rep. Alcee Hastings	FL	Broward County—Segment III	2025
Rep. Debbie Wasserman-Schultz	FL	Dade County—Bal Harbour	2025
Rep. Timothy Bishop	NY	Westhampton	2027
Rep. Corrine Brown	FL	Duval County	2028
Rep. C.W. Bill Young	FL	Pinellas County—Long Key Segment	2030
Rep. Debbie Wasserman-Schultz	FL	Dade County—Sunny Isles	2038
Rep. Trey Radel	FL	Lee County—Captiva Island Segment	2038
Rep. Theodore Deutch	FL	Palm Beach County—North Boca Raton Segment	2038
Vacant	MA	Revere Beach	2041
Rep. Frank LoBiondo	NJ	Cape May City (Cape May Inlet to Lower Tower)	2041
Rep. Mike McIntyre	NC	Wrightsville Beach	2041
Rep. Marcy Kaptur	OH	Presque Island	2042
Rep. Marshall "Mark" Sanford	SC	Folly Beach	2043
Rep. Vern Buchanan	FL	Manatee County	2043
Rep. Lois Frankel	FL	Palm Beach County—Delray Beach Segment	2043
Rep. Richard Nugent	CT	Pinellas County—Sand Key Segment	2043
Rep. Rosa DeLauro	FL	Prospect Beach	2043
Rep. Frank LoBiondo	NJ	Ocean City—Great Egg Harbor Inlet and Peck	2043
Rep. Luke Messer	IN	Indiana Shoreline	2044
Rep. Patrick Murphy	FL	Martin County	2045
Rep. Lois Frankel	FL	Palm Beach—Jupiter/Carlin	2045
Rep. Hakeem Jeffries	NY	Coney Island	2045
Rep. Gregory Meeks	NY	East Rockaway Inlet to Rockaway Inlet Sectic	2045
Rep. Frank Pallone Jr.	NJ	Sea Bright—Manasquan: Monmouth Beach (F)	2045
Rep. Tom Rice	SC	Myrtle Beach	2046
Rep. Frank Pallone Jr.	NJ	Sea Bright—Manasquan: Sea Bright (Reach 1)	2046
Rep. Lois Frankel	FL	Palm Beach—Ocean Ridge Segment	2047
Rep. Vern Buchanan	FL	Sarasota County—Venice Segment	2047
Rep. Christopher "Chris" Smith	NJ	Sea Bright—Manasquan: Belmar to Manasqui	2047
Rep. Mike McIntyre	NC	Kure Beach	2047
Rep. Frank Pallone Jr.	NJ	Sea Bright—Manasquan: Long Branch (Reach	2048
Rep. Scott Rigell	VA	Sandbridge	2048
Rep. Steve Southerland	FL	Panama City Beaches	2050
Rep. Frank Pallone Jr.	NJ	Sea Bright—Manasquan: Asbury to Avon	2050
Rep. Mike McIntyre	NC	Ocean Isle, Brunswick County Beaches	2050

Mr. WEBSTER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Speaker, I thank my colleague, Mr. WEBSTER from Florida.

I rise today in support of H.R. 3080, the Water Resources Reform and Development Act of 2013. WRRDA is commonsense legislation that permits the Army Corps of Engineers to eliminate costly and duplicative projects, caps the time and costs of studies, consolidates and accelerates environmental analyses, and stimulates the U.S. economy through increased competitiveness in the global market and through job reaction.

In my home State of Florida, our 15 ports have contributed over \$96 billion to the State's economy and, perhaps most importantly, employs hundreds of thousands of individuals. Within my district, we have two inland ports in particular, Ocala and Lake City, which

are uniquely positioned to import and export products quickly to Florida, the southeast, and to America's heartland. Encouraging infrastructure projects such as these spur job creation. In today's economy, we cannot afford to neglect these opportunities.

We have, today, the opportunity to demonstrate that Congress can work towards the best interest of our country. So I urge my colleagues in the House to take swift action in voting to approve WRRDA and get our country back on the path to save infrastructure, global competitiveness, economic stability, and job creation.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to the distinguished gentleman from Connecticut (Ms. ESTY).

Ms. ESTY. Mr. Speaker, I thank the gentleman for the time.

I rise in support of the Water Resources Reform and Development Act

because it is essential for our economy and it addresses flood control and water management issues important to my district.

Waterways and ports support more than 27,000 jobs in Connecticut, but Congress hasn't passed a WRRDA bill since 2007. We can't wait another 6 years to ensure that our inland waterways and seaports remain the greatest in the world.

I do have concerns about provisions meant to streamline environmental reviews, but this bill is the result of bipartisan cooperation, something all too rare in Washington these days; and as a cosponsor, I am proud to say that this bill reflects the bipartisan action that my constituents expect from Congress. That is why I am so grateful to my friend from Pennsylvania, Chairman SHUSTER, as well as Ranking Member RAHALL and Representative BISHOP for

their responsible bipartisan leadership on this effort.

If you are concerned about the economy, public safety, or the lack of funding for our water infrastructure, pass WRRDA today.

I rise in support of H.R. 3080, the Water Resources Reform and Development Act, because it is essential for our economy, and it addresses flood control and water management issues that are important to my district.

This past May, I led officials from the Army Corps of Engineers' New England Office on a tour of my district.

We met with constituents in Torrington, CT, where the city is bound by old restrictions on levee vegetation that are both costly AND harmful to the environment. This bill is a good first step to provide them relief.

We met with city leaders in Meriden, CT, about a downtown flood control project that is vital for economic development.

They need a partner in Washington, as do communities across America, and that means they need Congress to pass water resources legislation on a regular basis.

Waterways and ports support more than 27,000 jobs in Connecticut, but Congress hasn't passed a WRDA bill since 2007.

We can't wait another 6 years to ensure our inland waterways and seaports remain the greatest commercial water transportation system in the world.

As a cosponsor of this legislation, I'm also proud to say this bill reflects the kind of bipartisan cooperation my constituents expect from Congress.

This is not a perfect bill.

I am particularly concerned about provisions meant to streamline environmental reviews.

But this bill is the result of bipartisan negotiations, something that is all too rare in Washington these days. Despite our disagreements, we have worked together to advance our national interest.

That is why I am so thankful for my friend from Pennsylvania, Chairman SHUSTER, as well as Ranking Member RAHALL and Representative BISHOP, for their responsible bipartisan leadership.

If you are concerned about the economy, public safety, or environmentally friendly reforms for Corps policy: pass this bill today, so that we can turn our focus to the critical lack of funding for our water infrastructure.

Mr. WEBSTER of Florida. Mr. Speaker, I would like to clarify one thing, and that is the chairman and the ranking member did everything they could to stay within the guidelines and the jurisdiction of the Transportation and Infrastructure Committee, and they did that. They did not vary in any way over into the Clean Water Act or anything else. So nothing in this bill is changing any of the standards; all it is doing is allowing parallel tracks. That is it. So the project mentioned by Mr. WOODALL, which is 15 years, and the project in Mr. HASTINGS' area, which is 17 years, would only be done sooner, not by circumventing any environmental requirement, but through the parallel tracks.

I now yield 2 minutes to my good friend from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, in 1733, when General Oglethorpe sailed up the Savannah River, I have been told the river was 12 feet deep. We have been playing in the mud down there ever since. Today, it is 42 feet deep, but 42 feet isn't enough for the large Panamax ships that will soon start coming through the expanded Panama Canal. If we are to stay competitive, we have to deepen the river.

There are 352,000 jobs in Georgia related to import/export and the Port of Savannah. In fact, the cost-benefit analysis of this investment is a dollar spent gives us a \$5.50 return. In these tough economic times, that is why this legislation is so important.

□ 1330

Furthermore, it is basically a reauthorization necessitated by bureaucratic delays. The original authority to deepen the Savannah River was in 1999. It took 13 years and \$41 million worth of study to finally get four Federal agencies to approve it. During that period of time, China built a port, from start to finish, which is bigger than the Port of Savannah.

Mr. Speaker, if we are to be competitive as a Nation, we have to do better than this. Today's legislation accelerates the approval process by alleviating unnecessary government delays.

This legislation is common sense; it is pro-jobs and pro-America; and I urge its passage.

Mr. HASTINGS of Florida. Mr. Speaker, at this time I am privileged to yield 1 minute to the distinguished gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Speaker, I rise in support of the Water Resources Reform and Development Act, and I rise in support for a very good reason. This bill helps create jobs, good jobs, family-wage jobs. And it is not just jobs in construction from the infrastructure projects. It is jobs throughout the shipping and transportation sectors.

I happen to represent a district that contains a number of ports, including the Port of Olympia and parts of the Port of Tacoma. And activities at the Port of Tacoma alone are related to 113,000 jobs in Washington State; but there are more jobs to be found there, and around the country, if we act now.

Mr. Speaker, I believe a healthy economy requires a healthy environment, and I hope that the final bill that is reported out of the conference committee does not get caught in the false premise of having to choose just one.

However, I think this bill is a good, bipartisan start, and I urge its passage.

Mr. WEBSTER of Florida. Mr. Speaker, I have no more presenters and I am prepared to close. Therefore, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Mr. Speaker, this reauthorization is long overdue. There is no better way to put people back to work and stimulate our economy than to invest in our Nation's infrastructure.

In my home, the 10th District of Illinois, there are \$235 million in projects that are waiting to get under way. The multiplier effect that these projects will have in our communities cannot be overstated.

This bill makes a number of reforms that will benefit the communities in Illinois that I represent. It will, for the first time, recognize the Great Lakes Navigation System as the single system that it is. It will ensure that a portion of the Harbor Maintenance Trust Fund is dedicated to small harbors like the one I represent in Waukegan.

This bill is not perfect. I certainly have objections to some of the environmental streamlining provisions. That said, this bill is a great example of the progress that can be made when both sides come to the table and find common ground.

I believe there is still more to be done to safeguard our environment in the underlying bill, and I look forward to working with the chairman and ranking member as this bill moves through the conference to ensure that adequate environmental protections are maintained in the final measure.

I thank the gentleman and look forward to passing this bill.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 1 minute to the distinguished gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, I rise today generally in support of the reauthorization of the Water Resources Reform and Development Act, but I do want to express a couple of concerns that I have.

One is this discussion about reforms that I think really put in jeopardy what it is that we are trying to do, both in terms of developing our water resources and also protecting our environment.

I am concerned about the streamlining under the National Environmental Policy Act, NEPA. It doesn't slow down projects. In fact, it ensures that the general public, State and local government officials, and industry have a seat at the table when Federal agencies make decisions that impact our communities.

Indeed, I am offering an amendment, along with my colleagues, Mr. BLUMENAUER and Mr. DEFazio, that would restore our confidence in the system to make sure that we are really protecting our environment.

My other concern, Mr. Speaker, is an amendment that is going to be offered, the Young and Petri amendment, that would, in fact, go back to the private sector for services instead of leaving that to the decision of the Army Corps of Engineers.

I look forward to further working on these issues.

Mr. HASTINGS of Florida. Mr. Speaker, at this time I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Speaker, I am encouraged that we have today before us a bipartisan bill that will help improve our Nation's waterways and infrastructure and create jobs.

However, I do agree that this bill is imperfect, and I am dismayed that this bill includes provisions that will undermine our environmental protections and reduce the ability for public input. In that regard, I wish to associate myself with the remarks of Mr. DINGELL.

What is left out is an environmental review process that avoids pitfalls and saves taxpayers money by allowing the Army Corps of Engineers to understand where problems may exist with their proposals.

The bill also misses an opportunity to encourage the Corps to use natural infrastructure in its flood control projects. In order to better address future extreme weather, safeguard our neighborhoods, and improve wildlife habitat, nonstructural alternatives to Corps projects should be considered as viable options.

Project delays are overwhelmingly due to funding issues or changes to the project, not environmental review. I urge my colleagues to fix these shortcomings in the conference committee process.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I want to thank the gentleman from Florida for yielding time.

Environmental review isn't a problem; it is a good thing. Including citizens in projects and how they affect our communities and their voices is important. Protecting water quality in natural areas that drive local economies is important. Saving tax dollars is important.

And yet, unfortunately, in the minds of some, environmental review is a problem that needs to be streamlined. I don't call these environmental review streamlines something good. I say that they are just weakening a good process that allows people to be involved and participate.

I think weakening the National Environmental Protection Act is shortsighted, misguided; and I oppose those particular provisions.

While there are merits in this bill, there also are problems, and weakening environmental review is chief among them. I am very disappointed those provisions are included in this bill.

Mr. WEBSTER of Florida. Mr. Speaker, I yield myself such time as I may consume.

I would just like to point out, again, no environmental law has been changed, none. Nothing has been weakened. Nothing has been shortchanged. Nothing has been slowed down.

The only thing that has happened is those studies, instead of being done in

a linear path, one after another, are done simultaneously. It doesn't weaken anything. It doesn't undo anything. What it does do is speed up the process, which is very, very needed.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, at this time I am pleased to yield 1 minute to the distinguished gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank my friend from Florida.

Despite some merits in the WRRDA bills that the Republicans have proposed, they fail to address the number one reason why Corps of Engineers projects are delayed, a serious lack of Federal funding. The bill before us perpetuates a myth that the problem is environmental review of engineering projects and not inadequate funding.

In my congressional District, the Green Brook project has been funded at \$11 million per year. If this funding level continues, it will take more than 30 years to complete the project, which will eventually protect several flood-prone communities frequently at risk from extreme weather, and save lives. Until then, the Green Brook residents remain under threat.

Now, every water resource project has effects on the environment and should have good environmental review. Streamlining environmental review will not save money or expedite construction. Limiting the national environmental review limits public participation, prevents identification of potentially costly problems, project-stopping problems.

Environmental review is not something to be tolerated. It is something to be welcomed.

Mr. HASTINGS of Florida. Mr. Speaker, at this time I am very pleased to yield 1 minute to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Speaker, Members of the House, distinguished Member from Florida, I rise in support of the Water Resources Reform and Development Act. I am a proud cosponsor of this legislation. It is a good example of bipartisanship and cooperation and common sense, as opposed to some of the politics that have dominated this Chamber.

As a member of the Subcommittee on Water Resources, I was pleased to have had a part in several bipartisan provisions beneficial to the economy, to the environment, and to conservation.

We are creating jobs and stimulating the business economy with this legislation. We are putting a stop to raids on the Harbor Maintenance Trust Fund. We are expanding the definition of invasive species, now limited to plant life, to include animal life species like zebra mussels and Asian carp, and we are closing the lock and dam at St. Anthony Falls to prevent the spread of Asian carp through the precious lakes and rivers of northern Minnesota.

Mr. Speaker, by passing this bill, the Congress demonstrates that we are

still capable of achieving reasonable, bipartisan solutions that solve problems and get things done here in this country.

Mr. HASTINGS of Florida. Mr. Speaker, at this time I am pleased to yield 2 minutes to the gentlewoman from Florida (Ms. BROWN) to discuss our proposal if we defeat the previous question.

Ms. BROWN of Florida. Mr. Speaker, first of all, I want to thank my colleague from Florida for yielding time to me.

My amendment is very simple. It authorizes the Corps projects to receive a final Chief's Report up to 1 year following the enactment of the bill.

Let's be clear: under the present arbitrary deadline, critical Corps of Engineer projects throughout the United States will have to wait for years. This is the second Corps project that we have done in 14 years.

Now, my colleague from Florida keeps saying that there is no change. There is a change in this project, in that, in this particular bill, this is the first time that members did not have up to 2 years to get their Chief's Report in.

The Chief's Report is long, it takes time, it is economically and environmentally justified, and it has to indicate it is a benefit to the entire country.

Now, let me say one thing about this amendment. It does not change anything in the current bill. It pays the same way other projects are paid for. It is what we have always done.

Authorizing these additional projects would generate billions of dollars in economic activity, create hundreds and thousands of well-paying jobs.

Mr. Speaker, I yield to the gentleman from Florida (Mr. MURPHY).

Mr. MURPHY of Florida. I thank the gentlewoman for the yielding.

I rise once again, Mr. Speaker, to discuss an environmental catastrophe taking place in my district. While I strongly support the underlying bill, without the amendment, it would force my constituents and residents from Florida to wait at least another 2 years for projects critical for our environment and our economy.

The Central Everglades Planning Project, critical to the deteriorating health of the waterways in my district, is nearly ready to go.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS of Florida. I yield the distinguished gentlewoman an additional 1 minute.

Ms. BROWN of Florida. Mr. Speaker, I yield to the gentleman from Florida (Mr. MURPHY).

Mr. MURPHY of Florida. The project will safely move more water south of Lake Okeechobee, instead of forcing polluted fresh water into brackish rivers to the east and west, causing immeasurable damage to our environment and our local economy.

I urge my colleagues to oppose the previous question and support the commonsense, bipartisan Brown-Frankel-

Crenshaw-Posey amendment that would allow the Army Corps to complete its work on authorizing several important projects that are in the final stages of approval.

□ 1345

I spoke on the floor earlier today about the importance of acting now on initiatives that will help address the environmental crisis occurring in our area. Today we have that chance. My constituents and our waterways cannot wait.

Defeat the previous question and support the Brown amendment.

Ms. BROWN of Florida. If we defeat the previous question, we can bring up this amendment right now.

Mr. HASTINGS of Florida. Mr. Speaker, at this time, I am pleased to yield 1 minute to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the distinguished gentleman from Florida, the manager, for yielding the time. He knows how important this whole bill is to the Texas gulf region.

Mr. Speaker, let me say that there are many things we would like to fix in this bill, but I know that there are many Texans who are waiting for this bill to pass; and I was delighted to work with the Texas delegation to strengthen the bill by encouraging non-Federal entities to invest in their harbor maintenance and step in when the Army Corps of Engineers cannot. I am also delighted that we have addressed the question of dredging, and we should do it even better.

I thank the Rules Committee for consenting to my amendment that deals with consultation, with stakeholders and water districts, local city, county government. I know my local governments are waiting to have the Army Corps of Engineers actually listen to them as well as Historically Black Colleges and minority institutions.

I am also looking forward to making sure that the \$20 billion in projects in the DeFazio amendment is included and not rejected.

And finally, I hope that we can work together, Mr. Speaker, on ensuring minority- and women-owned businesses and the billions of dollars that are used by the Army Corps of Engineers are actually getting the opportunity to work. I ask my colleagues to recognize the importance of this legislation.

Mr. Speaker, I thank the Chairman and the Ranking Member for bringing this important legislation to the House floor. Smart investments in water infrastructure are critical to the Nation's economic well-being. Water infrastructure is vital to my home State of Texas.

For example, waterways and ports support 207,970 Texas jobs. Additionally, it generates \$34 billion dollars in economic activity to the Texas economy. As the Representative of the 18th Congressional District, which is adjacent to the Port of Houston, I understand how critically important it is to make smart investments to create jobs and keep our economy growing.

Texas's commercial deepwater ports connect 152,000 miles of rail, 460,000 miles of

pipelines, and 45,000 miles of interstate highways. In addition, the State of Texas has 11 deepwater ports, but hurricane damage and age threaten their ability to handle the next generation of post-Panama vessels.

Mr. Speaker, over half of Texas port facilities require maintenance to fully accommodate the next generation of maritime shipping vessels. Without these investments, Texas and the Nation will be at a competitive disadvantage in the global economy. That is why I support H.R. 3080.

I also want to thank the Rules Committee for making in order my amendment. This amendment provides that in making recommendations pursuant to Section 118 of the Act, the Secretary shall consult with key stakeholders, including State, county, and city governments, and, where applicable, State and local water districts, and in the case of recommendations concerning projects that substantially affect underrepresented communities the Secretary shall also consult with historically Black colleges and universities, Tribal Colleges and Universities, and other minority-serving institutions.

Mr. Speaker, as you are aware, it is an essential tool in our desire to improve the lives of low income and minority communities as well as the environment at large.

I am sure we will never forget the critical impact from Hurricane Sandy that crippled the Northeast area from Massachusetts to North Carolina. And not long before Hurricane Sandy, as we were working to learn how to prevent another Hurricane Katrina that crippled the great City of New Orleans. Our nation was still healing from Hurricane Ike and Hurricane Rita which crippled Houston, Texas.

As my colleagues are aware, a healthy environment sustains a productive and healthy community which fosters personal and economic growth. This highlights the importance of not only giving greater attention to our underserved communities but also how we can help our citizens by educating them on the areas in which they live. That is why my amendment requires the Secretary of the Army to consult with key stakeholders, including State, county, and city governments, and, where applicable, State and local water districts, and in the case of recommendations concerning projects that substantially affect underrepresented communities.

I regret that the Rules Committee did not make in order my amendment that directs the Secretary of the Army to encourage the participation of minority- and women-owned businesses in such projects and requires the GAO to submit a report to Congress within 2 years on the participation of minority- and women-owned businesses in such projects.

I recognize the value of a diverse supplier base and its impact on the community and population at large. Therefore, I will continue to work directly with the Secretary of the Army to establish an opportunity for Minority and Women Owned Businesses to participate on specific projects and to ensure that the United States Army Corp of Engineers continues to creatively seek new supplier sources, particularly among minority and women owned businesses, to fulfill the business opportunities at a number of Ports throughout our great nation.

Lastly, I appreciate the Committee making in order an amendment cosponsored with Congressman DEFazio of Oregon that conditions the application of Section 103 of the bill

on a reduction in the backlog of Corps of Engineers projects to less than \$20 billion in construction costs. This amendment highlights the fact that it is a lack of funding not the environmental review process that has led to a backlog of authorized projects that are not being constructed. We have spent enough energy arguing over the budget and the National Environmental Policy (NEPA) streamlining, but not enough time in making the hard decisions and investments that are going to create economic growth and create jobs.

Mr. Speaker, H.R. 3080 is not a perfect bill. But no compromise legislation ever is. But this bill is a good start and merits my support.

Mr. HASTINGS of Florida. I yield myself the balance of my time.

Mr. Speaker, this bill used to be known as the Water Resources Development Act. Now it is called the Water Resources Reform and Development Act. While it is with many of these new reforms that I take issue, I look forward to working with my friends on the other side of the aisle to make sure that we are here in 2 years to again update our water resources and infrastructure, hopefully a bill with less ill-advised reforms.

Mr. Speaker, if the previous question is defeated, I am going to offer an amendment to allow for the inclusion of the bipartisan Brown amendment, which would authorize projects that receive a final Chief of Engineers' Report up to 1 year following the enactment of this bill.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question. I urge a "no" vote on the rule, and I yield back the balance of my time.

Mr. WEBSTER of Florida. Mr. Speaker, this rule provides for ample and open debate and makes in order amendments from both sides of the aisle. Further, it advances a bill that was reported out of the committee with unanimous bipartisan support.

This bill is good for American workers, is good for American producers, and is good for American shippers. As my friend from Florida (Mr. HASTINGS) knows, this bill is also good for the State of Florida.

Florida has 18 public seaports. These seaports are critical components to our economy. They are responsible for supporting more than half a million Florida jobs and for generating \$66 billion in total economic value. The activity of these seaports contributed \$1.7 billion to Florida's State and local budgets. Furthermore, this bill advances key ecosystem restoration projects in the Florida Everglades and supports the economic development that the Everglades provides in our State.

I thank Chairman SHUSTER for working with me and other Florida Members to ensure that the State is well

positioned to move forward. Chairman SHUSTER and Ranking Member RAHALL and my colleagues on the Committee on Transportation and Infrastructure have given us a bipartisan product that reforms the Federal bureaucracy, is fiscally responsible, strengthens accountability, and creates jobs.

Mr. Speaker, this is a good bill. I say to my colleagues in the House, if you support reforming the Federal bureaucracy, if you are looking to manage our spending, if you are looking to increase transparency while investing in our infrastructure, and if you are looking to create American jobs, support this bill. Vote for the rule. Vote for the bill. Move the country forward.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 385 OFFERED BY MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following:

SEC. 5. Notwithstanding any other provision of this resolution, the amendment printed in section 6 shall be in order as though printed as the last amendment in the report of the Committee on Rules accompanying this resolution if offered by Representative BROWN of Florida or a designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 6. The amendment referred to in section 5 is as follows:

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 3080 OFFERED BY MS. BROWN OF FLORIDA

Page 162, before line 1, insert the following:

SEC. 402. CONDITIONAL AUTHORIZATIONS.

(a) IN GENERAL.—Any project for water resources development, conservation, or other purposes for which a favorable final report of the Chief of Engineers is completed during the 1-year period beginning on the date of enactment of this Act is authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the final report of the Chief.

(b) OFFSET.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the report submitted under section 301 to identify further projects and separable elements that in the aggregate have an estimated Federal cost to complete (as of the date of the report) that is equal to the total cost of all projects authorized under subsection (a).

Page 139, line 4, insert “or any revision of the report,” after “this subsection.”

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon’s Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker’s ruling of January 13, 1920, to the effect that

“the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WEBSTER of Florida. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 225, nays 194, not voting 11, as follows:

[Roll No. 554]

YEAS—225

Amash	Graves (MO)	Pittenger
Amodei	Griffin (AR)	Pitts
Bachmann	Griffith (VA)	Poe (TX)
Bachus	Grimm	Pompeo
Barletta	Guthrie	Price (GA)
Barr	Hall	Radel
Barton	Hanna	Reed
Benishek	Harper	Reichert
Bentivolio	Harris	Renacci
Bilirakis	Hartzler	Ribble
Bishop (UT)	Hastings (WA)	Rice (SC)
Black	Heck (NV)	Rigell
Blackburn	Hensarling	Roby
Boustany	Holding	Roe (TN)
Brady (TX)	Hudson	Rogers (AL)
Bridenstine	Huelskamp	Rogers (KY)
Brooks (AL)	Huizenga (MI)	Rogers (MI)
Brooks (IN)	Hultgren	Rohrabacher
Broun (GA)	Hunter	Rokita
Buchanan	Hurt	Rooney
Bucshon	Issa	Ros-Lehtinen
Burgess	Jenkins	Roskam
Calvert	Johnson (OH)	Ross
Camp	Johnson, Sam	Rothfus
Cantor	Jones	Royce
Capito	Jordan	Runyan
Carter	Joyce	Ryan (WI)
Cassidy	Kelly (PA)	Salmon
Chabot	King (IA)	Sanford
Chaffetz	King (NY)	Scalise
Coble	Kingston	Schock
Coffman	Kinzinger (IL)	Schweikert
Cole	Kline	Scott, Austin
Collins (GA)	Labrador	Sensenbrenner
Collins (NY)	LaMalfa	Sessions
Conaway	Lamborn	Shimkus
Cook	Lance	Shuster
Costa	Lankford	Simpson
Cotton	Latham	Smith (MO)
Cramer	Latta	Smith (NE)
Crawford	LoBiondo	Smith (NJ)
Crenshaw	Long	Smith (TX)
Culberson	Lucas	Southerland
Daines	Luetkemeyer	Stewart
Davis, Rodney	Lummis	Stivers
Denham	Marchant	Stockman
Dent	Marino	Stutzman
DeSantis	Massie	Terry
DesJarlais	McCarthy (CA)	Thompson (PA)
Diaz-Balart	McCaul	Thornberry
Duffy	McClintock	Tiberi
Duncan (SC)	McHenry	Tipton
Duncan (TN)	McKeon	Turner
Ellmers	McKinley	Upton
Farenthold	McMorris	Valadao
Fitzpatrick	Rodgers	Wagner
Fleischmann	Meadows	Walberg
Fleming	Meehan	Walden
Flores	Messer	Walorski
Forbes	Mica	Weber (TX)
Fortenberry	Miller (FL)	Webster (FL)
Fox	Miller (MI)	Wenstrup
Franks (AZ)	Miller, Gary	Westmoreland
Frelinghuysen	Mullin	Whitfield
Gardner	Mulvaney	Williams
Garrett	Murphy (PA)	Wilson (SC)
Gerlach	Neugebauer	Wittman
Gibbs	Noem	Wolf
Gibson	Nunes	Womack
Gingrey (GA)	Nunnelee	Woodall
Gohmert	Olson	Yoder
Goodlatte	Owens	Yoho
Gosar	Paulsen	Young (AK)
Gowdy	Pearce	Young (IN)
Granger	Perry	
Graves (GA)	Petri	

NAYS—194

Andrews	Capuano	Crowley
Barber	Cárdenas	Cuellar
Barrow (GA)	Carney	Cummings
Bass	Carson (IN)	Davis (CA)
Beatty	Cartwright	DeFazio
Becerra	Castor (FL)	DeGette
Bera (CA)	Castro (TX)	Delaney
Bishop (GA)	Chu	DeLauro
Bishop (NY)	Cicilline	DeBene
Blumenauer	Clarke	Deutch
Bonamici	Clay	Dingell
Brady (PA)	Cleaver	Doggett
Bralley (IA)	Clyburn	Doyle
Brown (FL)	Cohen	Edwards
Brownley (CA)	Connolly	Ellison
Bustos	Conyers	Engel
Butterfield	Cooper	Enyart
Capps	Courtney	Eshoo

Esty	Lofgren	Richmond	Cantor	Horsford	Price (GA)	Grijalva	Luján, Ben Ray	Sánchez, Linda
Farr	Lowenthal	Ruiz	Capito	Hudson	Radel	Gutiérrez	(NM)	T.
Fattah	Lowey	Ruppersberger	Carter	Huelskamp	Rahall	Hanabusa	Lynch	Sanchez, Loretta
Foster	Lujan Grisham	Ryan (OH)	Cassidy	Huizenga (MI)	Reed	Hastings (FL)	Maffei	Sarbanes
Frankel (FL)	(NM)	Sánchez, Linda	Chabot	Hultgren	Reichert	Heck (WA)	Maloney,	Schakowsky
Fudge	Luján, Ben Ray	T.	Chaffetz	Hunter	Renacci	Higgins	Carolyn	Schiff
Gabbard	(NM)	Sanchez, Loretta	Coble	Hurt	Ribble	Hinojosa	Matheson	Schwartz
Gallego	Lynch	Sarbanes	Coffman	Issa	Rice (SC)	Holt	McCollum	Scott, David
Garamendi	Maffei	Schakowsky	Cohen	Jenkins	Richmond	Honda	McDermott	Serrano
Garcia	Maloney,	Schiff	Cole	Johnson (OH)	Rigell	Hoyer	McGovern	Sewell (AL)
Grayson	Carolyn	Schneider	Collins (GA)	Johnson, E. B.	Roby	Huffman	McNerney	Shea-Porter
Green, Al	Maloney, Sean	Schrader	Collins (NY)	Johnson, Sam	Roe (TN)	Israel	Meeks	Sherman
Green, Gene	Matheson	Schwartz	Conaway	Jones	Rogers (AL)	Jackson Lee	Meng	Slaughter
Grijalva	Matsui	Schwartz	Cook	Jordan	Rogers (KY)	Jeffries	Moore	Smith (WA)
Gutiérrez	McCollum	Scott (VA)	Costa	Joyce	Rogers (MI)	Johnson (GA)	Moran	Speier
Hahn	McDermott	Scott, David	Cotton	Kelly (PA)	Rohrabacher	Kaptur	Napolitano	Swalwell (CA)
Hanabusa	McGovern	Serrano	Courtney	King (NY)	Rokita	Keating	Takano	Takano
Hastings (FL)	McIntyre	Sewell (AL)	Cramer	Kingston	Rooney	Kelly (IL)	Neal	Thompson (MS)
Heck (WA)	McNerney	Shea-Porter	Crawford	Kinzinger (IL)	Ros-Lehtinen	Kennedy	Negrete McLeod	Tierney
Higgins	Meeks	Sherman	Crenshaw	Kirkpatrick	Roskam	Kildee	O'Rourke	Titus
Himes	Meng	Sinema	Culberson	Kline	Ross	Kilmer	Pallone	Titus
Hinojosa	Michaud	Sires	Daines	Kuster	Rothfus	Kind	Pascrell	Tsongas
Holt	Miller, George	Slaughter	Davis, Rodney	Labrador	Royce	King (IA)	Pastor (AZ)	Van Hollen
Honda	Moore	Smith (WA)	DeFazio	LaMalfa	Runyan	Langevin	Payne	Vargas
Horsford	Moran	Speier	Denham	Lamborn	Ryan (WI)	Larsen (WA)	Pelosi	Veasey
Hoyer	Murphy (FL)	Swalwell (CA)	Dent	Lance	Salmon	Larson (CT)	Peterson	Velázquez
Huffman	Nadler	Takano	DeSantis	Lankford	Sanford	Lee (CA)	Pingree (ME)	Visclosky
Israel	Napolitano	Thompson (CA)	DesJarlais	Latham	Scalise	Levin	Pocan	Walz
Jackson Lee	Neal	Thompson (MS)	Diaz-Balart	Latta	Schneider	Lewis	Polis	Wasserman
Jeffries	Negrete McLeod	Tierney	Duffy	Lipinski	Schock	Loeb sack	Price (NC)	Schultz
Johnson (GA)	Nolan	Titus	Duncan (SC)	LoBiondo	Schrader	Lofgren	Quigley	Waters
Johnson, E. B.	O'Rourke	Tonko	Duncan (TN)	Long	Schweikert	Lowenthal	Rangel	Watt
Kaptur	Pallone	Tsongas	Edwards	Lucas	Scott (VA)	Lowe y	Ruiz	Waxman
Keating	Pascrell	Van Hollen	Ellison	Luetkemeyer	Scott, Austin	Lujan Grisham	Ruppersberger	Wilson (FL)
Kelly (IL)	Pastor (AZ)	Vargas	Ellmers	Lummis	Sensenbrenner	(NM)	Ryan (OH)	Yarmuth
Kennedy	Payne	Veasey	Enyart	Maloney, Sean	Sessions	NOT VOTING—12		
Kildee	Pelosi	Veasey	Farenthold	Marchant	Shimkus	Aderholt	Fincher	Nugent
Kilmer	Perlmutter	Vela	Fitzpatrick	Marino	Shuster	Campbell	Herrera Beutler	Palazzo
Kind	Peters (CA)	Velázquez	Fleischmann	Massie	Simon	Davis, Danny	McCarthy (NY)	Royal-Ballard
Kirkpatrick	Peters (MI)	Visclosky	Fleming	Matsui	Sinema	Duckworth	Miller, George	Rush
Kuster	Peterson	Walz	Flores	McCarthy (CA)	Sires	□ 1423		
Langevin	Pingree (ME)	Wasserman	Forbes	McCaul	Smith (MO)	So the resolution was agreed to.		
Larsen (WA)	Pocan	Waters	Fortenberry	McClintock	Smith (NE)	The result of the vote was announced		
Larson (CT)	Polis	Watt	Fox	McHenry	Smith (NJ)	as above recorded.		
Lee (CA)	Posey	Watt	Frankel (FL)	McIntyre	Smith (TX)	A motion to reconsider was laid on		
Levin	Price (NC)	Waxman	Franks (AZ)	McKeon	Southerland	the table.		
Lewis	Quigley	Welch	Frelinghuysen	McKinley	Stewart	PERSONAL EXPLANATION		
Lipinski	Rahall	Wilson (FL)	Gabbard	McMorris	Stivers	Mr. ADERHOLT. Mr. Speaker, on rollcall		
Loeb sack	Rangel	Yarmuth	Gallego	Rodgers	Stockman	No. 554: On ordering the previous question—		
NOT VOTING—11			Garamendi	Meadows	Stutzman	providing for consideration of H.R. 3080, the		
Aderholt	Fincher	Palazzo	Garcia	Meehan	Terry	Water Resources Reform and Development		
Campbell	Herrera Beutler	Royal-Ballard	Gardner	Messer	Thompson (CA)	Act of 2013. Had I been present, I would have		
Davis, Danny	McCarthy (NY)	Rush	Garrett	Mica	Thompson (PA)	voted “yes.”		
Duckworth	Nugent		Gerlach	Michaud	Thornberry	On rollcall No. 555: On agreeing to the res-		
□ 1415			Gibbs	Miller (FL)	Tiberi	olution—providing for consideration of H.R.		
Mr. NOLAN, Mrs. NAPOLITANO, and			Gibson	Miller (MI)	Tipton	3080, the Water Resources Reform and De-		
Mr. BARBER changed their vote from			Gingrey (GA)	Miller, Gary	Turner	velopment Act of 2013. Had I been present, I		
“yea” to “nay.”			Gohmert	Mullin	Upton	would have voted “yes.”		
Ms. GRANGER changed her vote			Goodlatte	Mulvaney	Valadao	On agreeing to the res-		
from “nay” to “yea.”			Gosar	Murphy (FL)	Vela	olution—providing for consideration of H.R.		
So the previous question was ordered.			Gowdy	Murphy (PA)	Wagner	3080, the Water Resources Reform and De-		
The result of the vote was announced			Granger	Nadler	Walberg	velopment Act of 2013. Had I been present, I		
as above recorded.			Graves (GA)	Neugebauer	Walden	would have voted “yes.”		
The SPEAKER pro tempore. The			Graves (MO)	Noem	Walorski	GENERAL LEAVE		
question is on the resolution.			Green, Al	Nolan	Weber (TX)	Mr. SHUSTER. Mr. Speaker, I ask		
The question was taken; and the			Green, Gene	Nunes	Webster (FL)	unanimous consent that all Members		
Speaker pro tempore announced that			Griffin (AR)	Nunnelee	Welch	have 5 legislative days to revise and ex-		
the ayes appeared to have it.			Griffith (VA)	Olson	Wenstrup	tend their remarks and include extra-		
RECORDED VOTE			Grimm	Owens	Westmoreland	aneous material on H.R. 3080.		
Mr. HASTINGS of Florida. Mr.			Guthrie	Paulsen	Whitfield	The SPEAKER pro tempore (Mr.		
Speaker, I demand a recorded vote.			Hahn	Pearce	Williams	WOMACK). Is there objection to the re-		
A recorded vote was ordered.			Hall	Perlmutter	Wilson (SC)	quest of the gentleman from Pennsyl-		
The SPEAKER pro tempore. This is a			Hanna	Perry	Wittman	vania?		
5-minute vote.			Harper	Peters (CA)	Wolf	There was no objection.		
The vote was taken by electronic de-			Harris	Peters (MI)	Womack	The SPEAKER pro tempore. Pursu-		
vice, and there were—ayes 271, noes 147,			Hartzler	Petri	Woodall	ant to House Resolution 385 and rule		
not voting 12, as follows:			Hastings (WA)	Pittenger	Yoder	XVIII, the Chair declares the House in		
[Roll No. 555]			Heck (NV)	Pitts	Yoho	the Committee of the Whole House on		
AYES—271			Hensarling	Poe (TX)	Young (AK)	the state of the Union for the consid-		
Amash	Bera (CA)	Brooks (AL)	Himes	Pompeo	Young (IN)	eration of the bill, H.R. 3080.		
Amodei	Bilirakis	Brooks (IN)	Holding	Possey		The Chair appoints the gentleman		
Bachmann	Bishop (NY)	Brown (GA)				from Nebraska (Mr. FORTENBERRY) to		
Bachus	Bishop (UT)	Brownley (CA)				preside over the Committee of the		
Barber	Black	Buchanan				Whole.		
Barletta	Blackburn	Bucshon				□ 1426		
Barr	Boustany	Burgess				IN THE COMMITTEE OF THE WHOLE		
Barton	Brady (TX)	Bustos				Accordingly, the House resolved		
Benishkek	Braley (IA)	Calvert				itself into the Committee of the Whole		
Bentivolio	Bridenstine	Camp				House on the state of the Union for the		
			Andrews	Cartwright	DeGette			
			Barrow (GA)	Castor (FL)	Delaney			
			Bass	Castro (TX)	DeLauro			
			Beatty	Chu	DeBene			
			Becerra	Cielline	Deutch			
			Bishop (GA)	Clarke	Dingell			
			Blumenauer	Clay	Doggett			
			Bonamici	Cleaver	Doyle			
			Brady (PA)	Clyburn	Engel			
			Brown (FL)	Connolly	Eshoo			
			Butterfield	Conyers	Esty			
			Capps	Cooper	Farr			
			Capuano	Crowley	Fattah			
			Cardenas	Cuellar	Foster			
			Carney	Cummings	Fudge			
			Carson (IN)	Davis (CA)	Grayson			

□ 1415

Mr. NOLAN, Mrs. NAPOLITANO, and Mr. BARBER changed their vote from “yea” to “nay.”

Ms. GRANGER changed her vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 271, noes 147, not voting 12, as follows:

[Roll No. 555]

AYES—271

Amash	Bera (CA)	Brooks (AL)
Amodei	Bilirakis	Brooks (IN)
Bachmann	Bishop (NY)	Brown (GA)
Bachus	Bishop (UT)	Brownley (CA)
Barber	Black	Buchanan
Barletta	Blackburn	Bucshon
Barr	Boustany	Burgess
Barton	Brady (TX)	Bustos
Benishkek	Braley (IA)	Calvert
Bentivolio	Bridenstine	Camp

Cantor	Capito	Carter	Cassidy	Chabot	Chaffetz	Coble	Coffman	Cohen	Cole	Collins (GA)	Collins (NY)	Conaway	Cook	Costa	Cotton	Courtney	Cramer	Crawford	Crenshaw	Culberson	Daines	Davis, Rodney	DeFazio	Denham	Dent	DeSantis	DesJarlais	Diaz-Balart	Duffy	Duncan (SC)	Duncan (TN)	Edwards	Ellison	Ellmers	Enyart	Farenthold	Fitzpatrick	Fleischmann	Fleming	Flores	Forbes	Fortenberry	Fox	Frankel (FL)	Franks (AZ)	Frelinghuysen	Gabbard	Gallego	Garamendi	Garcia	Gardner	Garrett	Gerlach	Gibbs	Gibson	Gingrey (GA)	Gohmert	Goodlatte	Gosar	Gowdy	Granger	Graves (GA)	Graves (MO)	Green, Al	Green, Gene	Griffin (AR)	Griffith (VA)	Grimm	Guthrie	Hahn	Hall	Hanna	Harper	Harris	Hartzler	Hastings (WA)	Heck (NV)	Hensarling	Himes	Holding
Price (GA)	Radel	Rahall	Reed	Reichert	Renacci	Ribble	Rice (SC)	Richmond	Rigell	Roby	Roe (TN)	Rogers (AL)	Rogers (KY)	Rogers (MI)	Rohrabacher	Rokita	Rooney	Ros-Lehtinen	Roskam	Ross	Rothfus	Royce	Runyan	Ryan (WI)	Salmon	Sanford	Scalise	Schneider	Schock	Schrader	Schweikert	Scott (VA)	Scott, Austin	Sensenbrenner	Sessions	Shimkus	Shuster	Simon	Sinema	Sires	Smith (MO)	Smith (NE)	Smith (NJ)	Smith (TX)	Southerland	Stewart	Stivers	Stockman	Stutzman	Terry	Thompson (CA)	Thompson (PA)	Thornberry	Tiberi	Tipton	Turner	Upton	Valadao	Vela	Wagner	Walberg	Walden	Walorski	Weber (TX)	Webster (FL)	Welch	Wenstrup	Westmoreland	Whitfield	Williams	Wilson (SC)	Wittman	Wolf	Womack	Woodall	Yoder	Yoho	Young (AK)	Young (IN)	

#### NOES—147

Andrews	Cartwright	DeGette
Barrow (GA)	Castor (FL)	Delaney
Bass	Castro (TX)	DeLauro
Beatty	Chu	DeBene
Becerra	Cielline	Deutch
Bishop (GA)	Clarke	Dingell
Blumenauer	Clay	Doggett
Bonamici	Cleaver	Doyle
Brady (PA)	Clyburn	Engel
Brown (FL)	Connolly	Eshoo
Butterfield	Conyers	Esty
Capps	Cooper	Farr
Capuano	Crowley	Fattah
Cardenas	Cuellar	Foster
Carney	Cummings	Fudge
Carson (IN)	Davis (CA)	Grayson

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. ADERHOLT. Mr. Speaker, on rollcall No. 554: On ordering the previous question—providing for consideration of H.R. 3080, the Water Resources Reform and Development Act of 2013. Had I been present, I would have voted “yes.”

On rollcall No. 555: On agreeing to the resolution—providing for consideration of H.R. 3080, the Water Resources Reform and Development Act of 2013. Had I been present, I would have voted “yes.”

#### GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 3080.

The SPEAKER pro tempore (Mr. WOMACK). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 385 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3080.

The Chair appoints the gentleman from Nebraska (Mr. FORTENBERRY) to preside over the Committee of the Whole.

□ 1426

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the

consideration of the bill (H.R. 3080) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, with Mr. FORTENBERRY in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from West Virginia (Mr. RAHALL) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

I will submit for the RECORD an exchange of letters between the Committee on Budget, the Committee on Natural Resources, and the Committee on Ways and Means.

Mr. Chairman, I am proud today that we are considering one of my highest priorities as the chairman of the Transportation and Infrastructure Committee—H.R. 3080, the Water Resources Reform and Development Act of 2013, or WRRDA.

WRRDA is the most policy- and reform-focused legislation of its kind in the last two decades. The new name reflects the landmark reforms. We have added an “R,” for Water Resources Reform and Development Act, because of the number of reforms that we have in here. It is the most fiscally responsible WRRDA in history, and there are no earmarks. It does not cede our constitutional congressional authority to the executive branch. We made sure that we maintained that. We have worked together in a bipartisan way on this bill since day one, developing this bill with input from Members and stakeholders through listening sessions, roundtables and hearings.

I want to thank my partners and original cosponsors, Ranking Member RAHALL, Water Subcommittee Chairman BOB GIBBS, and also Water Subcommittee Ranking Member TIM BISHOP, for their work on this piece of legislation.

I want to thank all of the members of the committee and all of the staff members for their hard work and desire to work together on this important infrastructure and reform legislation.

I am also proud that WRRDA has received more than 70 letters of support from stakeholders, a list of which I will submit for the RECORD.

This bill was passed out of committee on September 19 on a voice vote. It is about strengthening our infrastructure so that we can remain competitive.

□ 1430

It is about economic growth. It is about trade. It is about jobs, not just the jobs that will be created when we are dredging ports and rebuilding locks and dams, but the jobs that will help our manufacturers when they manufacture their products and send them into the world markets, making sure they

get there in a competitive way. Also, making sure that those products coming into our ports and harbors are getting onto the shelves of our local stores, allowing the consumers to buy these products at a lower cost, allowing them to keep more of their hard-earned dollars.

Congress has not enacted a WRRDA since 2007 and we can't afford to delay. Without improvement, our water transportation system becomes obsolete every day and we become less competitive. If we cannot compete, we lose jobs to those who can.

Our bill cuts red tape, reforms the bureaucracy, accelerates project delivery. It sets hard deadlines on the time and cost of studies. It also consolidates or eliminates unnecessary studies and requires concurrent reviews. And our bill streamlines environmental reviews. I want to repeat, it streamlines them; doesn't eliminate them, but streamlines them.

Our bill is also fiscally responsible. This WRRDA bill deauthorizes \$12 billion of old, inactive projects that were authorized prior to this current law and fully offsets new authorizations. In addition, it sunsets new authorizations to prevent future backlogs at the Corps of Engineers.

This WRRDA has no earmarks. Our bill establishes a new, transparent process for future bills to review and prioritize water resources development activities, with strong constitutional oversight and without handing over our constitutional authority to the executive branch. I want to repeat that. I think it is very important that this body, that Congress, holds on to its constitutional authority and not give it over to the executive branch, as we have done for decades.

We have been recognized by leading outside watchdog groups for having a bill with no earmarks and for keeping congressional oversight without ceding that authority to the Corps. I am extremely proud of the accomplishments, and we should all be.

WRRDA breaks down barriers that hold back the development of our water resources infrastructure. It maximizes the ability of non-Federal interests to contribute their own funds to move studies and projects forward. It also expands the ability of non-Federal interests to contribute funds to expedite the evaluation and processing of permits, and it establishes a public-private partnership program in water infrastructure. With the leadership of RODNEY DAVIS, that is in this WRRDA legislation.

This bill improves our ability to compete by authorizing needed investments in America's ports. As I mentioned, this is a jobs bill, not just construction jobs to improve our ports, but to help our manufacturers and to help Americans be able to keep more of their hard-earned dollars.

Our bill supports our underserved and emerging ports to also help them become more competitive. It reforms and

preserves the Harbor Maintenance Trust Fund and the Inland Waterways Trust Fund to better ensure those fees collected from users for these systems are utilized for their intended purposes.

These are all important and necessary reforms, but at its heart WRRDA ensures that we don't lose sight of the importance of strong infrastructure and keeping us competitive in the world. Our bill supports our water transportation network to make sure that it provides the foundation for job growth and fosters a more robust economy.

I ask all Members of the House, Republicans and Democrats, to join me in supporting this bill.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
Washington, DC, September 27, 2013.

Hon. BILL SHUSTER,  
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHUSTER, I am writing concerning H.R. 3080, the Water Resources Reform and Development Act of 2013 (WRRDA), which was marked-up by the Committee on Transportation and Infrastructure on September 19, 2013.

In order to expedite House consideration of H.R. 3080, the Committee on the Budget will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 3080, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

PAUL RYAN,  
Chairman.

HOUSE OF REPRESENTATIVES,  
Washington, DC, September 30, 2013.

Hon. PAUL RYAN,  
Chairman, Committee on the Budget, Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3080, the Water Resources Reform and Development Act of 2013 (WRRDA), which was ordered to be reported by the Committee on Transportation and Infrastructure on September 19, 2013. I appreciate your willingness to support expediting floor consideration of this legislation.

I acknowledge that by forgoing action on this legislation, the Committee on the Budget will not in any way be prejudiced with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I appreciate your cooperation regarding this legislation and I will include our letters on H.R. 3080 in the Congressional Record during floor consideration of this bill.

Sincerely,

BILL SHUSTER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
Washington, DC, October 3, 2013.

Hon. BILL SHUSTER,  
Chairman, Committee on Transportation and Infrastructure, Rayburn HOB, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to review the relevant provisions of the text of H.R. 3080, the Water Resources

Reform and Development Act of 2013. As you are aware, the bill was primarily referred to the Committee on Transportation and Infrastructure, while the Committee on Natural Resources received an additional referral.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner, and, accordingly, I agree to discharge H.R. 3080 from further consideration by the Committee on Natural Resources. I do so with the understanding that by discharging the bill, the Committee on Natural Resources does not waive any future jurisdictional claim on this or similar matters. Further, the Committee on Natural Resources reserves the right to seek the appointment of conferees, if it should become necessary.

I ask that you insert a copy of our exchange of letters into the bill report filed by the Committee on Transportation and Infrastructure, as well as in the Congressional Record during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

DOC HASTINGS,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
*Washington, DC, October 4, 2013.*

Hon. DOC HASTINGS,  
*Chairman, Committee on Natural Resources,  
Longworth House Office Building, Wash-  
ington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3080, the Water Resources Reform and Development Act of 2013 (WRRDA), which was ordered to be reported by the Committee on Transportation and Infrastructure on September 19, 2013. I appreciate your willingness to support expediting the consideration of this legislation on the House floor.

I acknowledge that by discharging the bill, the Committee on Natural Resources does not waive any future jurisdictional claim on this or similar matters. In addition, I recognize that the Committee on Natural Resources reserves the right to seek the appointment of conferees.

I appreciate your cooperation regarding this legislation and I will include our letters on H.R. 3080 in the bill report filed by the Committee on Transportation and Infrastructure, as well as in the Congressional Record during consideration of this measure on the House floor.

Sincerely,

BILL SHUSTER,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
*Washington, DC, October 17, 2013.*

Hon. BILL SHUSTER,  
*Chairman, Committee on Transportation and  
Infrastructure Rayburn House Office Build-  
ing, Washington, DC.*

DEAR CHAIRMAN SHUSTER, I am writing concerning H.R. 3080, the "Water Resources Reform and Development Act of 2013," which may be scheduled for floor consideration as early as next week.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code 1986. Section 201 of this bill amends the Internal Revenue Code by modifying the Harbor Maintenance Trust Fund expenditure authority. However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 3080, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
*Washington, DC, October 18, 2013.*

Hon. DAVE CAMP,  
*Chairman, Committee on Ways and Means,  
Longworth House Office Building, Wash-  
ington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3080, the Water Resources Reform and Development Act of 2013 (WRRDA), which was ordered to be reported by the Committee on Transportation and Infrastructure on September 19, 2013. I appreciate your willingness to support expediting the consideration of this legislation on the House floor.

I acknowledge that by forgoing action on this bill, the Committee on Ways and Means will not in any way be prejudiced with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I appreciate your cooperation regarding this legislation and I will include our letters on H.R. 3080 in the bill report filed by the Committee on Transportation and Infrastructure, as well as in the Congressional Record during consideration of this measure on the House floor.

Sincerely,

BILL SHUSTER,  
*Chairman.*

LETTERS OF SUPPORT FOR WRRDA H.R. 3080

American Association of Port Authorities; American Association of Port Authorities; American Coal Ash Association; American Concrete Pavement Association; American Concrete Pipe Association; American Concrete Pumping Association; American Concrete Pressure Pipe Association; American Concrete Pressure Pipe Association; American Council of Engineering Companies; American Council of Engineering Companies; American Farm Bureau Federation; American Iron and Steel Institute; American Road and Transportation Builders Association.

American Society of Civil Engineers; American Society of Civil Engineers; American Society of Concrete Contractors; American Soybean Association; American Waterways Operators; America's Infrastructure Alliance; Associated Equipment Distributors; Associated Equipment Distributors; Association of Equipment Manufacturers; Associated General Contractors of America.

Build Up Greater Cleveland; California State Assembly; CH2M Hill; City of Sacramento; City of West Sacramento; Concrete Reinforcing Steel Institute; County of Santa Barbara; The Everglades Foundation; The Everglades Trust; The Fertilizer Institute; Friends of the North Natomas Library; Georgia Ports Authority; Geosynthetic Materials Association; Greater Cleveland Partnership; Great Lakes Commission; Great Lakes Maritime Task Force; Great Lakes Metro Chambers Coalition.

Interlocking Concrete Pavement Institute; International Union of Operating Engineers; International Union of Operating Engineers; International Union of Painters and Allied Trades; Laborers International Union of North America; Lake Carriers' Association; Mason Contractors Association of America; NACE International—The Corrosion Society; National Asphalt Pavement Association; National Association of Counties; National As-

sociation of Flood and Stormwater Management Agencies; National Association of Home Builders; National Association of Manufacturers—Key Vote; National Association of Waterfront Employers.

National Conference of State Legislatures; National Concrete Masonry Association; National Construction Alliance II; National Precast Concrete Association; National Ready Mixed Concrete Association; National Ready Mixed Concrete Association; National Slag Association; National Society of Professional Engineers; National Stone, Sand, and Gravel Association; National Utility Contractors Association; National Waterways Conference, Inc.; North America's Building Trades Unions; Pennsylvania Farm Bureau; Portland Cement Association; Portland Cement Association.

Port of Corpus Christi; Port of Pittsburgh Commission; Precast/Prestressed Concrete Institute; RAMP—Harbor Maintenance Trust Fund Fairness Coalition; Reclamation District No. 17; Sacramento Area Flood Control Agency; Sacramento Regional Builders Exchange; Slag Cement Association; Sutter Butte Flood Control Agency; Texas Transportation Commission; Transportation Construction Coalition; Transportation Trades Department; AFL-CIO Trenton Corporation; United Brotherhood of Carpenters and Joiners of America; U.S. Chamber of Commerce; U.S. Chamber of Commerce—Key Vote; U.S. Chamber of Commerce—Multi-Industry Letter; Water Resources Coalition; Water Resources Coalition; Waterways Association of Pittsburgh; Waterways Council, Inc.

Mr. RAHALL. I yield myself such time as I may consume.

(Mr. RAHALL asked and was given permission to revise and extend his remarks.)

Mr. RAHALL. Mr. Chairman, I am pleased to rise today in support of H.R. 1380, the Water Resources Reform and Development Act of 2013. I commend Chairman SHUSTER, the subcommittee chairman, Mr. GIBBS, and our ranking member, Mr. BISHOP, for the superb bipartisan way in which this legislation and the whole process has been handled.

This legislation does provide important direction to the Army Corps of Engineers to meet its mission objectives and reform their planning and construction processes while also investing in our water transportation infrastructure and creating jobs.

It has been 6 long years since we have passed Corps of Engineers water resources legislation. While Congress has had its back turned on our water infrastructure, Mother Nature has not been complacent. Since passage of the last WRRDA in 2007, the Nation has been challenged with floods, hurricanes, and droughts. Our aging locks, dams, and ports have too often been neglected. This bill before us today stops the "finger in the dike" solutions to our water infrastructure challenges and instead invests in these corridors of commerce.

It should be pointed out that H.R. 3080 is not your traditional type of WRRDA. It does not contain Member-directed projects, the traditional earmarks, but at least the bill does take a step forward in reclaiming our constitutional authority.

It is clear that in today's challenging fiscal times we have to find innovative

ways to get water projects funded and completed. The pending measure identifies the role of non-Federal sponsors in supporting and moving projects ahead. It provides a process to address the \$60 billion construction backlog—that is with a “B,” billion—and addresses initial reform to the Harbor Maintenance Trust Fund program.

At its core, though, as the chairman has stated, this is a jobs bill. The investments contained in H.R. 3080 mean jobs in our maritime economy, as larger containerships will be able to call at our deepened ports to offload their cargo while filling their decks with American exports. It creates jobs moving commodities from farms, coal mines, and steel mills more efficiently down the inland waterways that crisscross our Nation. These investments also help protect our flood-prone complainants so that homes and businesses remain safe when the rivers unexpectedly rise.

I would like to thank, again, all members of the Transportation and Infrastructure Committee on both sides of the aisle: Chairman SHUSTER, Subcommittee Chairman GIBBS, and especially our ranking member on our side of the aisle, Representative TIM BISHOP, who has worked very hard on this legislation and knows its intricacies very well. Their hard work and dedication has developed a collaborative and bipartisan bill of which we all can be proud. I hope it is a model for future pieces of legislation. It certainly should be a model for this entire Congress.

I urge my colleagues to support the pending measure.

Without maintaining our waterways and harbors the Nation’s ability to meet the global challenges for trade and commerce will be severely restricted. The only way to protect our citizens and avoid falling behind global trade competition is to invest in our water resources and infrastructure by passing H.R. 3080 today.

As I mentioned, this is not the bill that I would have written. But I would add that this is not the exact bill that Chairman SHUSTER would have written either had he acted alone. He chose instead to bring before the House a bill that received unanimous support in our Committee. As a result, many of the provisions in H.R. 3080 are likely to eventually feel the weight of law instead of serving as just another exercise in rhetoric on the House floor.

Mr. SHUSTER. Mr. Chairman, at this time, I yield 4 minutes to the gentleman from Ohio (Mr. GIBBS), chairman of the Subcommittee on Water Resources, someone who has great responsibility in crafting this legislation.

Mr. GIBBS. Mr. Chairman, now is the time for the Congress to reengage in the development of the Nation’s water resources and play a bigger role in prioritizing projects and activities carried out by the Army Corps of Engineers.

Congress cannot abdicate its constitutional responsibility in deter-

mining what projects should go forward and should reassert its constitutional authority.

H.R. 3080, the Water Resources Reform and Development Act of 2013, is one of the most policy- and reform-focused pieces of legislation related to the U.S. Army Corps of Engineers.

H.R. 3080 is a bipartisan bill that was developed by working across the aisle to achieve a common goal of investing in America’s future.

H.R. 3080 contains no earmarks, cuts Federal red tape, streamlines the project delivery process, and strengthens our water transportation networks to promote competitiveness, prosperity, and economic growth.

H.R. 3080 is a jobs bill. \$1.4 trillion worth of goods associated with 30 million jobs in international trade are impacted. Thousands of jobs are created and supported by the construction and maintenance of our waterways and locks and dams.

This bill is fiscally responsible by more than fully offsetting new project authorizations with deauthorizations of old, inactive projects.

This bill establishes a path forward for enacting a WRRDA bill every 2 years without conceding any congressional authority to the executive branch.

This committee held numerous listening sessions, public roundtables, and official hearings in developing the legislation. We have heard from the public, industry, stakeholders, and from our colleagues in Congress while developing this legislation and have incorporated their ideas into H.R. 3080.

Just because a study is costly, complex, and long does not necessarily mean it is a better project. In fact, a large, costly project with so many additions that never gets funded is a benefit to no one.

In what used to take the Army Corps 3 to 5 years to do a study has now become the norm for the Corps to take 10, 12, or even 15 years to produce a study. It is no wonder it is taking so much time, since the Corps has to review, in detail, many different alternatives.

In one case, a Chief’s Report was sent to the Congress last year. The study for the project was authorized in 1999. The original purpose of the project was for navigation improvements. But when the Chief’s Report was delivered to the Congress last year, the total project cost was \$650 million, but only \$250 million was for the actual construction of the navigation improvements. The rest of the project costs, almost \$400 million, are attributed to environmental enhancements, not just environmental mitigation.

In another case, the Corps of Engineers delivered to Congress a Chief’s Report for which there is no non-Federal cost-share partner. That study took 7 years to develop, but since there is no non-Federal sponsor, why should Congress authorize the project? The funding spent on that study could have been spent more wisely on projects

where there are non-Federal sponsors and local support.

Too often, we allow Federal agencies, including the Army Corps of Engineers, to literally study these projects to death. H.R. 3080 accelerates the Corps of Engineers study delivery process by limiting studies to 3 years and \$3 million. In addition, we accelerate the study delivery process by requiring concurrent reviews at the district-, division-, and headquarters-level personnel.

Ultimately, the Federal taxpayer is on the hook for these studies and for the length of time it takes to carry them out. The Corps reviews far too many alternatives and then sends to Congress a project request that far exceeds, in scope and costs, what was initially intended.

Too often, non-Federal interests and their contributions are forced to sit on the sidelines while our international competitors race past us. H.R. 3080 empowers non-Federal interests and ensures projects will be completed faster and cheaper with local support.

Too often, resources from the Harbor Maintenance Trust Fund are diverted to other activities unrelated to keeping the U.S. ports competitive in a global marketplace. H.R. 3080 creates the incentive to spend the funds for their intended purpose in a manner that all ports agree upon.

One of the most important elements of this legislation is that it ensures the legislative branch engages in the Water Resources Development Act process at least once every Congress.

The CHAIR. The time of the gentleman has expired.

Mr. SHUSTER. I yield an additional 15 seconds to the gentleman.

Mr. GIBBS. I appreciate Messrs. SHUSTER, RAHALL, and BISHOP’s bipartisan support. By working together, we can accomplish solid goals to get this done.

I urge the reforms pass.

I want to thank my subcommittee staff—Geoff Bowman, John Anderson, Jon Pallow—and my personal staff—Corry Marshall and Joe Price—for their efforts.

Mr. RAHALL. Mr. Chairman, I am very proud and happy to yield 2 minutes to the gentleman from New York (Mr. BISHOP), our superb, super-superb ranking member.

Mr. BISHOP of New York. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the Water Resources Reform and Development Act of 2013. This critical, bipartisan legislation allows Congress to renew its commitment to our Nation’s water infrastructure for the first time since 2007.

I would like to take this opportunity to thank Chairman SHUSTER and Chairman GIBBS for the open and inclusive process with which the committee drafted WRRDA. I would also like to express my gratitude to the chairman and to Ranking Member RAHALL for their leadership in returning the

Transportation and Infrastructure Committee to its long-standing traditions of bipartisanship and collaboration.

H.R. 3080 is not a perfect bill. It is not the bill that either side of the aisle would have drafted on its own. However, it represents a bipartisan effort based on valuable input from Members and stakeholders, constructive negotiation, and mutual respect. This ought to serve as a model for how this Congress conducts the American people's business.

This bill is about many things, but most importantly, it is about job creation, not just good construction jobs that will come with the authorization of Chief's Reports contained in the bill, but also the jobs that rely on a robust network of large and small ports and inland waterways to move goods throughout the United States.

H.R. 3080 also provides some relief from the challenges facing the Harbor Maintenance Trust Fund by setting targets so that a greater amount of fund proceeds are used for their intended purposes—harbor maintenance. The bill also provides for the maintenance of our Nation's small ports.

However, we Members must be vigilant that the changes proposed in this bill do not further erode the ability of the Corps to carry out construction projects, such as those necessary to meet the post-Panamax vessels that will come once the Panama Canal expansion is complete.

Mr. Chairman, I am pleased at the progress we have made together on improving water infrastructure in the United States.

I urge my colleagues to support H.R. 3080.

Mr. SHUSTER. Mr. Chairman, can I inquire as to how much time is remaining on both sides?

The CHAIR. The gentleman from Pennsylvania has 20¾ minutes remaining, and the gentleman from West Virginia has 25 minutes remaining.

Mr. SHUSTER. Mr. Chairman, it is now my pleasure to yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN), vice chairman of the full Committee on Transportation and Infrastructure, and also the chair of the 21st Century Freight Transportation.

Mr. DUNCAN of Tennessee. Mr. Chairman, I first want to say that I rise in strong support of this bipartisan jobs and infrastructure legislation, and I would like to commend Chairman SHUSTER and Chairman GIBBS and Ranking Members RAHALL and BISHOP for working together to bring this very important bill to the floor today.

This is one of the most fiscally responsible infrastructure bills that this Congress has ever seen. I think it is fair to say that in my 25 years of service in this body that I have one of the most fiscally conservative voting records possible, so I am proud to support this type of legislation.

□ 1445

Every day tons of goods are transported across our waterways. Without

basic infrastructure in place, much of these goods would be transported on our already overly congested highways. According to the National Waterways Foundation, a 15-barge tow can transport the same amount of goods as 1,050 tractor-trailer trucks. Moving goods on the water is also the most fuel efficient and environmentally sound method of transportation.

In addition, this legislation streamlines project delivery, potentially saving the Federal Government and our taxpayers billions of dollars.

While I would never support a project that is harmful to the environment, I do not think we should drag these projects out for years and years and spend megamillions of dollars on studies and drive up these costs to ridiculous levels. This legislation sets hard timelines and caps costs for studies that have to be completed for infrastructure projects.

Because H.R. 3080 removes so much red tape and bureaucracy, it helps us complete these projects in a timely and cost-effective manner. This bill, as I said, is a fiscally responsible one. Not only does it not contain any earmarks, as has been mentioned, it deauthorizes \$12 billion worth of inactive projects that are no longer needed or feasible, which offsets all of the new authorizations made in this legislation.

This bill also authorizes the important flood control projects that we need to prevent natural disasters. We saw what can happen when Katrina hit New Orleans a few years ago. That disaster caused an estimated \$150 billion in damage, according to USA Today. We need to make smart investments today so we are not foolishly spending billions of dollars after a disaster strikes.

I urge my colleagues to support this very conservative and reasonable legislation.

Mr. RAHALL. Mr. Chairman, I am proud to yield 1 minute to the gentleman from New York (Mr. NADLER), the ranking member on our freight panel.

Mr. NADLER. Mr. Chairman, this bill is far from perfect, but it is a good step forward. I have concerns about the environmental streamlining sections. There are commonsense things we could do to advance projects more efficiently, but limiting public input is not one of them. The best way to expedite projects is to ensure there is agreement among stakeholders and to identify potential problems early, which is one of the main benefits of the NEPA process. The real obstacle is lack of adequate funding.

I am pleased the bill increases the amount that can be spent out of the Harbor Maintenance Trust Fund and expands the eligibility for use of these funds.

The bill also requires the Corps to make specific project recommendations as part of the study funded in the Sandy supplemental appropriations bill on reducing the risk of flood and storm

damage along the North Atlantic coast. This is an important provision, but we should do much more.

We are still not doing enough to prepare for climate change, rising sea levels, and extreme weather events. Whether or not you believe these events are linked to global warming, the fact is that extreme weather events are happening more often, and we would be fools not to respond to that fact. It has been 7 years since Congress last passed a WRDA bill. We are long overdue in reauthorizing these critical infrastructure projects.

This bill is a bipartisan compromise, and I will support it with the hope that we can improve it as it moves through the process.

Mr. SHUSTER. Mr. Chairman, it is my pleasure to yield 1 minute to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Chairman, today I rise in support of H.R. 3080. This legislation is the only fiscally responsible and reform-focused water resources and development bill to ever be considered by this House. This bill, as the chairman has pointed out, contains no earmarks, places us on a path of a more limited role for the Federal Government in water infrastructure development, and lays the groundwork for private sector and State level oversight.

H.R. 3080 promotes public-private partnerships and expands the ability of the private sector to contribute necessary funds to expedite and move projects forward. It also places a strict time limit on the amount of time and money that the Federal Government is allowed to spend on feasibility studies. It took the Federal Government 10 years to complete a study on how to fix Jacksonville's Mile Point navigation problem and allow for greater cargo movement. That project is slated to create 3,500 jobs.

The Port Everglades channel dredging study took 17 years and cost upwards of \$10 million to complete. Project study delays like these are unacceptable, and have far-reaching negative economic consequences.

Mr. RAHALL. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON).

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in support of H.R. 3080 and want to express my appreciation to the committee leadership, both the chairmen and ranking members of both the full committee and the subcommittee. As the senior Texan on the Transportation and Infrastructure Committee, I applaud the chairmen and ranking members for their leadership in advancing this legislation to this point.

While I ultimately support the passage of this bill, I am concerned about the streamlining provisions of this bill. If properly funded, necessary projects

can be completed with appropriate environmental considerations and public participation. I am discouraged that the environmental protections are being weakened under this guise.

Within this bill, I supported language to increase commercial navigation capabilities for the Texas ports and waterways. With the expansion of the Panama Canal, these improvements would allow for an increased role in global trade and interstate commerce.

Mr. Chair, I rise in support of H.R. 3080, the Water Resources Reform and Development Act (WRRDA) of 2013. As the Senior Texan on the Transportation and Infrastructure Committee and cosponsor of this legislation, I am glad to once again be addressing water resources legislation on the House Floor. Such legislation has not been passed by this esteemed Body since 2007, when I served as Chairwoman of the Water Resources and Environment Subcommittee that helped craft and usher the Water Resources Development Act (WRDA) of 2007 into law over a presidential veto. With this background, I understand the challenge of composing and advancing such legislation to this point. I applaud the leadership demonstrated by the Chairman and Ranking Members of both the Full Transportation and Infrastructure Committee and the Water Resources and Environment Subcommittee for bringing this bill to the Floor today.

While I ultimately support the passage of this legislation, I am concerned about the weakening of environmental protections and the ability of the public to participate in that process as a result of the streamlining provisions of this bill. The Army Corps of Engineers project construction backlog and astronomical figure it carries demonstrates that project efficiency must be improved. I understand the desire to expedite Army Corps of Engineers study and project completions, yet do not believe that the environmental safeguards such as the National Environmental Policy Act are the cause of those delays. If properly funded, necessary projects can be completed with appropriate environmental considerations. I am discouraged that environmental protections are being weakened under this guise.

As Co-Chair of the Texas Maritime Caucus, I have supported language in this bill to increase commercial navigation capabilities for Texas' ports and waterways. I am excited about Texas' ports and the role that they play in cultivating the Texas economy, the National economy, and the global economy. With expansive coastlines, established intermodal infrastructure, and strategically beneficial location, maritime commerce has a bright future in Texas. Moreover, the American economy has a brighter future because of Texas' transportation investments and capabilities.

I am glad to have worked in a bipartisan fashion to include language in this legislation for an assessment of the Gulf Intracoastal Waterway. This assessment will be a valuable tool for the State of Texas to determine its current and future operation and maintenance needs for navigation improvements to the Gulf Intracoastal Waterway, allowing it to be utilized more efficiently and productively in maritime commerce.

Further, I supported the inclusion of projects at the Sabine-Neches Waterway, Texas and at Freeport Harbor, Texas—both of which are

authorized in this legislation. The Sabine-Neches Waterway project will contribute to the economic effectiveness of commercial navigation in a system of navigation channels in the Sabine-Neches estuary of Texas and Louisiana. The Freeport Harbor project provides for a deep-draft waterway from the Gulf of Mexico to the City of Freeport through the original mouth of the Brazos River. It will contribute to the economic efficiency of commercial navigation in the region and will significantly improve Freeport Harbor's ability to compete in international maritime commerce.

These projects will help bring nearly a billion dollars of Federal funds to Texas' ports and waterways. In turn, these improvements will be a boon for Texas' economy and the National economy. Further, with the expansion of the Panama Canal, these improvements will allow Texas' ports to play an increased role in the global economy. The increased economic benefit and movement of goods will be felt throughout Texas, including in my home district in Dallas, home to two Class One rail lines, an intermodal facility, numerous interstate highways, and a strong consumer marketplace.

It is my hope that the passage of this legislation will revive the biannual WRDA authorization schedule. Monitoring the streamlining provisions of this bill, as well as assessing the expenditures of the Harbor Maintenance Trust Fund will be ripe for reconsideration during the next Congress—as will many other issues. It is my belief that the overall objectives and purposes of water resources legislation are vital to America and should be considered on a biannual basis. The importance of this bill should not be lost in politics.

In closing, I want to once again thank the Chairman and Ranking Members of both the Full Transportation and Infrastructure Committee and the Water Resources and Environment Subcommittee for their leadership in advancing this legislation to the floor today.

Mr. SHUSTER. Mr. Chairman, it is now my pleasure to yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Chairman, I would like to thank our committee chair, Mr. SHUSTER, and the ranking member, Mr. RAHALL, from my state of West Virginia. I rise in very strong support of the Water Resources Reform and Development Act, or WRRDA.

West Virginia is in the Ohio River Basin, where coal makes up 59 percent of the shipped tonnage. Waterways and ports support 9,900 local jobs and directly contribute \$1.6 billion to the West Virginia economy. Domestic power plants rely on our rivers to maintain a steady supply of coal, and our country's coal exports have nearly doubled in the last 4 years. Efficient and effective water transportation has never been more important to West Virginia's economy. Projects like the Marmet Lock and Dam in my district demonstrate the importance of these projects.

I am especially pleased that this WRRDA bill takes steps to preserve the Inland Waterways Trust Fund so we can reduce the \$8 billion backlog of construction projects on our rivers. This will create jobs and spur growth.

WRRDA's passage today will be a significant victory for West Virginia jobs, for American jobs, and I urge my colleagues to join me in voting for this bill.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Chairman, I rise in strong support of H.R. 3080, and I thank the chairmen and the ranking members on both the committee and subcommittee. I especially thank the chairmen and ranking members for supporting provisions requested that will help the State of California.

Section 131 requires the Army Corps of Engineers to review and report on improving water supply options at Corps dams in arid regions such as California.

Section 135 allows the Corps to use Federal funds to prevent and manage aquatic invasive species on Corps projects, including quagga mussels, shore crab, and foreign algae, not only a major California problem but a problem for many rivers and dams. They are very costly. This section will allow the Corps to assist our local agencies in combating invasive species.

Section 125 requires the Corps to reissue regulations regarding levee vegetation and incorporate regional characteristics and levee performance.

Some of the water agencies are complaining that the Corps may be a little heavyhanded, not looking at good science when requiring removal of trees and bushes from our levees, and it would require the Corps to work with local agencies to solve the problem in a regionally appropriate and scientifically proven way.

Section 106 and 109 provide more flexibility for local agencies to sponsor Corps projects. That means accept funding.

Section 201 allows for expanded use of the Harbor Maintenance Trust Fund.

We are asking for an "aye" vote on this bill.

Mr. SHUSTER. Mr. Chairman, it is now my pleasure to yield 1 minute to the gentleman from South Carolina, Governor SANFORD.

Mr. SANFORD. I thank the chairman. I thank him and the other members of the committee for their work on this important bill, because it is certainly about cost. I mean, you can't do anything efficiently if you have got a 15-year permitting process.

It is certainly about competition. We are in a competition for jobs, capital, and way of life, and our ability to get product in and out depends on a vital and healthy infrastructure system. Ports like Charleston ultimately are not State ports, not regional ports, but ultimately national ports given how important, for instance, port depth will be.

But I think ultimately there is a much bigger consideration, which is a constitutional question on the balance of power. To me, what this bill fundamentally is about is reclaiming some

authority that has been ceded to the executive branch that is fundamental to the overall balance of power that is so important to conservatives across this Congress, or across this Nation. Ultimately, that consideration, I think, employs even far greater weight than the cost of infrastructure and components that are important as well.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI), a valued member of our Committee on Transportation and Infrastructure.

Mr. LIPINSKI. Mr. Chairman, I thank the gentleman from West Virginia for yielding.

I rise today in strong support and as a cosponsor of WRRDA. This bill shows that the T&I Committee is working together, finding areas of agreement, building consensus, and, yes, compromising in order to get things done for the American people. I thank Chairman SHUSTER and Ranking Member RAHALL for demonstrating how Congress should operate in constructing a bill that rebuilds America and creates jobs.

Earlier this year, Congressman WHITFIELD and I issued H.R. 1149 to fix our inland waterways, and WRRDA incorporates a number of WAVE 4 provisions, including project delivery process reforms, project prioritization, development of a 20-year capital investment plan, and Olmsted project reform.

In addition, this bill contains important provisions to stop the movement of Asian carp to the Great Lakes, and I urge support of Representative MCCOLLUM's amendment that I am cosponsoring which would strengthen these provisions.

With that, I urge my colleagues to support this bill.

I'd like to begin by commending Chairmen SHUSTER and GIBBS and Ranking Members RAHALL and BISHOP for their efforts on H.R. 3080, the Water Resources Reform and Development Act of 2013 (WRRDA). As a member of the Committee on Transportation and Infrastructure, and as a co-sponsor, I rise in support of this bi-partisan legislation.

It's important to recognize that in the current political climate, the Committee on Transportation and Infrastructure is working together to find areas of agreement, build consensus, and yes, compromise in order to get things done on behalf of the American people.

This is exactly what they sent us here to do; it's what they expect this Congress to do.

Today's Big Four agreement exemplifies this commitment to working together. And it is indicative of Chairman SHUSTER's and Ranking Member RAHALL's leadership style on the Committee. I'm hopeful that we will continue to work in a bi-partisan manner as we turn to the rail and highways & transit reauthorizations in the future.

I'd like to thank the Big Four for working with me to include several important provisions in this legislation, including language to deauthorize Dime Pier in Chicago, IL and deauthorize Lucas-Berg Pit in Worth, IL.

Dime Pier, which is located just south of Navy Pier in Chicago, is almost 100 years old and is no longer used for the purposes of

navigation. WRRDA would formally deauthorize the pier, effectively allowing the City to redevelop that area of the lakefront.

Lucas-Berg Pit is a former gravel pit, located in my district, acquired by the Metropolitan Water Reclamation District of Greater Chicago and designated by the Army Corps in the 1970s as a site for the placement of dredged materials from the Cal-Sag Channel. For a variety of reasons, including its proximity to the community, the site simply isn't suitable for the placement of these materials. WRRDA recognizes this reality and deauthorizes the use of the site.

I'm also pleased that WRRDA contains a number of provisions included in H.R. 1149, the Waterways Are Vital for the Economy, Energy, Efficiency, and Environment Act of 2013 (WAVE4), which Mr. WHITFIELD and I introduced earlier this year.

In particular, Title II of WRRDA includes project delivery process reforms, project prioritization, the development of a 20-year Corps capital investment plan with the Inland Waterways Users Board, and a modification to the cost sharing requirement on the Olmsted Lock and Dam project—items all addressed by WAVE4.

The Olmsted Lock and Dam cost sharing modification provision, Section 216 of the bill, is especially important. Unfortunately, Olmsted is significantly over budget and behind schedule, currently consuming most of the revenue out of the Inland Waterway Trust Fund. This has prevented virtually any other major project in the system from moving forward. Section 216 of the bill increases the federal share of the project, thus allowing more revenue in the Trust Fund to flow to other projects while Olmsted moves to completion.

I would also like to thank Ms. MCCOLLUM for offering an amendment—which I am cosponsoring—to prevent the spread of Asian carp. The Great Lakes provide an estimated 7 billion dollars of fishing activity to the region each year, activity that would be damaged by the spread of Asian carp. We must take immediate action to preserve the Great Lakes environment and all of the economic activity—from fishing and recreation to shipping and transportation—that helps make the Midwest economy strong. Under this amendment, federal agencies would partner with state and local governments to provide expertise and advice on best practices for eliminating Asian carp through activities like contract fishing and pesticide application.

While this bill is critically important, like all legislation it is not perfect. For example, one important provision currently not included in the legislation is the increased revenue necessary for the Inland Waterway Trust Fund. Given the legitimate needs and the condition of the network, industry is supportive of a user-fee increase. My legislation, WAVE 4, proposes a 6 cents-per-gallon increase, and I am hopeful Congress can address this issue in the coming months.

I would like to close by again thanking Chairmen SHUSTER and GIBBS and Ranking Members RAHALL and BISHOP for their hard work on WRRDA this year. This bill is based on compromise and collaboration, and accordingly I urge my colleagues to support it.

Mr. SHUSTER. Mr. Chairman, it is now my pleasure to yield 1 minute to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I also want to thank Chairman SHUSTER and Chairman GIBBS and Mr. RAHALL and Mr. BISHOP for bringing this important legislation to the floor, and I also want to thank their staff.

This innovative legislation is vitally important to the economic well-being of our country because we have to have a strong inland waterway system in order to be competitive in the global marketplace.

Setting a priority for inland waterway projects, reforming the U.S. Army Corps of Engineers' project delivery methods, and freeing up money in the Inland Waterway Trust Fund for these projects is vitally important, and that is what this legislation does.

I also want to thank the committee for including some of the WAVE 4 language used to improve the inland waterway system. That bill was introduced in the House and in the Senate. Some of the provisions are in here.

I also want to thank the committee for including language supporting our Nation's small ports and harbors; also for their commitment to repair the aging levees that shield many of our local communities from devastating floods, hurricanes, and other disasters. I also want to thank the committee for making sure that our freedom to fish is protected.

Mr. RAHALL. Mr. Chairman, I am happy to yield 1 minute to the distinguished gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Chairman, this bill is extremely important, and I urge support of the bill.

There is much in it to like; there are a few things that I think we ought to tweak as we move along. The levee vegetation issue is addressed. It should be modified slightly. There will be an effort to do that later.

The crediting issue is still out and about. It should be modified. It is extremely important to allow projects to move forward with local money, so I urge some modification in that.

Ports are absolutely critically important. There is great progress made in this and the Harbor Maintenance Trust Fund being used for its intended purpose. I commend all involved in that.

The Chief's Report issue has been significantly improved. I want to thank the chairman and others for bringing back to this Congress the power that the Constitution gives it. The Chief's Report issue is there. I would recommend that we modify it slightly to give a little bit more leeway on when and where a Chief's Report is.

All in all, it is a great bill. Congratulations, and thanks to all who were involved in writing it.

Mr. SHUSTER. Mr. Chairman, it is my pleasure to yield 1½ minutes to the gentleman from Tennessee (Mr. FLEISCHMANN).

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Mr. FLEISCHMANN. Mr. Chairman, I rise in strong support of this water resources bill, and I commend the chairman of the full committee, the ranking

member, and the entire Transportation Committee for this bill.

Ladies and gentlemen, this is a bill that is a step in the right direction. I represent Chattanooga, Tennessee. We have all heard of the Chattanooga Choo Choo, but there is another place called the Chickamauga Lock in Chattanooga. This bill basically does something that I have been working on so hard since I have been in Congress. It is a step in the right direction to finally work towards funding the Chickamauga Lock.

What it does, basically, is it reforms the Inland Waterways Trust Fund. This is a trust fund right now that is fundamentally broken. Why? Because what it does is it sends all of the money to one particular lock project and starves out all of the other lock projects in the system, including Chickamauga. This bill is a great step in the right direction because it basically works to fund it. In addition to that, it is a good bill because it restores, unlike the Senate bill, the power to the Congress, in determining the funding of these locks.

Let me end by saying this. Our waterways transportation fund is critically important to this Nation, not as Democrats and Republicans, but as Americans. I know in my home city of Chattanooga, this lock, which is stopped in construction, needs to have construction started again. These are American jobs. These are American exports. These are American goods. This is a bill that is a step in the right direction for a great America.

Mr. RAHALL. Mr. Chairman, I am very happy to yield 1 minute to the gentlewoman from Florida (Ms. FRANKEL), who has worked very hard on this legislation and does a superb job of representing her ports in southern Florida.

Ms. FRANKEL of Florida. Mr. Chairman, I stand in support of this bill, and I want to thank the chairman and ranking members of the Transportation and Infrastructure Committee for extraordinary leadership in bringing this bipartisan and very important bill to the floor.

Transportation moves our economy, and our waterways play a vital role. This bill is about jobs for America, and as a Floridian, I am pleased to support this legislation that promotes our ports and protects our most precious wetlands, the Everglades.

Today's proposal will allow Florida's east coast ports in Miami, Fort Lauderdale, and Jacksonville to advance in preparation for the widening of the Panama Canal. Accommodation of larger and heavier loaded post-Panamax freight ships is expected to create tens of thousands of jobs with a multibillion-dollar impact to Florida's economy.

Today's bill also authorizes important projects that help restore Florida's most important watershed, the Everglades, with a four-to-one return on every dollar spent.

The CHAIR. The time of the gentlewoman has expired.

Mr. RAHALL. I yield the gentlewoman an additional 1 minute.

Ms. FRANKEL of Florida. This restoration means improving water quality for millions of people, protecting our natural habitat, increasing property values, expanding recreational opportunities, and boosting tourism for Florida. As this bill progresses, I hope we can work together to extend the period of authorization, as in years past.

Mr. Chairman, this is a very good bipartisan bill. It is good for Florida, and it is good for our country. I urge its support.

Mr. SHUSTER. Mr. Chairman, may I inquire as to how much time I have remaining?

The CHAIR. The gentleman from Pennsylvania has 13¼ minutes remaining.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Chairman, I rise today in support of H.R. 3080, the Water Resources Reform and Development Act of 2013.

Among many other vital water projects in Texas, this bill authorizes funding for the deepening of the Sabine-Neches, where 100 million tons of cargo transit annually. The Sabine-Neches Waterway is a major economic contributor to both Texas and America, providing \$106 billion in revenue for our Nation's economy.

America's aging infrastructure is a threat to a healthy national economy. Thirteen million jobs rely on water infrastructure, and it is up to Congress to ensure that America's ports, waterways, and water systems remain the very best in the world.

I applaud Chairman SHUSTER and Ranking Member RAHALL for their diligence, and also my colleagues on the Transportation and Infrastructure Committee for their tremendous work.

I strongly urge all of my colleagues to vote "yes" on this bill.

Mr. RAHALL. Mr. Chairman, I am very happy to yield 3 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and thank her for her tremendous input and help on this legislation as we developed the bill.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I rise in support of the 2013 Water Resources Reform and Development Act.

Our Nation's infrastructure is critical to a thriving economy. In Florida alone, civil works projects improve navigation at our many ports, assist with flood control, restore the Everglades ecosystem, and help protect our pristine beaches, which are central to our \$65-billion-a-year tourism industry. Yet Congress has, unfortunately, passed only one WRRDA bill in the last 13 years, so this legislation is certainly long overdue and much needed. I am grateful for the committee's leadership in championing this effort.

WRDA 2000 launched the visionary Comprehensive Everglades Restoration Plan, or CERP. This 30-year Federal-State partnership is the largest environmental restoration project in our Nation's history. After much delay, projects are now underway. This bill authorizes four additional much-needed components.

One of those is the Broward Water Preserve, located in my congressional district. This project will help capture, store, and distribute surface water runoff from the Everglades and assist with flood protection and groundwater recharge.

I am also pleased the manager's amendment will allow non-Federal sponsors to prefund projects prior to authorization, and I appreciate Chairman SHUSTER and Ranking Member RAHALL's flexibility that this amendment affords my community. This will assist Port Everglades, a major economic engine in south Florida.

Port Everglades generates nearly \$26 billion a year in economic activity, but needs to be deepened from 42 feet to 48 feet to allow it to be competitive in attracting deeper draft cargo ships in the post-Panama Canal expansion market.

The Army Corps, after considerable urging from the Florida delegation, is close to completing a long-delayed dredge study to make this happen. Despite years of intense efforts, the final study is not yet ready for authorization by this bill.

Again, I want to thank Chairman SHUSTER and Ranking Member RAHALL for their commitment to returning to a more regular WRRDA process. We simply cannot wait another 6 or 7 years to authorize the next step of public infrastructure projects. We need to start the next WRRDA bill in a timely fashion.

In Florida alone, there are four critical projects almost ready for authorization, including Port Everglades, two other Florida ports projects, and the Central Everglades Planning Project. All four of these initiatives are critical to our State and should not have to wait many years to receive authorization simply because of either Congress' or the Army Corps' delay.

I urge my colleagues to support this important bill that will focus on our ability to create jobs and make sure we can move our economy forward.

Mr. SHUSTER. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from Kentucky (Mr. MASSIE).

Mr. MASSIE. Mr. Chairman, today I rise in support of H.R. 3080, the Water Resources Reform and Development Act of 2013.

I am proud to cosponsor this bill. Kentucky's Fourth District is home to 276 miles of the Ohio River and three locks and dams. As such, we are willing hosts to millions of tons of interstate commerce.

Pursuant to our Constitution, there is a Federal role in transportation and infrastructure. Transportation is one of the few things that Congress actually should spend money on. In fact,

the constitutionality of this issue was settled two centuries ago during our Nation's infancy, in 1824, with the landmark Supreme Court decision ruling in *Gibbons v. Ogden*. A congressional precedent for maintaining national infrastructure was established with the Rivers and Harbors Act of that same year. As long as our country has been in existence, transportation has been a priority, especially waterborne transportation.

I urge my colleagues to join me in support of this important bill.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania, Mr. CHAKA FATTAH, a very powerful member of the House Appropriations Committee.

(Mr. FATTAH asked and was given permission to revise and extend his remarks.)

Mr. FATTAH. Mr. Chairman, I rise in support of this bill, and I want to first thank Chairman SHUSTER, Ranking Member RAHALL, and TIM BISHOP for their hard work. The committee has developed a product that is worthy of House support, and I rise in support of it.

We are almost at the 80th anniversary of the Mississippi River Control Council. We have seen a lot of progress in my part of the country in terms of waterways. I like the work that the committee has done on the Harbor Maintenance Fund.

I serve on the Energy and Water Appropriations Committee, as the ranking member has indicated. The Army Corps has taken some hits on this matter. Really, it is the responsibility of Congress to put us in a position to move forward. Some of the delays that have been occasioned by the environmental assessment have been much too long, and I think that the committee's efforts to shorten that is good. I have some concerns about limitations on dollars, but I know that, as this bill goes forward, it will be perfected even more.

So I rise in support, and I hope that many Members of the House will find it within their purview to support this important legislation.

Mr. SHUSTER. Mr. Chairman, it is now my honor to yield 30 seconds to the majority leader of the House, Mr. CANTOR.

Mr. CANTOR. Mr. Chairman, I thank the chairman from Pennsylvania for his leadership in bringing this bill to the floor as I rise in support of the Water Resources Reform and Development Act of 2013.

Mr. Chair, our economy remains weak, and many working families are struggling. Many are having a hard time paying their bills, and others are struggling to find work. The American people deserve an efficient, effective, and accountable government that is focused on finding bipartisan solutions that will reignite our economy so those who are looking for a job are able to find one. The legislation before us today will provide a big step in that direction.

This is a fiscally responsible bill that will create jobs and ensure that America remains competitive in the global economy. It will encourage investing in our national water transportation networks, while cutting red tape and streamlining the infrastructure project delivery process.

Our waterways and ports support over \$1.4 trillion worth of goods each year, and over the next few decades our trade volume is expected to grow exponentially. Every State in this country and millions of hardworking American families depend on the many parts of our waterway infrastructure to be strong economic arteries.

Other countries around the world have been investing in their commercial infrastructure to improve their standing in the global marketplace and so that they can gain a competitive edge. As a result, improving and strengthening our ports and inland waterways is not just an economic desire, it is an economic necessity.

This bill authorizes the Army Corps of Engineers to develop, maintain, and build important development projects, streamlines redundant environmental reviews, and establishes a transparent process for future activities with strong congressional oversight—and it does so without any earmarks. This is a commonsense bill that should garner bipartisan support because it will help revitalize our waterways, our ports, and our economy. The American people are counting on their elected leaders to restore trust in our government and faith in our economy, and this bill is an important part of achieving that goal.

Again, I would like to thank the gentleman from Pennsylvania, Chairman SHUSTER, and the rest of the members on the Committee on Transportation and Infrastructure on both sides of the aisle for their hard work on this issue, and I urge my colleagues in the House to support this legislation.

Mr. RAHALL. Mr. Chairman, I am very happy to yield 2 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished majority whip.

Mr. HOYER. Mr. Chairman, this is how Congress ought to work with one another, all 435 of us. I don't mean that 435 are going to vote for the bill, but we have worked together on this bill.

And I want to congratulate the chairman, Mr. SHUSTER, whose father would be proud of him and would have acted in the same way, working together to make things happen for America in a bipartisan way. So I congratulate Mr. SHUSTER, Congressman SHUSTER, brother SHUSTER.

I also want to congratulate NICK JOE RAHALL from West Virginia, who has been such an expert on the areas of building America and growing our economy.

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I want to thank also Dr. TIM BISHOP, TIM BISHOP from Long Island, who has worked so hard on this particular piece of legislation.

As I have said many times, Mr. Chairman, from this floor, Congress has a responsibility to take bipartisan action to boost our economic competitiveness in a way that will create jobs. This bill has the potential and, in my opinion, will do exactly that.

While the bill is not perfect—none of them are—by investing in our Nation's infrastructure, including ports and waterways, as this bill does, we can lay the groundwork for a more efficient delivery system for American-made products to reach markets in our country and overseas.

Promoting and increasing U.S. exports is a core component of the House Democrats and, I might say, a bipartisan Make It in America plan for jobs and competitiveness.

I hope Democrats and Republicans can work together in a bipartisan way, as Chairman SHUSTER and Ranking Member RAHALL have done with this bill, to move additional pieces of Make It in America legislation to the floor so we can further promote exports, pursue a national manufacturing strategy, encourage the return of innovation and jobs from overseas, and secure a skilled workforce for the 21st century.

Mr. Chairman, I will support this bill today for what it does to create jobs and improve our waterborne transportation; but I hope that, as the House and Senate develop a final bill, the conferees will look closely at the environmental review provisions to make certain that we can strike an appropriate balance between expediting projects, while understanding their impact on the environment.

The CHAIR. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman an additional 1 minute.

Mr. HOYER. I urge my colleagues on the other side of the aisle to work with us to make sure that our efforts to provide certainty account for the size and complexity of some WRRDA projects.

If we can continue to act in a bipartisan way, as I know Mr. SHUSTER and Mr. RAHALL will do, we can send a message that Congress is ready to move forward and help more of our people make it in America.

I hope we can tap into the spirit of cooperation by scheduling consideration of a comprehensive immigration reform legislation which, like this bill, has support from both sides of the aisle, from business, from labor, from religions groups, and from leading non-profits. That is a challenge I think that we can meet this year.

Again, I want to congratulate the gentleman from Pennsylvania (Mr. SHUSTER), who has worked hard in a focused and bipartisan way to bring this day to fruition, and I congratulate him.

I thank Mr. RAHALL, my good friend, who has worked so diligently over so many years to make sure that people can make it in America, and that America invests in itself.

Mr. SHUSTER. Mr. Chairman, I thank the whip for his kind words.

I yield 1 minute to the gentleman from New York (Mr. HANNA).

Mr. HANNA. I thank the chairman for yielding me time.

Mr. Chairman, I rise in support of the Water Resources Reform and Development Act.

I am privileged to represent Rome, New York, where nearly 2 centuries ago, our Nation embarked on its first major transportation project, the Erie Canal.

This bill before us creates jobs by updating and reauthorizing water infrastructure projects. It reforms the outdated process that allows projects to be approved by the Army Corps of Engineers.

This legislation cuts \$12 billion from a backlog of outdated projects. It is fiscally responsible and doesn't include a single earmark, a much-needed departure from past water resources development bills.

By passing WRRDA, we facilitate trade, keep products moving across America, and create jobs in our communities. Congress has an opportunity before it today to help America do what it does best: compete. We should seize it.

Mr. RAHALL. Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BUCSHON), a member of the committee.

Mr. BUCSHON. Mr. Chairman, I rise today in strong support of this WRRDA bill. The bill provides the much-needed oversight of the Army Corps of Engineers, streamlines the environmental review process, and consolidates duplicative analyses of projects that have delayed important infrastructure improvements, sometimes for as long as 15 years. These types of delays have cost our economy billions of dollars and have put the United States at a competitive disadvantage.

I am also pleased that this bill will provide additional funding for smaller ports, like in Mount Vernon, Indiana. The Mount Vernon Port has several businesses headquartered on its property and is vitally important to the economy of southwest Indiana. A functioning water transportation system is critical for their success now and in the future.

I would like to thank Chairman SHUSTER, Ranking Member RAHALL, Subcommittee Chairman Gibbs, and Subcommittee Ranking Member BISHOP for working together on this important piece of legislation that makes government work better for our taxpayers.

I urge my colleagues to support this bill.

Mr. RAHALL. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Thank you very much, Chairman SHUSTER.

I rise today as well in support of this bill because it is a jobs bill, and it is

not just a jobs bill because the government spends money to create jobs. It is a jobs bill because it builds infrastructure that we need in this country to remain competitive and get our goods to market throughout the world.

Having grown up in Corpus Christi, Texas, served by the Port of Corpus Christi, a deepwater port on the Intra-coastal Waterway, I know the needs and how important it is to have ports and waterways that are here to serve our Nation.

That is one of the reasons I am working with my colleague from across the aisle, EDDIE BERNICE JOHNSON, and a variety of other Texas Members to support the Texas Port Conference to raise awareness of how critical ports and waterways are to the jobs throughout this Nation.

I urge my colleagues to get behind this jobs bill to get America back to work.

Mr. RAHALL. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, it is my pleasure to yield 1 minute to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I would like to offer my thanks to Chairman SHUSTER and also to Subcommittee Chairman BOB GIBBS. They have done a wonderful job with this bill. It is a bipartisan bill.

I rise today as a cosponsor and a proud supporter of WRRDA. I like to actually call it WRRDA, since we have got the extra R. Reform matters; and in this bill it shows that we can move things forward and we can make a difference.

But I have got to tell you, Mr. Chairman, it is good to be back here governing this week and focusing on commonsense policies like this one here today.

Why is WRRDA critical?

Because our waterways provide a cost-effective, fuel-efficient way to move our goods, and we must maintain and support U.S. infrastructure.

I come from a district that borders the Mississippi and is blessed with productive farmland; 81 percent of our U.S. ag exports are waterborne, and with trade expected to double by 2021, we must rebuild our capacity.

With a \$60 billion water project backlog, I believe this program provides a solution to move projects forward; and, again, I am proud to support and cosponsor this bill. I look forward to helping this committee advance this important legislation through this process and have this bill signed into law by the President.

Mr. RAHALL. Mr. Chairman, may I have the time remaining on both sides, please.

The CHAIR. The gentleman from West Virginia has 1½ minutes remaining, and the gentleman from Pennsylvania has 6¾ minutes remaining.

Mr. RAHALL. I continue to reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. SCALISE) for the purpose of a colloquy.

Mr. SCALISE. Mr. Chairman, I thank the chairman of the committee, the gentleman from Pennsylvania, for his leadership in bringing the WRRDA bill to the floor.

I wanted to talk specifically about the Morganza to the Gulf project. I know the gentleman from Pennsylvania has been down to Terrebonne and Lafourche Parish and seen this project that is so vital, not only for hurricane protection, but also for protecting the infrastructure that produces 30 percent of our Nation's oil and gas, a lot of the energy infrastructure for our country.

I know the process that has been set up in this bill allows for Chief's Reports, once they move forward, to then go to the committee for hearing. The Chief's Report for this project wasn't completed until after the last hearing that your committee had.

I just wanted to engage in a colloquy with the gentleman from Pennsylvania to see if there was going to be another committee hearing in the near future to take up new projects that have gotten Chief's Reports since that time, and to see if Morganza to the Gulf would be one of the projects that we could have on that list.

Mr. SHUSTER. I would like to engage in a colloquy, but first, I yield 1 minute to the gentleman from Louisiana (Mr. CASSIDY) for the purpose of a colloquy.

Mr. CASSIDY. Mr. Chairman, I would first like to stress that the Morganza to the Gulf project is of immense importance to Louisiana's coastal restoration and protection efforts. It protects both fragile wetlands from hurricane surge and also is environmentally sound.

The Corps estimates it will prevent an estimated \$1 billion in flood-related damages annually and protect over 53,000 structures. The Corps supports this project. Their own analysis indicates it will provide over \$300 million in annual economic benefit.

It has been under study for the last two decades, was previously authorized in 2000 and 2007; and as Mr. SCALISE notes, recently a completed Chief's Report was filed which stated the project is economically justified, environmentally sound and acceptable, and of sound engineering.

That said, there is this problem with the late filing of the Chief's Report. We do need this project authorized, and I ask that the legislation be passed and that it go to conference, where Mr. SCALISE, Mr. VITTER, and I can all work with the chairman on this.

I ask the gentleman from Pennsylvania to please hold these hearings and to review all projects that have received a Chief's Report.

Mr. SHUSTER. I reserve my answer until I yield 30 seconds to the gentleman from Massachusetts (Mr. CAPUANO) for a colloquy.

The CHAIR. The gentlemen from Louisiana's time has expired.

The gentleman from Massachusetts is recognized for 30 seconds.

Mr. CAPUANO. Thank you, Mr. Chairman.

It is the exact situation for Boston. We have our Chief's Report. It was 2 weeks past the deadline, and I know that we have already spoken. I know that you are more than willing to help us do what we need to do, and I appreciate that. I am just here to say thank you.

Mr. SHUSTER. I appreciate the gentleman from Massachusetts.

I yield 30 seconds to the gentleman from California (Mr. DENHAM) for the purpose of a colloquy.

Mr. DENHAM. Mr. Chairman, like everybody else here today, let me thank you for your leadership, not only on this bill, but on the overall Transportation and Infrastructure Committee. It is truly bipartisan.

Secondly, I want to talk about the flood-control project impacting residents of my district that I have been working on for more than a decade.

The Chief's Report is in: Orestimba Creek and San Joaquin River Basin near the city of Newman, located in my district. The Army Corps has officially endorsed the authorization of a plan for flood-risk management by constructing a levee along the city of Newman's northwestern perimeter known as the Chevron Levee.

This project is a local partnership with the city of Newman and the County of Stanislaus and was initiated over a decade ago.

The CHAIR. The time of the gentleman has expired.

Mr. SHUSTER. I yield the gentleman an additional 15 seconds.

Mr. DENHAM. Without construction of this levee, the people of Newman and the surrounding area will be at continual risk of flooding resulting from the overflow of Orestimba Creek. In association with the construction of the levee, the city of Newman will develop and implement an advance warning system.

Mr. Chairman, included in this legislation we are considering today are several Chief's Reports that were received in time for the committee to review. I ask that your commitment to working with me to ensure the Chief's Report on Orestimba can be reviewed in this process.

Mr. SHUSTER. I thank the gentleman, and all of my colleagues. At this point I would like to respond to them, and I yield myself such time as I may consume.

One of the key principles in developing WRRDA was increasing transparency, accountability and congressional oversight without ceding constitutional congressional responsibility to the executive branch.

WRRDA authorizes 23 vital water resources projects that have completed the technical review by the Corps of Engineers and have been recommended by the Corps of Engineers.

The committee held a full committee hearing to review all the pending Chief's Reports on June 5, 2013. My position has been clear. In order to maintain our constitutional congressional authority, Congress must review the Chief's Reports and specifically authorize them. We cannot hand over our authority to the administration and the Corps of Engineers to self-authorize.

Chief's Reports have been finalized on the three reports that the gentleman has questioned and will be reviewed and considered by the committee as we continue to work through WRRDA.

To provide strong congressional oversight, I commit to holding a hearing at the appropriate time in the process so that the very important issues are fully considered and have the opportunity to be addressed.

With that, I thank the gentlemen for engaging in colloquy, and I reserve the balance of my time.

□ 1530

Mr. RAHALL. Mr. Chairman, I am very happy to yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), a very valuable member of our Transportation and Infrastructure Committee who has had tremendous input on this legislation.

Mr. DEFAZIO. I thank the gentleman from West Virginia (Mr. RAHALL), the ranking member, and I thank my colleague from Pennsylvania (Mr. SHUSTER), the chairman, as well as the subcommittee chair and ranking member.

This is a recognition of the extraordinary importance of Federal investment in the infrastructure of the United States of America to engage in both domestic and international commerce. Sometimes that seems to be lacking around here. We seem to lump everything the Federal Government does into one big pot, and if you have got something you don't like, it kind of all gets associated together.

This is a program that will be paid for out of the Harbor Maintenance Trust Fund. Yes, there is a trust fund—sort of, kind of. It has got \$7 billion of theoretical balance in it. Unfortunately, our friends on the Appropriations Committee have seen fit to spend that \$7 billion on other things because it is not a real trust fund.

This legislation will begin to move us back toward utilizing those dedicated tax dollars in a dedicated way to maintaining the port and maritime infrastructure of the United States of America. I mean, here we are today, the Corps of Engineers has stopped dredging all small ports. I will tell you what; that is kind of a disaster in my State, and it is a disaster all around the country.

I have one port where they have to take the boats out of the water onto a dock, and they are having trouble even now getting into that port at high tide to get the boats up onto the dock. I have other channel entrances that are shoaling and becoming dangerous. We

are going to lose lives because the Corps doesn't have the money to do the work. We have jetties that are failing. If we fix them now, \$10 million, \$15 million; if they go totally a failure, \$50 million. Now, what sense does that make? But we are the United States of America. We can't afford to do the \$10 to \$15 million now. We have dams and locks that are failing. Are we going to wait until they fail or are we going to do the repairs now?

This bill begins to move us in the direction of doing the repairs that are needed to better move commerce, people, and goods in this country. It is long, long overdue. And this bill has a 10 percent set-aside which will be dedicated to the small ports.

The CHAIR. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman an additional 1 minute.

Mr. DEFAZIO. This year, I had to get my State to partner with the Federal Government so the Federal Government would bring the four dredges with the Corps crews down to dredge my small ports, paid for by the State of Oregon. My State doesn't have a lot of money, but we partnered and we did that. There are innovative solutions that will work, too. But long term, we need the full investment. We need the Harbor Maintenance Trust Fund dollars to be spent on needed harbor maintenance.

As I mentioned earlier, I have a jetty at Coos Bay that is failing. We could fix it now for less or a lot more later. We have a jetty on the Columbia River that is failing. We can fix it now for less or a lot more later. That is repeated all around the country.

And I am glad to see today the bipartisan work here and the agreement on the critical infrastructure role that only the Federal Government can play using funds raised federally on imports into the United States of America, a tariff that is placed on those that is dedicated to these functions. It is a paid-for program. We need it now.

I congratulate Members for their good work.

Mr. SHUSTER. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR (Mr. HOLDING). The gentleman from Pennsylvania has 2½ minutes remaining.

Mr. SHUSTER. I yield 30 seconds to the gentleman from Oklahoma (Mr. LANKFORD), the distinguished Policy Committee chairman.

Mr. LANKFORD. Mr. Chairman, I would like to bring up my support for this bill but also to be able to talk about the limited funds that the Corps of Engineers have. They have very limited funds because the United States of America obviously has limited funds, what we actually receive from the taxpayers.

There is a study within this bill itself that is being proposed that looks at the low-priority projects and the things that are not within the core mission of

the Corps of Engineers. That study doesn't need to be a study to nowhere. It does need to be a study to look at the low-priority inventory and then just go in a drawer and say, Gosh, we have low-priority inventory that we can't afford to maintain that sits closed and a local municipality can't open it. So we need to be able to establish the next step on that.

Mr. SHUSTER. Mr. Chairman, I yield myself 15 seconds to respond to the gentleman.

I appreciate the gentleman's leadership on it. I agree with him. We need to move forward to get these properties off the Corps' books, so we will continue to work with the gentleman to make sure we expedite this and make sure the Corps is eliminating things that are not important to their mission.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I am happy to yield 2 minutes to another gentleman from Oregon (Mr. BLUMENAUER). This particular gentleman is a member of the powerful House Ways and Means Committee and has been a leader on that committee in discussions about financing this Nation's infrastructure, whether it be water port infrastructure or highway infrastructure, and I commend him for that leadership.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

Mr. Chairman, I feel like I am just a member of the T&I Alumni Association. I deeply cherish the time that I spent on the committee, on the Water Resources Subcommittee, and I appreciate the hard work that the committee has moving forward, trying to find some areas of agreement in a sometimes fractured House and focus on the big picture: What is going to put America in the best position going forward?

I am going to have an amendment coming forward talking a little bit about some of the backlog and some of the NEPA efforts, but one of the fundamental problems we have now is that we are not providing the resources to move the projects forward. There is a backlog of \$60 billion, and there are opportunities here to add to it. The point we want to focus on is being able to deal meaningfully with it so we don't have projects that go stale, that are outmoded, that are past their shelf life.

Another thing that I hope to be able to work with the committee on in the future deals with the principles and guidelines for the Corps that were established in 1983. This was a project of mine for years on the committee. We finally updated them, but they have been stalled by some hold, I think, through the appropriations process that have stymied them, so they are not going forward.

These principles and guidelines, if they were adopted in 1983, were clearly in the process in the mid-seventies. We have learned a lot over the course of almost 40 years; and I am hopeful that

we can focus on the big picture, get the resources that are necessary to do the job right and then be able to have the flexibility to make sure that the Corps has up-to-date tools to do its jobs better.

I look forward to further debate. I appreciate the gentleman's courtesy and the hard work that the committee has done.

Mr. SHUSTER. Mr. Chairman, I yield 30 seconds to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chair, I am here to support H.R. 3080 and to compliment the ranking member and the chairman for the work they have done on this valuable bill. I support it because it creates jobs and deauthorizes \$12 billion in backlogged projects that are outdated and do not have construction funds obligated.

I do want to point out that there are some issues with the text of the bill that my constituents have brought to my attention. For example, one dam in the Second District of New Mexico is awaiting approval from the D.C. Corps of Engineers office but likely will not get approval until January, with a projected contract awarded in March 2014. I have been assured by the chairman and committee staff that the deauthorization language will not target projects like this one, projects that are in a study, design, or reevaluation phase.

I thank the chairman of the Transportation Committee for his efforts to pass this vital infrastructure bill and for ensuring that the cuts are targeted toward wasteful and unnecessary projects, not those that impact public safety and our economic well-being.

Mr. SHUSTER. I thank the gentleman from New Mexico and am committed to work with him.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to the gentlelady from Nevada (Ms. TITUS), a very valued member of our committee.

Ms. TITUS. I thank the gentleman.

I would like to thank the chairman and the ranking member of this important committee for their work on this bill, and I would also like to thank my colleague from California (Mr. THOMPSON) for his leadership as part of this bill in addressing the enormous challenges that invasive species present to our country's waters.

In southern Nevada—you think of that as a desert, but there is a lot of water there—the spread of the quagga mussels is a growing threat to Lake Mead, which contributes nearly \$1 billion to the local economy and supplies 90 percent of southern Nevada's water supply. The spread of quagga mussels in this critical reservoir has led to expensive countermeasures by the Bureau of Reclamation, which is spending nearly \$1 million a year to prevent quaggas from infiltrating the Boulder Dam intakes. The Southern Nevada Water Authority was also forced to redesign the water intake 3 project, which is currently underway, to pre-

vent quagga mussels from growing there as well. If unchecked, the mussels can clog the intakes to prevent water from reaching the residents and the visitors to southern Nevada. Likewise, Lake Tahoe, which borders Nevada and California, is on the edge of waterways where quagga mussels have been found and are taking hold. Should quagga mussels establish colonies in Lake Tahoe, the annual impact would be over \$22 million a year.

The amendment that is part of this bill would direct the GAO to examine the current efforts to address the spread of invasives and to help develop a long-term strategy. So I would urge my colleagues to not only support the bill, but also the amendment.

Mr. Chairman, as a Member of the House Transportation and Infrastructure Committee, I want to thank Chairmen SHUSTER and GIBBS, and Ranking Members RAHALL and BISHOP for their hard work on this legislation. I also want to thank them for accepting the Nolan Amendment during Committee Markup that expands the use of the Noxious Weed program to cover aquatic invasives providing an additional tool to address the growing threat of invasive species to our environment and our economy. I want to thank my colleague from California, Mr. THOMPSON, for his leadership on this issue, and I urge my colleagues to support our Amendment.

The amendment itself is simple, but the underlying issue it addresses is complicated and critical because aquatic invasives impact communities across the country, including Las Vegas. In Southern Nevada we are facing enormous challenges with the spread of Quagga Mussels into our local waters, in particular, Lake Mead. Lake Mead is a crown jewel of the National Park Service system welcoming 8 million visitors every year, and contributing up to \$1 billion dollars to the local and regional economy.

In addition to the recreational opportunities from boating and fishing, Lake Mead is also essential to the vitality of Las Vegas and Southern Nevada, providing 90% of our water. The spread of Quagga mussels in this critical reservoir has led to expensive countermeasures by the Bureau of Reclamation, which is spending nearly \$1 million a year to prevent Quaggas from infiltrating the Boulder Dam intakes. In addition to countermeasures to prevent mussel infestation in Las Vegas' water intakes number 1 and 2 in Lake Mead, the Southern Nevada Water Authority has had to change the design of the water intake 3 project, currently underway, to prevent Quagga colonies from growing there as well. If unchecked, the mussels can clog the intakes, preventing water from reaching residents and visitors in Southern Nevada.

In addition to impacts in Southern Nevada, I am concerned about the mussels spreading to other parts of our country. Lake Tahoe, which borders Nevada and California, is on the edge of the waterways where Quagga mussels have taken hold. According to a 2009 Army Corps analysis, should Quaggas establish colonies in Lake Tahoe, the annual economic impact would be \$22 million dollars.

These are issues we cannot afford to ignore.

Our amendment directs the GAO to examine the current state of efforts to address the

spread of invasives, and to develop a long-term strategy to address this growing concern.

Again I urge my colleagues to support our amendment.

Mr. RAHALL. Mr. Chairman, I ask unanimous consent to yield Chairman SHUSTER an additional 2 minutes of my time for him to control.

The Acting CHAIR. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RAHALL. Mr. Chairman, as we conclude this debate, I want to once again commend Chairman SHUSTER, Subcommittee Chairman Gibbs, and our ranking member, Mr. BISHOP of New York, for the tremendous effort that has been made to bring this legislation where it is today.

It started out with Chairman SHUSTER's leadership early on in this Congress at the Member level. It spread to the staff level, and it has continued every day. It has been a transparent process and a process in which we have been in communication with one another. And as I said in the very beginning, I hope this will be a signal of how this committee will bring future pieces of legislation to the floor, and I just hope that it will be a signal to the entire Congress how we should be working closer together in a bipartisan fashion.

This legislation has a wide array of supporters. I have a list here of some five pages of labor, industry, and business supporters that have written members of our committee in strong support of the pending legislation. They include: the American Coal Ash Association, the American Farm Bureau Federation, the National Association of Manufacturers, the National Association of Home Builders, the U.S. Chamber of Commerce. Friends from labor, including carpenters, transportation trades, AFL-CIO, Laborers' International, and many other labor organizations have come together in support of this legislation.

And as I summarize and conclude my comments, I want to quote the president of the Transportation Trades Department of the AFL-CIO, Mr. Ed Wytkind. He wrote members of our committee:

Real investment in harbor maintenance is vital to the health of an industry that supports 500,000 jobs, plays a critical role in expanding U.S. exports, and is the gateway to international trade and humanitarian aid. H.R. 3080 will help improve our maritime infrastructure and keep pace with our international competitors, and will also create thousands of good-paying construction and maritime jobs during what remains a slow economic recovery. I urge you to vote in favor of this important legislation.

I will conclude by again thanking Chairman SHUSTER for his superb leadership and join with all my colleagues in urging passage of this vital piece of legislation.

I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 3¼ minutes remaining.

Mr. SHUSTER. I thank the Chair, and I yield myself the remaining time.

I also thank members from the other side of the aisle, Mr. RAHALL, Mr. BISHOP of New York, and their staff for all their hard work and for working together to produce a bipartisan bill, a bill that is full of policy, full of reform, a bill that is fiscally responsible and, I must say, is the most fiscally responsible WRRDA in the history of WRRDA. There are no earmarks, but we made sure that we did not cede any of our constitutional congressional authority to the executive branch, which I believe is very important for this body and for the Congress.

As I have said, we have worked together in a bipartisan fashion in talking to the stakeholders at roundtables and in hearings and coming up with a piece of legislation, and I am very proud we have it on the floor today.

Again, our thanks to Ranking Member RAHALL, Ranking Member BISHOP, and the entire staff on the minority for working with us so closely.

Also, I would like to thank our staff for the long hours that they have put in, and my counterpart, Subcommittee Chairman GIBBS, for his efforts and his staff member Joe Price who worked so hard and also John Anderson, Geoff Bowman, Jonathan Pawlow, and Tracy Zea from the Water Resources Subcommittee.

And in the front office, starting with the leadership of Chris Bertram, the staff director, and a special thanks to the deputy staff director and my long-time staff member Steve Martinko for ramrodding this through the committee—I appreciate his support—Beth Spivey, Matt Sturges, Jim Tymon, Jennifer Hall, Clare Doherty, Jim Billimoria, Justin Harclerode, Michael Marinaccio, Caryn Moore, Denny Wirtz, and Keith Hall. All of these folks put in so many hours to make sure that we have on the floor here today a very good product, one that I am proud to stand behind, and I urge all of my colleagues on both sides of the aisle to vote in favor of H.R. 3080.

With that, I yield back the balance of my time.

Mr. LYNCH. Mr. Chair, I rise in support of H.R. 3080, the Water Resources Reform and Development Act of 2013, and to commend committee Chairman SHUSTER and ranking member RAHALL, as well as subcommittee chairman GIBBS and ranking member TIM BISHOP, for their efforts in crafting and bringing to the floor this very important water infrastructure bill.

Mr. Chair, according to the American Association of Port Authorities, U.S. seaports move 99.4% of the country's overseas cargo by volume. Every one of the 50 states relies on seaports for imports and exports, totaling some \$3.8 billion worth of goods moving through U.S. seaports each day. And our ports support the employment of more than 13 million Americans.

As the Representative from the 8th Congressional District of Massachusetts, I represent

the Port of Boston. In fact, my District Office is actually located on a pier within the industrial port.

Observing the day to day operations of the Port, and also being a Member of the Congressional Ports Caucus, I know firsthand that ports and waterways are vital to our economic prosperity.

For instance, the Port of Boston generates \$2.4 billion in economic benefits annually and 34,000 jobs are connected to port activities. With the expected 2015 completion of the Panama Canal expansion project, those numbers should only increase as larger container ships utilize our ports on both coasts.

Mr. Chair, the Boston Harbor Navigation Improvement Project, recently recommended and approved by the U.S. Army Corps of Engineers, will allow the Port of Boston to keep pace with what lies ahead and with our global competitors.

I look forward to working with the authors of this bill to move this important project forward.

Mr. Chair, we all have a stake in the success of our ports and waterways and need to more frequently address our critical water infrastructure and flood control projects. That is why I also applaud the authors for including in the bill a Sense of Congress that we consider a water resources bill no less than every two years.

Getting this bill to the floor required making difficult choices. I want to again thank its authors for their efforts.

Mr. GEORGE MILLER of California. Mr. Chair, I rise today in support of H.R. 3080, the Water Resources Reform and Development Act, a bipartisan bill that is an important step toward creating good jobs here at home and growing our economy while improving our waterways infrastructure and addressing significant risks to public safety.

The House WRRDA bill makes crucial investments in ports and waterways and is an important vehicle to improve our nation's flood protection systems. Maintaining and investing in these resources is essential to economic prosperity and public safety both because there are a substantial number of jobs linked to waterways and ports and because flood damage poses a serious risk to the livelihoods and economies of communities across the country.

Although I am voting in favor of this bill and believe that passage of it is critical, I am deeply concerned by misguided environmental streamlining provisions in the bill that ultimately will weaken the National Environmental Protection Act. Although the major reason for the Army Corps of Engineers' project delay is a backlog in projects and a lack of funding for those projects, the troublesome provisions in this bill instead purport to address that issue by unwisely undermining the effectiveness of NEPA reviews through unreasonable time restrictions and limitations on the quality of information available to both reviewing agencies and the public. In addition, the bill undermines the integrity of several other foundational environmental laws, including the Clean Water Act, the Endangered Species Act, and the Fish and Wildlife Coordination Act. Ultimately, these provisions will weaken environmental protections and undermine other elements in the bill that are designed to improve efficiency. It is critical that concerns over these provisions be addressed in the conference committee on this bill so that we can ensure final

passage of a bill that create jobs, improves our waterways infrastructures, and protects the environment.

Once again, I urge support for WRRDA and look forward to working with my colleagues to improve the bill further to secure final passage of a bill that helps create jobs across the country in an environmentally responsible way.

Mr. GENE GREEN of Texas. Mr. Chair, I strongly support the Water Resources, Reform, and Development Act. WRDA is an important bill for my area. We have critical flood control projects and our Port of Houston, which is the largest port for foreign tonnage in the country, is an economic engine for the entire region.

I prefer the Senate language in some ways, especially the funding for dredging at our ports. But, the bill in front of us represents the hard work of both sides of the T&I committee and I appreciate the leadership that they have shown on this issue and I look forward to supporting it.

I am pleased that Chairman Shuster and Ranking Member Rahall included language in the managers amendment that my colleagues and I from the Houston area requested regarding assumption of maintenance. This language is important because we want to incentivize entities like Ports to take on some of the responsibilities for deepening and widening channels and other projects, but we have to make sure that the federal government lives up to their responsibility to assume the maintenance. I want to make sure that the language that was included is the best way to accomplish this and I look forward to working with the Army Corps of Engineers, the Port of Houston, and our committee leadership to make any necessary changes and I am pleased that they are working with us toward achieving our policy intent.

I support this bill and encourage my colleagues to do the same.

Mr. CONYERS. Mr. Chair, I rise today in support of H.R. 3080, the "Water Resources Reform and Development Act of 2013," better known as "WRRDA." This legislation is long overdue, and although it is a good down-payment, this body needs to take far more drastic steps to repair and replace our nation's aging and increasingly uncompetitive water infrastructure—which will require more than \$1 trillion in investment over the next couple of decades.

Americans across the country will benefit commercially and economically from the improvements to infrastructure and the jobs provided by those projects. The competitive benefits and the economic jolt provided by WRRDA is an important investment in our future. It means that manufacturers can ship more cheaply and more quickly, and can more easily return jobs to our shores than if they had to struggle to bring their goods to the market. It also means that well-trained and hard-working men and women will go back to work, which will provide needed inertia to an economy that has been heavily battered by the last few weeks of brinkmanship.

I will be supporting this bill because I believe that our current infrastructure backlog is desperately in need of legislative action. However, I have a number of misgivings about this bill, which I hope my colleagues will address during a conference between the chambers. Though my concerns are many, I can sum them up simply: H.R. 3080 does not do

enough to eliminate the infrastructure deficit or to ensure that we do so in the most responsible way.

One problem I have is that H.R. 3080 makes across the board cuts to previously authorized projects—\$12 billion out of a roughly \$60 billion backlog. This "Sequester" style cut is a bad legislative approach. The solution to a problem often requires a more deft touch than simply lopping off whatever portion seems right. Americans are already fed up with this sort of austerity from the across the board cuts that went into effect at the beginning of 2013, which has wreaked havoc upon important programs and on the American economy. I urge my colleagues to make their decisions based on a more thorough review of the merits of individual projects, instead of just demanding \$12 billion in cuts and turning the scissors over to the Army Corps of Engineers.

Another problem I have lies with the "streamlining approach" found in this legislation which does little to actually eliminate the delays that keep important projects in limbo. I am especially concerned about the portions of H.R. 3080 which dramatically alter the environmental safeguards built into existing law. One of those changes, which would cut the time that communities have to review final agency approval of water infrastructure projects from six years to 150 days—a cut of nearly 95 percent—could undermine the rights of citizens to hold their government accountable for the impact that projects may have on their community. However, even after the environmental review process is completed, these projects still face potentially endless delays because of how the appropriations process leads to grossly inadequate funding levels. That is why I support and I urge my colleagues to support the DeFazio Amendment, which will require the tremendous backlog of projects to be reduced before the environmental safeguards are touched.

I urge my colleagues to support H.R. 3080, because although its flaws are many, it will put the shovel in the ground to dig us out of the ditch we are in. Americans are passing trillions in debt—in the form of outdated roads and water resources—on to the next generation. This may not be everything we need, but it is a good start.

Ms. JACKSON LEE. Mr. Chair, a water resources bill in 2013 is critical to the success of America, and crucial to our economic growth and job creation. The last water resources bill was signed into law six years ago, making this one long overdue. I would like to thank Mr. SHUSTER and Ranking Member RAHALL for their leadership in moving this legislation forward.

American international trade accounts for more than one quarter of our Gross Domestic Product. More than 99 percent of our overseas trade moves through America's seaports. Cargo moving through our seaports is responsible for more than 13 million American jobs and generates in excess of \$200 billion annually in federal, state, and local tax revenues. We need to keep America's economic recovery moving forward by ensuring that when American workers make products, we can efficiently move them through our ports to overseas markets.

To that end, I hope my colleagues across the aisle will support the WRRDA bill so that our navigation channels and ports are operating at their optimal levels. Of all U.S. over-

seas exports, 99.4 percent are waterborne and go through ports.

For America to remain on top the global economy, we need to be competitive internationally so that global consumers increasingly purchase American-made goods.

This bill takes an important first step in addressing an issue of key concern to not only the Port of Houston and Galveston in Texas, but to all of our nations' ports, the collection and use of the federal Harbor Maintenance Tax. The WRRDA bill also includes numerous reforms to help meet the maritime transportation needs of our nation today and in the future.

America's public ports and their private sector partners plan to invest more than \$46 billion in seaport infrastructure in the next five years. It is important that we pass this historic legislation by investing in America's transportation infrastructure. Maintaining America's link to the global marketplace by creating and maintaining modern and efficient seaport and waterway infrastructure will provide significant benefits to our nation's economic vitality, job growth, and international competitiveness, as well as create sizable tax revenues from cargo and trade activities.

Ports serve as America's gateway to the global economy. The nation's economic prosperity rests on the ability of containerized and bulk cargo arriving unimpeded at U.S. ports to support the "just in time" delivery system that underpins the manufacturing and retail sectors.

According to the Government Accountability Office (GAO), ports, waterways, and vessels are part of an economic engine handling more than \$700 billion in merchandise annually, according to the Department of Homeland Security (DHS), and an attack on this system could have a widespread impact on global shipping, international trade, and the global economy. The Port of Houston houses approximately 100 steamship lines offering services that link Houston with 1,053 ports in 203 countries. It is also home to a \$15 billion petrochemical complex, the largest in the nation and second largest worldwide.

As a result, it is an ideal port for examining security practices in the maritime environment. At the Port of Houston, and other ports across the country, balancing security concerns with the need to facilitate the free flow of people and commerce remains an ongoing challenge for both the public and private sectors.

Mr. Chair, I would like to thank Chairman SHUSTER, Ranking Member RAHALL, Chairman GIBBS and Ranking Member BISHOP in working with the Texas Delegation on behalf of our constituents to strengthen the bill by encouraging non-federal entities to invest in their harbor maintenance and step in when the Army Corps of Engineers cannot.

This legislative provision particularly benefits ports like the Port of Houston which have invested substantial amounts of their own funds to complete critical infrastructure in order to provide for safe navigation of larger vessels, and to assure its terminals remain competitive in the world market. This success complements my efforts to secure necessary funding for harbor dredging in the FY' 2014 Energy and Water Appropriations Act.

Furthermore, I would like to thank the Committee leadership for supporting the Jackson Lee Amendment #9 on the roster and including the amendment En Bloc. This amendment

provides that in making recommendations pursuant to Section 118 of the Act, the Secretary shall consult with key stakeholders, including State, county, and city governments, and, where applicable, State and local water districts, and in the case of recommendations concerning projects that substantially affect underrepresented communities the Secretary shall also consult with historically Black colleges and universities, Tribal Colleges and Universities, and other minority-serving institutions.

Mr. Chair, as you are aware, it is an essential tool in our desire to improve the lives of low income and minority communities as well as the environment at large.

I am sure we will never forget the critical impact from Hurricane Sandy that crippled the Northeast area from Massachusetts to North Carolina. And not long before Hurricane Sandy, as we were working to learn how to prevent another Hurricane Katrina that crippled the great City of New Orleans. Our nation was still healing from Hurricane Ike and Hurricane Rita which crippled Houston, Texas.

Thereby highlighting the importance of not only giving greater attention to our underserved communities but also how we can help our citizens by educating them on the areas in which they live. As my colleagues are aware, a healthy environment sustains a productive and healthy community which fosters personal and economic growth.

Consulting with key stakeholders, including State, county, and city governments, and, where applicable, State and local water districts, and in the case of recommendations concerning projects that substantially affect underrepresented communities the Secretary shall also consult with historically Black colleges and universities, Tribal Colleges and Universities, and other minority-serving institutions is imperative to protecting sustainability and growth of the community and environment.

The coordination with the aforementioned groups is vital to ensuring that economically disadvantaged and minority groups are not placed at a disadvantage when it comes to the environment and the continued preservation of their communities as we look to environmental and socioeconomic resources located within the project area and the general locations of the alternatives under consideration. Further, any issues of concern regarding the potential environmental or socioeconomic impacts of the project, including any issues that may substantially delay or prevent an agency from granting a permit or other approval that is needed for the project study.

Through education about the importance of environmental sustainability, we can promote a broader understanding of our rivers and harbors of the United States, and how citizens can improve their surroundings.

I want to also acknowledge and recognize Congressman DEFAZIO of Oregon for offering an amendment, in which I cosponsored that conditions the application of Section 103 of the bill on a reduction in the backlog of Corps of Engineers projects to less than \$20 billion in construction costs. This amendment highlights the fact that it is a lack of funding not the environmental review process that has led to a backlog of authorized projects that are not being constructed. We have spent enough energy arguing over the budget and the National Environmental Policy (NEPA) streamlining, but

not enough time in making the hard decisions and investments that are going to create economic growth and create jobs. I urge Congress to support Rep. DeFazio's amendment #2.

Mr. Chair, I believe the WRRDA bill would have been stronger with the inclusion of an amendment I offered to the Rules Committee that directs the Secretary of the Army to encourage the participation of minority- and women-owned businesses in such projects and requires the GAO to submit a report to Congress within 2 years on the participation of minority- and women-owned businesses in such projects.

I recognize the value of a diverse supplier base and its impact on the community and population at large. Therefore, I will work directly with the Secretary of the Army to establish an opportunity for Minority and Women Owned Businesses to work directly with the United States Army and the United States Corp of Engineers on specific projects that will ensure that the United States Army and the United States Corp of Engineers continues to creatively seek new supplier sources to fulfill the business opportunities at a number of Ports throughout our great nation and that minority and women owned businesses are given the opportunity to compete for these specific project business opportunities.

In closing, it is important to note that since the establishment of our Nation, our inland waterways and seaports have linked America directly to the global economy. This remains true today. Goods from all over the world reach our store shelves after arriving here through our ports, and products grown and made in the U.S.A. get to market overseas using our water transportation network.

The importance of the U.S. Army Corps of Engineers mission to maintain our port and waterways infrastructure will only increase with time. Expansion of the Panama Canal is expected to be completed in 2014, allowing more and larger ships to call on America's ports. Our trade volume is expected to double within a decade, and to double again by 2030. We have to be ready for this expected growth in order to remain globally competitive.

The economic benefits of the Corps' mission are not limited to navigation and commerce. Levees, dams, reservoirs, and other measures within the Corps' mission scope provide flood protection for homes and businesses, protecting property and life.

Mr. Chair, I urge my colleagues to support H.R. 3080.

Mr. VAN HOLLEN. Mr. Chair, I rise in support of passage of the Water Resources Reform and Development Act today, although I have serious concerns with the changes to public and environmental review made in the bill.

This long-overdue authorization of Army Corps projects is critical to continue infrastructure maintenance and construction and environmental restoration in our nation's waterways. In my home state of Maryland, the Corps' work is essential for the operations of the Port of Baltimore, which supports thousands of jobs. Additionally, its environmental protection and oyster recovery work bolsters our efforts to restore the Chesapeake Bay.

However, I am deeply concerned that the bill goes too far in its attempts to expedite project review. While we all support prompt analysis of federal projects, the NEPA process

is critical to ensuring that proposed projects are cost-effective, environmentally sound, and in the best interest of the surrounding communities. Corps projects in particular are often large and complex, with impacts across waterways and ecosystems. We must provide adequate time for public and agency review and comment to avoid lasting environmental damage and costly litigation.

While I will vote today to move this bill forward, I look forward to working with my colleagues in the conference process to preserve a robust review and oversight process for all proposed projects.

Mr. LANGEVIN. Mr. Chair, maintaining and investing in our national water infrastructure is an important responsibility of Congress. Critical to our coastal and inland communities alike, these resources keep our national transportation networks running and our economy growing. The Water Resources Development Act protects our neighborhoods from floods, provides for environmental restoration and protection, and helps keep commerce moving, all while ensuring community engagement, access, and transparency in project decision making. Regrettably, the bill before us erodes many of the safeguards designed to protect the very lives and communities impacted by these projects. Despite the enormous benefits of passing a water resources bill into law, we should not do so at the cost of decades-old protections for our states, cities and towns. If we weaken the laws that require us to evaluate the full range of options for projects and alternatives, we may undermine the success of future projects, endangering their fiscal soundness and environmental stewardship.

In Rhode Island, the Army Corps of Engineers has worked diligently to protect our coastlines, stem shoreline erosion, institute flood protections and improve inland navigation. Over the past 50 years, most of the navigation work on Rhode Island's waterways has been constructed by the Army Corps. Since the passage of the National Environmental Policy Act (NEPA), these projects rightfully went through rigorous review and solicited comments from affected communities, businesses and governments.

For more than four decades laws like NEPA have contributed to cleaner water, cleaner air, and a safer and healthier environment. Their authors recognized that healthy communities beget healthy economies, passing these bills into law with strong bipartisan support. In fact, Congress has been a greater hindrance to the advancement of Army Corps projects than environmental review. While the last WRDA bill passed by Congress in 2007 authorized the construction of projects costing more than \$22 billion, Congress appropriated just \$1.5 billion for the Corps' construction budget last year.

The NEPA process informs federal decisions and provides a critical check to communities on federal planning. In many cases, NEPA offers the only opportunity for the public to have a say in federal actions that may have profound impacts on their health, safety, livelihood, and wellbeing. It has saved money, time, vital resources, historical sites, endangered species, and public lands, while ensuring public disclosure and engagement.

I hope my colleagues will join me in working to prevent any degradation of the NEPA process going forward. Without such action, we are set on a path to undermine public input

into the federal decision-making process, increase taxpayer costs, and harm the environment.

Mr. BOUSTANY. Mr. Chair, I rise today to express my frustration. For many of us, the 2007 WRDA bill included the authorization for critical projects in our districts. Since the passage of that bill, the Army Corps of Engineers have begun interpreting the language and technical errors came to light.

Last night, through the Rules process, I attempted to right 2 exact wrongs by making technical corrections to the specific language in the 2007 WRDA bill with 2 precise amendments at no additional cost to the American taxpayer.

One of my amendments would have made a necessary technical change to the language of the Southwest Coastal Louisiana Feasibility Study to include the entire city of Delcambre, LA. As the study perimeters are currently written, they include only areas within 3 particular Parishes. However, there is one community, the city of Delcambre, LA that is divided by the Vermilion Parish line with half of the city and its structures in Vermilion, thus covered by the study, and the other half in Iberia Parish, not covered in the study. As the Corps began to move forward with study implementation, they made the decision to essentially cut the community, and structures, in half. This is not a sensible approach to ensuring a community's protection from hurricane destruction.

The second amendment would make a technical change to the Acadiana Gulf of Mexico Access Channel (AGMAC) an existing project, in order to reduce costs and improve the beneficial use of dredge material.

AGMAC was designed to allow for more efficient marine access from the Port of Iberia and other Acadiana Ports to the Gulf of Mexico by enlarging the existing channel to a project depth of twenty feet. Congress authorized the AGMAC project in the 2007 WRDA bill.

My amendment would propose removing the entire phrase related to Incidental Storm Surge Protection from the 2007 WRDA description of the project. The original authorization amount of the project in 2007 was \$131 million, the current cost of the project is \$310 million. The main reason for the radical difference in cost estimates, is the Incidental Storm Surge Protection language that was inserted at the request of one specific group. My amendment would remove this specific provision, with the understanding from the Corps of Engineers in New Orleans, that this change would allow the Corps to maintain the authorized spending level for this project, and most importantly, permit this suspended project to move forward.

Unfortunately due to an improper overreach back in 2007, a critical project has been on hold. This amendment would stimulate job creation, and the Acadiana economy by more than \$50 million a year, has been delayed and now is the time to get it back on track.

Millions of federal and state dollars have already been invested in performing feasibility studies to ensure that the AGMAC project was worthy of authorization. With the change proposed in my amendment, we can ensure that these dollars are not wasted, but instead that this critical project is completed.

It is important to note that CBO found both of these amendments to be budget neutral.

The amendment maintains the authorized spending level for both projects found in the WRDA 2007. There is NO additional cost to the American taxpayers. Instead these changes would a.) ensure that an entire town, not just half, is better prepared when the next hurricane hits the Gulf Coast, and b.) restore consistency when determining the use of dredge material from a navigation project.

Mr. Chair, I understand why we have a rules process. I understand why we no longer have earmarks. However it is inefficient and irresponsible to stop an amendment that makes a NECESSARY, technical, budget neutral language change. I look forward to working with the Chairman to devise a simple and time efficient strategy forward to fix these problems.

The Corps will continue to interpret legislative language the way it sees fit. If it is to the detriment of our constituents, is it expected that I will shrug that off and not fight that mistake? That's not what the people of South Louisiana elected me to do here in Washington.

Mr. GINGREY of Georgia. Mr. Chair, I rise in support of H.R. 3080—the Water Resources Reform and Development Act of 2013. I would like to commend Chairman SHUSTER for his continued willingness to work with all Members to ensure that this bill is a truly bipartisan product.

For the first time since 2007, this House will have the opportunity to debate legislation that authorizes our critical water infrastructure. I believe that this bill represents the proper reform that will implement deadlines, increase transparency at the U.S. Army Corps of Engineers, and take offline \$12 billion in projects that have been inactive for a number of years.

Mr. Chair, while these overall reforms are beneficial, there are two specific aspects of this bill that are important to the State of Georgia—as well as the entire Southeast region. First and foremost, this legislation authorizes the Savannah Harbor Expansion Project (SHEP) to deepen the port from 42 feet to 47 feet. For a number of years, this important regional project has been delayed by a statutory oversight in a previous WRDA bill. However, H.R. 3080 will finally provide the State of Georgia the ability to commit the \$201 million of the state share that has already been set aside.

SHEP benefits both the State of Georgia and the country as a whole. It has been estimated that for every dollar invested in deepening the port, \$5.50 would be generated for the country while providing savings of \$174 million on shipping annually. Furthermore, the Army Corps' own General Re-evaluation stated that SHEP will create 11,554 jobs, over \$551 million in labor income, and a gross regional value of over \$794 million. With the upcoming expansion of the Panama Canal, SHEP will only help maintain a competitive edge for deep water ports in the Southeast.

Mr. Chair, there is another aspect of WRRDA for which I commend the Transportation & Infrastructure Committee for its work. Unfortunately, in the version of WRDA passed by the Senate in May of this year, there were attempts made by our colleagues in the other body to undermine the longstanding issue among Georgia, Alabama, and Florida regarding water usage in both the Apalachicola-Chattahoochee-Flint (ACF) Basin and the Alabama-Coosa-Tallapoosa (ACT) Basin. This WRRDA bill is no place to interfere with ongo-

ing negotiations, and I believe that this legislation's silence on this issue is the correct approach.

For these important reasons, I support H.R. 3080.

□ 1545

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-24. That amendment in the nature of a substitute shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3080

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Water Resources Reform and Development Act of 2013”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

**TITLE I—PROGRAM REFORMS AND STREAMLINING**

Sec. 101. Vertical integration and acceleration of studies.

Sec. 102. Expediting the evaluation and processing of permits.

Sec. 103. Environmental streamlining.

Sec. 104. Consolidation of studies.

Sec. 105. Removal of duplicative analyses.

Sec. 106. Expediting approval of modifications and alterations of projects by non-Federal interests.

Sec. 107. Construction of projects by non-Federal interests.

Sec. 108. Contributions by non-Federal interests.

Sec. 109. Contributions by non-Federal interests for management of Corps of Engineers inland navigation facilities.

Sec. 110. Additional contributions by non-Federal interests.

Sec. 111. Clarification of impacts to other Federal facilities.

Sec. 112. Clarification of previously authorized work.

Sec. 113. Tribal partnership program.

Sec. 114. Technical corrections.

Sec. 115. Water infrastructure public-private partnership pilot program.

Sec. 116. Annual report to Congress.

Sec. 117. Actions to be taken in conjunction with the President's annual budget submission to Congress.

Sec. 118. Hurricane and storm damage reduction study.

Sec. 119. Non-Federal plans to provide additional flood risk reduction.

Sec. 120. Review of emergency response authorities.

Sec. 121. Emergency communication of risk.

Sec. 122. Improvements to the National Dam Safety Program Act.

Sec. 123. Restricted areas at Corps of Engineers dams.

Sec. 124. Levee safety.

Sec. 125. Vegetation on levees.

Sec. 126. Reduction of Federal costs.

Sec. 127. Advanced modeling technologies.  
 Sec. 128. Enhanced use of electronic commerce in Federal procurement.  
 Sec. 129. Corrosion prevention.  
 Sec. 130. Resilient construction and use of innovative materials.  
 Sec. 131. Assessment of water supply in arid regions.  
 Sec. 132. River basin commissions.  
 Sec. 133. Sense of Congress regarding water resources development bills.  
 Sec. 134. Donald G. Waldon Lock and Dam.  
 Sec. 135. Aquatic invasive species.  
 Sec. 136. Recreational access.  
 Sec. 137. Territories of the United States.  
 Sec. 138. Sense of Congress regarding interstate water agreements and compacts.

**TITLE II—NAVIGATION IMPROVEMENTS**  
 Subtitle A—Ports

Sec. 201. Expanded use of Harbor Maintenance Trust Fund.  
 Sec. 202. Assessment and prioritization of operation and maintenance.  
 Sec. 203. Preserving United States harbors.  
 Sec. 204. Consolidation of deep draft navigation expertise.  
 Sec. 205. Disposal sites.  
 Subtitle B—Inland Waterways  
 Sec. 211. Definitions.  
 Sec. 212. Project delivery process reforms.  
 Sec. 213. Efficiency of revenue collection.  
 Sec. 214. Inland waterways revenue studies.  
 Sec. 215. Inland waterways stakeholder roundtable.  
 Sec. 216. Preserving the Inland Waterway Trust Fund.  
 Sec. 217. Public comment on lock operations.  
 Sec. 218. Assessment of operation and maintenance needs of the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway.  
 Sec. 219. Upper Mississippi River protection.  
 Sec. 220. Corps of Engineers lock and dam energy development.

**TITLE III—DEAUTHORIZATIONS AND BACKLOG PREVENTION**

Sec. 301. Deauthorization of inactive projects.  
 Sec. 302. Review of Corps of Engineers assets.  
 Sec. 303. Backlog prevention.  
 Sec. 304. Deauthorizations.  
 Sec. 305. Land conveyances.

**TITLE IV—WATER RESOURCES INFRASTRUCTURE**

Sec. 401. Authorization of final feasibility studies.  
 Sec. 402. Project modifications.

**SEC. 2. DEFINITION OF SECRETARY.**

In this Act, the term “Secretary” means the Secretary of the Army.

**TITLE I—PROGRAM REFORMS AND STREAMLINING**

**SEC. 101. VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.**

(a) IN GENERAL.—To the extent practicable, a feasibility study initiated by the Secretary, after the date of enactment of this Act, under section 905(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(a)) shall—

(1) result in the completion of a final feasibility report not later than 3 years after the date of initiation;

(2) have a maximum Federal cost of \$3,000,000; and

(3) ensure that personnel from the district, division, and headquarters levels of the Corps of Engineers concurrently conduct the review required under that section.

(b) EXCEPTION.—If the Secretary determines that a feasibility study described in subsection (a) will not be conducted in accordance with subsection (a), the Secretary, not later than 30 days after the date of making the determination, shall—

(1) prepare an updated feasibility study schedule and cost estimate;

(2) notify the non-Federal feasibility cost sharing partner that the feasibility study has been delayed; and

(3) provide written notice to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate as to the reasons the requirements of subsection (a) are not attainable.

(c) TERMINATION OF AUTHORIZATION.—A feasibility study for which the Secretary has issued a determination under subsection (b) is not authorized after the last day of the 1-year period beginning on the date of the determination if the Secretary has not completed the study on or before such last day.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes—

(1) the status of the implementation of this section, including a description of each feasibility study subject to the requirements of this section;

(2) the amount of time taken to complete each such feasibility study; and

(3) any recommendations for additional authority necessary to support efforts to expedite the feasibility study process, including an analysis of whether the limitation established by subsection (a)(2) needs to be adjusted to address the impacts of inflation.

(e) REVIEWS.—Not later than 90 days after the date of the initiation of a study described in subsection (a) for a project, the Secretary shall—

(1) take all steps necessary to initiate the federally mandated reviews that the Secretary is required to complete as part of the study, including environmental reviews;

(2) convene a meeting of all Federal, tribal, and State agencies identified under section 2045(d) of the Water Resources Development Act of 2007 (33 U.S.C. 2348(d)), as amended by this Act, and that may be required by law to conduct or issue a review, analysis, or opinion on or to make a determination concerning a permit or license for the study;

(3) provide the agencies referred to in paragraph (2) with all relevant information related to the scope and potential impacts of the project, including environmental impacts; and

(4) take all steps necessary to provide information that will enable required reviews and analyses related to the project to be conducted by other agencies in a thorough and timely manner.

**SEC. 102. EXPEDITING THE EVALUATION AND PROCESSING OF PERMITS.**

Section 214 of the Water Resources Development Act of 2000 (33 U.S.C. 2201 note) is amended—

(1) in subsection (a)—

(A) by inserting “or public-utility company (as defined in section 1262 of the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451))” after “non-Federal public entity”;

(B) by inserting “or company” after “that entity”;

(C) by adding at the end the following: “To the maximum extent practicable, the Secretary shall ensure that expediting the evaluation of a permit through the use of funds accepted and expended under this section does not adversely affect the timeline for evaluation (in the Corps district in which the project or activity is located) of permits under the jurisdiction of the Department of the Army of other entities that have not contributed funds under this section.”;

(2) by striking subsection (e).

**SEC. 103. ENVIRONMENTAL STREAMLINING.**

(a) DECLARATION OF POLICY.—

(1) IN GENERAL.—Congress declares that—

(A) the benefits of water resources projects are important to the Nation’s economy and environment;

(B) it is in the national interest to expedite the delivery of water resources projects;

(C) it is in the national interest for Federal and State agencies, local governments, Indian tribes, and other entities involved in water resources projects—

(i) to accelerate study completion and project delivery and to reduce costs; and

(ii) to ensure that the planning, design, engineering, construction, and funding of water resources projects is done in an efficient and effective manner, promoting accountability for public investments and encouraging greater local and private sector involvement in project financing and delivery while addressing public safety and protecting the environment; and

(D) delay in the delivery of water resources studies and projects—

(i) increases project costs, flood risks, and local and Federal expenditures for emergency management and recovery;

(ii) harms the economy of the United States; and

(iii) impedes the shipment of goods for the conduct of commerce.

(2) POLICY.—Given the declarations set forth in paragraph (1), it is the policy of the United States that—

(A) recommendations to Congress regarding such projects should be accelerated by coordinated and efficient environmental reviews and cooperative efforts to quickly resolve disputes during the development of water resources projects;

(B) the Secretary shall have the lead role among Federal agencies in facilitating the environmental review process for water resources projects;

(C) each Federal agency shall cooperate with the Secretary to expedite the environmental review process for water resources projects;

(D) programmatic approaches shall be used if applicable to reduce the need for project-by-project reviews and decisions by Federal agencies;

(E) the Secretary shall identify opportunities for non-Federal sponsors to assume responsibilities of the Secretary if such responsibilities can be assumed in a manner that protects public health and safety, the environment, and public participation; and

(F) the Assistant Secretary of the Army for Civil Works shall identify and promote the deployment of innovations aimed at reducing the time and money required to deliver water resources projects while protecting the environment.

(b) STREAMLINED PROJECT DELIVERY.—

(1) IN GENERAL.—Section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) is amended to read as follows:

**“SEC. 2045. STREAMLINED PROJECT DELIVERY.**

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) ENVIRONMENTAL IMPACT STATEMENT.—The term ‘environmental impact statement’ means the detailed statement of environmental impacts required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) ENVIRONMENTAL REVIEW PROCESS.—

“(A) IN GENERAL.—The term ‘environmental review process’ means the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a project study.

“(B) INCLUSIONS.—The term ‘environmental review process’ includes the process for and completion of any environmental permit, approval, review, or study required for a project study under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(3) **FEDERAL JURISDICTIONAL AGENCY.**—The term ‘Federal jurisdictional agency’ means a Federal agency with jurisdiction over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a project study under applicable Federal laws, including regulations.

“(4) **PROJECT.**—The term ‘project’ means a Corps of Engineers water resources project.

“(5) **PROJECT SPONSOR.**—The term ‘project sponsor’ means the non-Federal interest as defined in section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b).

“(6) **PROJECT STUDY.**—The term ‘project study’ means a feasibility study for a project carried out pursuant to section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282).

“(b) **APPLICABILITY.**—The procedures in this section are applicable to all project studies initiated after the date of enactment of the Water Resources Reform and Development Act of 2013 and for which an environmental impact statement is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and may be applied, to the extent determined appropriate by the Secretary, to other project studies initiated after such date of enactment and for which an environmental review process document is prepared under such Act.

“(c) **LEAD AGENCIES.**—

“(1) **FEDERAL LEAD AGENCY.**—The Corps of Engineers shall be the Federal lead agency in the environmental review process for a project study.

“(2) **NON-FEDERAL PROJECT SPONSOR AS JOINT LEAD AGENCY.**—At the discretion of the Secretary and subject to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), a non-Federal project sponsor that is an agency defined in subsection (a)—

“(A) may serve as a joint lead agency with the Corps of Engineers for purposes of preparing any environmental review process document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(B) may assist in the preparation of any such environmental review process document required under the National Environmental Policy Act of 1969 if the Secretary provides guidance in the preparation process, participates in preparing the document, independently evaluates that document, and approves and adopts the document before the Secretary takes any subsequent action or makes any approval based on that document.

“(3) **ADOPTION AND USE OF DOCUMENTS.**—Any environmental review process document prepared in accordance with this subsection shall be adopted and used by any Federal agency in making any approval of a project subject to this section as the document required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to the same extent that the Federal agency may adopt or use a document prepared by another Federal agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(4) **ROLES AND RESPONSIBILITY OF FEDERAL LEAD AGENCY.**—With respect to the environmental review process for any project, the Federal lead agency shall have authority and responsibility—

“(A) to take such actions as are necessary and proper, within the authority of the Federal lead agency, to facilitate the expeditious resolution of the environmental review process for the project study; and

“(B) to prepare or ensure that any required environmental impact statement or other document for a project study required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is completed in accordance with this section and applicable Federal law.

“(d) **PARTICIPATING AND COOPERATING AGENCIES.**—

“(1) **IDENTIFICATION.**—The Federal lead agency shall identify, as early as practicable in the

environmental review process for a project study, any Federal or State agency, local government, or Indian tribe that may—

“(A) have jurisdiction over the project;

“(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

“(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study.

“(2) **INVITATION.**—

“(A) **IN GENERAL.**—The Federal lead agency shall invite any such agency identified under paragraph (1) to become a participating or cooperating agency in the environmental review process for the project study.

“(B) **DEADLINE.**—An invitation to participate issued under subparagraph (A) shall establish a deadline by which a response to the invitation shall be submitted, which may be extended by the Federal lead agency for good cause.

“(3) **FEDERAL COOPERATING AGENCY.**—Any Federal agency that is invited by the Federal lead agency to participate in the environmental review process for a project study shall be designated as a cooperating agency by the Federal lead agency unless the invited agency informs the Federal lead agency, in writing, by the deadline specified in the invitation that the invited agency—

“(A) has no jurisdiction or authority with respect to the project;

“(B) has no expertise or information relevant to the project study; and

“(C) does not intend to submit comments on the project study.

“(4) **EFFECT OF DESIGNATION.**—

“(A) **REQUIREMENT.**—A participating or cooperating agency shall comply with the requirements of this section and any schedule established under this section.

“(B) **IMPLICATION.**—Designation under this subsection shall not imply that the participating or cooperating agency—

“(i) supports a proposed project; or

“(ii) has any jurisdiction over, or special expertise with respect to evaluation of, the project.

“(5) **CONCURRENT REVIEWS.**—Each participating or cooperating agency shall—

“(A) carry out the obligations of that agency under other applicable law concurrently and in conjunction with the required environmental review process unless doing so would prevent such agency from conducting needed analysis or otherwise carrying out their obligations under those other laws; and

“(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

“(e) **PROGRAMMATIC COMPLIANCE.**—

“(1) **IN GENERAL.**—The Secretary shall issue guidance regarding the use of programmatic approaches to carry out the environmental review process that—

“(A) eliminates repetitive discussions of the same issues;

“(B) focuses on the actual issues ripe for analyses at each level of review;

“(C) establishes a formal process for coordinating with participating and cooperating agencies, including the creation of a list of all data that is needed to carry out the environmental review process; and

“(D) complies with—

“(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) all other applicable laws.

“(2) **REQUIREMENTS.**—In carrying out paragraph (1), the Secretary shall—

“(A) as the first step in drafting guidance under that paragraph, consult with relevant Federal and State agencies, local governments, Indian tribes, and the public on the use and scope of the programmatic approaches;

“(B) emphasize the importance of collaboration among relevant Federal agencies, State

agencies, local governments, and Indian tribes in undertaking programmatic reviews, especially with respect to reviews with a broad geographical scope;

“(C) ensure that the programmatic reviews—

“(i) promote transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by a Federal or State agency, local government, Indian tribe, or the public, and the temporal and special scales to be used to analyze those issues;

“(ii) use accurate and timely information in the environmental review process, including—

“(I) criteria for determining the general duration of the usefulness of the review; and

“(II) the timeline for updating any out-of-date review;

“(iii) describe—

“(I) the relationship between programmatic analysis and future tiered analysis; and

“(II) the role of the public in the creation of future tiered analysis; and

“(iv) are available to other relevant Federal and State agencies, local governments, Indian tribes, and the public;

“(D) allow not less than 60 days of public notice and comment on any proposed guidance; and

“(E) address any comments received under subparagraph (D).

“(f) **COORDINATED REVIEWS.**—

“(1) **COORDINATION PLAN.**—

“(A) **ESTABLISHMENT.**—The Federal lead agency, after consultation with each participating and cooperating agency and the non-Federal project sponsor or joint lead agency, as applicable, shall establish a plan for coordinating public and agency participation in and comment on the environmental review process for a project study.

“(B) **INCORPORATION.**—In developing the plan established under subparagraph (A), the Federal lead agency shall take under consideration the scheduling requirements under section 101 of the Water Resources Reform and Development Act of 2013.

“(2) **SCHEDULE.**—

“(A) **IN GENERAL.**—The Federal lead agency, after consultation with each participating and cooperating agency and the non-Federal project sponsor or joint lead agency, as applicable, shall establish, as part of the coordination plan established in paragraph (1)(A), a schedule for completion of the environmental review process for the project study. In developing the schedule, the Federal lead agency shall take under consideration the scheduling requirements under section 101 of the Water Resources Reform and Development Act of 2013.

“(B) **FACTORS FOR CONSIDERATION.**—In establishing the schedule, the Federal lead agency shall consider factors such as—

“(i) the responsibilities of participating and cooperating agencies under applicable laws;

“(ii) the resources available to the participating and cooperating agencies and the non-Federal project sponsor or joint lead agency, as applicable;

“(iii) the overall size and complexity of the project;

“(iv) the overall schedule for and cost of the project; and

“(v) the sensitivity of the natural and historic resources that may be affected by the project.

“(C) **CONSISTENCY WITH OTHER TIME PERIODS.**—A schedule under subparagraph (A) shall be consistent with any other relevant time periods established under Federal law.

“(D) **MODIFICATION.**—The Federal lead agency may—

“(i) lengthen a schedule established under subparagraph (A) for good cause; or

“(ii) shorten a schedule only with the concurrence of the affected participating and cooperating agencies and the non-Federal project sponsor or joint lead agency, as applicable.

“(E) **DISSEMINATION.**—A copy of a schedule established under subparagraph (A) shall be—

“(i) provided to each participating and cooperating agency and the non-Federal project sponsor or joint lead agency, as applicable; and  
“(ii) made available to the public.

“(3) COMMENT DEADLINES.—The Federal lead agency shall establish the following deadlines for comment during the environmental review process for a project study:

“(A) DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—For comments by agencies and the public on a draft environmental impact statement, a period of not more than 60 days after such document is made publicly available, unless—

“(i) a different deadline is established by agreement of the Federal lead agency, all participating and cooperating agencies, and the non-Federal project sponsor or joint lead agency, as applicable; or

“(ii) the deadline is extended by the Federal lead agency for good cause.

“(B) OTHER COMMENT PERIODS.—For all other comment periods established by the Federal lead agency for agency or public comments in the environmental review process, a period of not more than 30 days after the date on which the materials for which comment is requested are made available, unless—

“(i) a different deadline is established by agreement of the Federal lead agency, all participating and cooperating agencies, and the non-Federal project sponsor or joint lead agency, as applicable; or

“(ii) the deadline is extended by the Federal lead agency for good cause.

“(4) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—

“(A) PRIOR APPROVAL DEADLINE.—If a participating or cooperating agency is required to make a determination regarding or otherwise approve or disapprove the project study prior to the record of decision or finding of no significant impact, such participating or cooperating agency shall make such determination or approval not later than 30 days after the Federal lead agency publishes notice of the availability of a final environmental impact statement or other final environmental document, or not later than such other date that is otherwise required by law, whichever occurs first.

“(B) OTHER DEADLINES.—With regard to any determination or approval of a participating or cooperating agency that is not subject to subparagraph (A), each participating or cooperating agency shall make any required determination or otherwise approve or disapprove the project study not later than 90 days after the date that the Federal lead agency approves the record of decision or finding of no significant impact for the project study, or not later than such other date that is otherwise required by law, whichever occurs first.

“(C) RECORD CLOSED.—In the event that any participating or cooperating agency fails to make a determination or approve or disapprove the project study within the applicable deadline described in subparagraph (A), the Federal lead agency may close the record and find the record sufficient for the project study as it relates to such agency determination or approval.

“(g) ISSUE IDENTIFICATION AND RESOLUTION.—

“(1) COOPERATION.—The Federal lead agency and participating and cooperating agencies shall work cooperatively in accordance with this section to identify and resolve issues that may delay completion of the environmental review process or result in the denial of any approval required for the project study under applicable laws.

“(2) FEDERAL LEAD AGENCY RESPONSIBILITIES.—

“(A) IN GENERAL.—The Federal lead agency shall make information available to the participating and cooperating agencies as early as practicable in the environmental review process regarding the environmental and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

“(B) DATA SOURCES.—Such information under subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

“(3) PARTICIPATING AND COOPERATING AGENCY RESPONSIBILITIES.—Based on information received from the Federal lead agency, participating and cooperating agencies shall identify, as early as practicable, any issues of concern regarding the potential environmental or socioeconomic impacts of the project, including any issues that may substantially delay or prevent an agency from granting a permit or other approval that is needed for the project study.

“(4) ACCELERATED ISSUE RESOLUTION AND ELEVATION.—

“(A) IN GENERAL.—Upon the request of a participating or cooperating agency or non-Federal project sponsor, the Secretary shall convene an issue resolution meeting with the relevant participating and cooperating agencies and the non-Federal project sponsor or joint lead agency, as applicable, to resolve issues that may—

“(i) delay completion of the environmental review process; or

“(ii) result in denial of any approval required for the project study under applicable laws.

“(B) MEETING DATE.—A meeting requested under this paragraph shall be held not later than 21 days after the date on which the Secretary receives the request for the meeting, unless the Secretary determines that there is good cause to extend that deadline.

“(C) NOTIFICATION.—Upon receipt of a request for a meeting under this paragraph, the Secretary shall notify all relevant participating and cooperating agencies of the request, including the issue to be resolved and the date for the meeting.

“(D) ELEVATION OF ISSUE RESOLUTION.—If a resolution cannot be achieved within 30 days after a meeting under this paragraph and a determination is made by the Secretary that all information necessary to resolve the issue has been obtained, the Secretary shall forward the dispute to the heads of the relevant agencies for resolution.

“(E) CONVENTION BY SECRETARY.—The Secretary may convene an issue resolution meeting under this subsection at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under subparagraph (A).

“(h) STREAMLINED DOCUMENTATION AND DECISIONMAKING.—

“(1) IN GENERAL.—The Federal lead agency in the environmental review process for a project study, in order to reduce paperwork and expedite decisionmaking, shall prepare a condensed final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) CONDENSED FORMAT.—A condensed final environmental impact statement for a project study in the environmental review process shall consist only of—

“(A) an incorporation by reference of the draft environmental impact statement;

“(B) any updates to specific pages or sections of the draft environmental impact statement as appropriate; and

“(C) responses to comments on the draft environmental impact statement and copies of the comments.

“(3) TIMING OF DECISION.—Notwithstanding any other provision of law, in conducting the environmental review process for a project study, the Federal lead agency shall combine a final environmental impact statement and a record of decision for the project study into a single document if—

“(A) the alternative approved in the record of decision is either a preferred alternative identified in the draft environmental impact statement or is a modification of such preferred alternative developed in response to comments on the draft environmental impact statement; and

“(B) the Federal lead agency has a written commitment from parties responsible for imple-

mentation of the measures applicable to the approved alternative that are identified in the final environmental impact statement that they will implement those measures.

“(j) LIMITATIONS.—Nothing in this section shall preempt or interfere with—

“(1) any practice of seeking, considering, or responding to public comment; or

“(2) any power, jurisdiction, responsibility, or authority that a Federal or State agency, local government, Indian tribe, or non-Federal project sponsor has with respect to carrying out a project study or any other provision of law applicable to a project.

“(j) TIMING OF CLAIMS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license, or other approval issued by a Federal agency for a project study shall be barred unless it is filed not later than 150 days after publication of a notice in the Federal Register announcing that the permit, license, or other approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law which allows judicial review. Nothing in this subsection shall create a right to judicial review or place any limit on filing a claim that a person has violated the terms of a permit, license, or other approval.

“(2) NEW INFORMATION.—The Secretary shall consider new information received after the close of a comment period if the information satisfies the requirements for a supplemental environmental impact statement under title 40, Code of Federal Regulations. The preparation of a supplemental environmental impact statement or other environmental document when required by this section shall be considered a separate final agency action and the deadline for filing a claim for judicial review of such action shall be 150 days after the date of publication of a notice in the Federal Register announcing such action.

“(k) CATEGORICAL EXCLUSIONS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall—

“(A) survey the use by the Corps of Engineers of categorical exclusions in projects;

“(B) publish a review of the survey that includes a description of—

“(i) the types of actions that were categorically excluded or may be the basis for developing a new categorical exclusion; and

“(ii) any requests previously received by the Secretary for new categorical exclusions; and

“(C) solicit requests from other Federal agencies and non-Federal project sponsors for new categorical exclusions.

“(2) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of this subsection, if the Secretary identifies, based on the review under paragraph (1), a category of activities that merit establishing a categorical exclusion not in existence on the day before the date of enactment of this subsection, the Secretary shall publish a notice of proposed rulemaking to propose that new categorical exclusion, to the extent that the categorical exclusion meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulation).

“(1) IMPLEMENTATION GUIDANCE.—The Secretary shall prepare guidance documents that describe the processes that the Secretary will use to implement this section.”

(2) CLERICAL AMENDMENT.—The table of contents contained in section 1(b) of the Water Resources Development Act of 2007 is amended by striking the item relating to section 2045 and inserting the following:

“Sec. 2045. Streamlined project delivery.”

(c) CATEGORICAL EXCLUSION IN EMERGENCIES.—For the repair, reconstruction, or rehabilitation of a water resources project that is in operation or under construction when damaged by an event or incident that results in a declaration by the President of a major disaster

or emergency pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Secretary shall treat such repair, reconstruction, or rehabilitation activity as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations, if such repair or reconstruction activity is in the same location with the same capacity, dimensions, and design as the original water resources project as before the declaration described in this section.

#### SEC. 104. CONSOLIDATION OF STUDIES.

(a) IN GENERAL.—

(1) REPEAL.—Section 905(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(b)) is repealed.

(2) CONFORMING AMENDMENT.—Section 905(a)(1) of such Act (33 U.S.C. 2282(a)(1)) is amended by striking “perform a reconnaissance study and”.

(b) CONTENTS OF FEASIBILITY REPORTS.—Section 905(a)(2) of such Act (33 U.S.C. 2282(a)(2)) is amended by adding at the end the following: “A feasibility report shall include a preliminary analysis of the Federal interest and the costs, benefits, and environmental impacts of the project.”

(c) APPLICABILITY.—The Secretary shall continue to carry out a study for which a reconnaissance level investigation has been initiated before the date of enactment of this Act as if this section, including the amendments made by this section, had not been enacted.

#### SEC. 105. REMOVAL OF DUPLICATIVE ANALYSES.

Section 911 of the Water Resources Development Act of 1986 (33 U.S.C. 2288) is repealed.

#### SEC. 106. EXPEDITING APPROVAL OF MODIFICATIONS AND ALTERATIONS OF PROJECTS BY NON-FEDERAL INTERESTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, after providing notice and an opportunity for comment, shall establish a process for the review of section 14 applications in a timely and consistent manner.

(b) SECTION 14 APPLICATION DEFINED.—In this section, the term “section 14 application” means an application submitted by an applicant to the Secretary requesting permission for the temporary occupation or use of a public work, or the alteration or permanent occupation or use of a public work, under section 14 of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved March 3, 1899 (commonly known as the “Rivers and Harbors Appropriation Act of 1899”) (33 U.S.C. 408).

(c) BENCHMARK GOALS.—

(1) ESTABLISHMENT OF BENCHMARK GOALS.—In carrying out subsection (a), the Secretary shall—

(A) establish benchmark goals for determining the amount of time it should take the Secretary to determine whether a section 14 application is complete;

(B) establish benchmark goals for determining the amount of time it should take the Secretary to approve or disapprove a section 14 application; and

(C) to the extent practicable, use such benchmark goals to make a decision on section 14 applications in a timely and consistent manner.

(2) BENCHMARK GOALS.—

(A) BENCHMARK GOALS FOR DETERMINING WHETHER SECTION 14 APPLICATIONS ARE COMPLETE.—To the extent practicable, the benchmark goals established under paragraph (1) shall provide that—

(i) the Secretary reach a decision on whether a section 14 application is complete not later than 15 days after the date of receipt of the application; and

(ii) if the Secretary determines that a section 14 application is not complete, the Secretary

promptly notify the applicant of the specific information that is missing or the analysis that is needed to complete the application.

(B) BENCHMARK GOALS FOR REVIEWING COMPLETED APPLICATIONS.—To the extent practicable, the benchmark goals established under paragraph (1) shall provide that—

(i) the Secretary generally approve or disapprove a completed section 14 application not later than 45 days after the date of receipt of the completed application; and

(ii) in a case in which the Secretary determines that additional time is needed to review a completed section 14 application due to the type, size, cost, complexity, or impacts of the actions proposed in the application, the Secretary approve or disapprove the application not later than 180 days after the date of receipt of the completed application.

(3) NOTICE.—In any case in which the Secretary determines that it will take the Secretary more than 45 days to review a completed section 14 application, the Secretary shall—

(A) provide written notification to the applicant; and

(B) include in the written notice a best estimate of the Secretary as to the amount of time required for completion of the review.

(d) FAILURE TO ACHIEVE BENCHMARK GOALS.—In any case in which the Secretary fails to make a decision on a section 14 application in accordance with the process established under this section, the Secretary shall provide written notice to the applicant, including a detailed description of—

(1) why the Secretary failed to make a decision in accordance with such process;

(2) the additional actions required before the Secretary will issue a decision; and

(3) the amount of time the Secretary will require to issue a decision.

(e) NOTIFICATION.—

(1) SUBMISSION TO CONGRESS.—The Secretary shall provide a copy of any written notice provided under subsection (d) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(2) PUBLIC AVAILABILITY.—The Secretary shall maintain a publicly available database, including on the Internet, on—

(A) all section 14 applications received by the Secretary; and

(B) the current status of such applications.

#### SEC. 107. CONSTRUCTION OF PROJECTS BY NON-FEDERAL INTERESTS.

(a) CONSTRUCTION OF WATER RESOURCES DEVELOPMENT PROJECTS.—Section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) is amended—

(1) in the section heading by striking “FLOOD CONTROL” and inserting “WATER RESOURCES DEVELOPMENT”; and

(2) by striking “flood control” each place it appears and inserting “water resources development”.

(b) COMPLETION OF STUDIES AND DESIGN ACTIVITIES.—Section 211(c) of such Act (33 U.S.C. 701b–13(c)) is amended by striking “date of the enactment of this Act” and inserting “date of enactment of the Water Resources Reform and Development Act of 2013”.

(c) AUTHORITY TO CARRY OUT IMPROVEMENTS.—Section 211(d)(1) of such Act (33 U.S.C. 701b–13(d)(1)) is amended—

(1) by striking subparagraph (A)(i) and inserting the following:

“(i) IN GENERAL.—A non-Federal interest may carry out construction for which studies and design documents are prepared under subsection (b) only if—

“(I) the Secretary approves the project for construction; and

“(II) the project is specifically authorized by Congress.”; and

(2) by striking subparagraph (B) and inserting the following:

“(B) STUDIES AND DESIGN ACTIVITIES UNDER SUBSECTION (c).—Any non-Federal interest that

has received from the Secretary under subsection (c) a favorable recommendation to carry out a water resources development project, or separable element thereof, based on the results of completed studies and design documents for the project or element may carry out the project or element if—

“(i) a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been filed for the project or element; and

“(ii) the project is specifically authorized by Congress.”

(d) REIMBURSEMENT.—Section 211(e) of such Act (33 U.S.C. 701b–13(e)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B) by striking “and” at the end;

(B) in subparagraph (C) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) if the project is specifically authorized by Congress.”; and

(2) in paragraph (6)—

(A) by striking subparagraph (B) and redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(B) in subparagraph (B) (as so redesignated)—

(i) by striking “At the request” and inserting “In accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), at the request”; and

(ii) by inserting before the period at the end the following: “; or toward the non-Federal share of any other authorized water resources development study or project of such non-Federal interest”.

(e) OTHER MATTERS.—Section 211 of such Act (33 U.S.C. 701b–13) is amended by adding at the end the following:

“(h) OPERATION AND MAINTENANCE OF NAVIGATION PROJECTS.—Whenever a non-Federal interest constructs improvements to a harbor or inland harbor, the Secretary shall be responsible for maintenance in accordance with section 101(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)) if—

“(1) the Secretary determines, before construction, that the improvements, or separable elements thereof, are economically justified and environmentally acceptable;

“(2) the Secretary certifies that the project is constructed in accordance with applicable permits and the appropriate engineering and design standards;

“(3) the Secretary does not find that the project, or separable element thereof, is no longer economically justified or environmentally acceptable; and

“(4) the project is specifically authorized by Congress.

(i) IMPLEMENTATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out a project shall apply to the non-Federal interest carrying out a project under this section.

(j) NOTIFICATION OF COMMITTEES.—The Secretary shall notify in writing the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate prior to initiation of negotiations with a non-Federal interest regarding the utilization of the authorities under this section.”

(f) REPEALS.—The following provisions are repealed:

(1) Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232).

(2) Section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i–1) and the item relating to that section in the table of contents contained in section 1(b) of that Act.

(3) Section 404 of the Water Resources Development Act of 1990 (33 U.S.C. 2232 note; 104 Stat. 4646) and the item relating to that section in the table of contents contained in section 1(b) of that Act.

**SEC. 108. CONTRIBUTIONS BY NON-FEDERAL INTERESTS.**

(a) *IN GENERAL.*—Section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved June 22, 1936 (33 U.S.C. 701h), is amended—

(1) by striking “from States and political subdivisions thereof,” and inserting “from a non-Federal interest (as defined in section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b))”;

(2) by striking “, which includes planning and design”;

(3) by inserting “, including a project for navigation on the inland waterways,” after “study or project”;

(4) by striking “by States and political subdivisions thereof,” and inserting “by a non-Federal interest”;

(5) by striking “: Provided further, That the term ‘States’ means the several States, the District of Columbia, the commonwealths, territories, and possessions of the United States, and Federally recognized Indian tribes”; and

(6) by inserting “: And provided further, That the term ‘work’ means the planning, design, or construction of an authorized water resources development study or project, or the repair, restoration, or replacement of an authorized water resources development project that has been damaged by an event or incident that results in a declaration by the President of a major disaster or emergency pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)” after “contributing interests”.

(b) *NOTIFICATION FOR CONTRIBUTED FUNDS.*—Prior to the initiation of negotiations for accepting contributed funds under section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved June 22, 1936 (33 U.S.C. 701h), the Secretary shall provide written notice to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate.

(c) *TECHNICAL AMENDMENTS.*—The following provisions are repealed:

(1) Section 111(b) of the Energy and Water Development and Related Agencies Appropriations Act, 2012 (125 Stat. 858).

(2) Section 4 of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved March 4, 1915 (33 U.S.C. 560).

**SEC. 109. CONTRIBUTIONS BY NON-FEDERAL INTERESTS FOR MANAGEMENT OF CORPS OF ENGINEERS INLAND NAVIGATION FACILITIES.**

(a) *IN GENERAL.*—Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

(1) by striking the section designation and heading and inserting the following:

**“SEC. 225. CONTRIBUTIONS BY NON-FEDERAL INTERESTS FOR MANAGEMENT OF CORPS OF ENGINEERS FACILITIES.”;**

(2) in subsection (a) by striking “managing recreation facilities” and inserting “operating, maintaining, and managing inland navigational facilities, recreational facilities.”; and

(3) in subsection (b) by striking “and management of recreation facilities” and inserting “, maintenance, and management of inland navigation facilities, recreational facilities.”.

(b) *CLERICAL AMENDMENT.*—The table of contents contained in section 1(b) of the Water Resources Development Act of 1992 is amended by striking the item relating to section 225 and inserting the following:

“225. Contributions by non-Federal interests for management of Corps of Engineers facilities.”.

**SEC. 110. ADDITIONAL CONTRIBUTIONS BY NON-FEDERAL INTERESTS.**

Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) is amended—

(1) by striking “In order to insure” and inserting “(a) *IN GENERAL.*—In order to insure”; and

(2) by adding at the end the following:

“(b) *CONTRIBUTIONS BY NON-FEDERAL INTERESTS.*—Notwithstanding subsection (a), in accordance with section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved June 22, 1936 (33 U.S.C. 701h), the Secretary may accept funds from a non-Federal interest for any authorized water resources development project that has exceeded its maximum cost under subsection (a), and use such funds to carry out such project, if the use of such funds does not increase the Federal share of the cost of such project.”.

**SEC. 111. CLARIFICATION OF IMPACTS TO OTHER FEDERAL FACILITIES.**

In any case where the modification or construction of a water resources development project carried out by the Secretary adversely impacts other Federal facilities, the Secretary may accept from other Federal agencies such funds as may be necessary to address the adverse impact, including by removing, relocating, or reconstructing such facilities.

**SEC. 112. CLARIFICATION OF PREVIOUSLY AUTHORIZED WORK.**

(a) *IN GENERAL.*—The Secretary may carry out measures to improve fish species habitat within the boundaries and downstream of a water resources project constructed by the Secretary that includes a fish hatchery if the Secretary—

(1) has been explicitly authorized to compensate for fish losses associated with the project; and

(2) determines that the measures are—

(A) feasible;

(B) consistent with authorized project purposes and the fish hatchery; and

(C) in the public interest.

(b) *COST SHARING.*—

(1) *IN GENERAL.*—Subject to paragraph (2), the non-Federal interest shall contribute 35 percent of the total cost of carrying out activities under this section, including the costs relating to the provision or acquisition of required land, easements, rights-of-way, dredged material disposal areas, and relocations.

(2) *OPERATION AND MAINTENANCE.*—The non-Federal interest shall contribute 100 percent of the costs of operation, maintenance, replacement, repair, and rehabilitation of the measures carried out under this section.

**SEC. 113. TRIBAL PARTNERSHIP PROGRAM.**

(a) *IN GENERAL.*—Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (d)(1)(B)—

(A) by striking “The ability” and inserting the following:

“(i) *IN GENERAL.*—The ability”; and

(B) by adding at the end the following:

“(ii) *DETERMINATION.*—Not later than 180 days after the date of enactment of the Water Resources Reform and Development Act of 2013, the Secretary shall issue guidance on the procedures described in clause (i).”; and

(2) by striking subsection (e) and inserting the following:

“(e) *RESTRICTIONS.*—The Secretary is authorized to carry out activities under this section in fiscal years 2014 through 2023.”.

(b) *COOPERATIVE AGREEMENTS WITH INDIAN TRIBES.*—The Secretary may enter into a cooperative agreement with an Indian tribe (or a designated representative of an Indian tribe) to carry out authorized activities of the Corps of

Engineers to protect fish, wildlife, water quality, and cultural resources.

**SEC. 114. TECHNICAL CORRECTIONS.**

(a) *LIMITATION; STATUTORY CONSTRUCTION.*—Section 221(a)(4)(E) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)(E)) is amended by striking clause (ii) and inserting the following:

“(ii) *LIMITATION.*—In any case in which a specific provision of law provides for a non-Federal interest to receive credit toward the non-Federal share of the cost of a study for, or construction or operation and maintenance of, a water resources project, the Secretary shall apply—

“(I) the specific provision of law instead of this paragraph; or

“(II) at the request of the non-Federal interest, the specific provision of law and such provisions of this paragraph as the non-Federal interest may request.

“(iii) *STATUTORY CONSTRUCTION.*—Nothing in this subparagraph may be construed to affect the applicability of subparagraph (C).”.

(b) *WATER RESOURCES PROJECT DEFINED.*—Section 221(b) of such Act (42 U.S.C. 1962d–5b(b)) is amended—

(1) by moving paragraphs (1) and (2) and the matter following paragraph (2) 2 ems to the right;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) by striking “(b) *DEFINITION*” and all that follows through “The term” and inserting the following:

“(b) *DEFINITIONS.*—

“(1) *NON-FEDERAL INTEREST.*—The term”; and

(4) by adding at the end the following:

“(2) *WATER RESOURCES PROJECT.*—The term ‘water resources project’ includes projects studied, reviewed, designed, constructed, operated and maintained, or otherwise subject to Federal participation under the authority of the civil works program of the Secretary of the Army for the purposes of navigation, flood damage reduction, ecosystem restoration, hurricane and storm damage reduction, water supply, recreation, hydroelectric power, fish and wildlife conservation, water quality, environmental infrastructure, resource protection and development, and related purposes.”.

(c) *CORRECTION.*—Section 221(c) of such Act (42 U.S.C. 1962d–5b(c)) is amended by striking “enforcible” and inserting “enforceable”.

(d) *FEDERAL ALLOCATION.*—Section 2008(a) of the Water Resources Development Act of 2007 (33 U.S.C. 2340(a)) is amended by adding at the end the following: “This subsection shall apply without regard to whether the original partnership agreement was entered into before, on, or after the date of enactment of this subsection.”.

(e) *IN-KIND CREDIT.*—Section 221(a)(4)(C) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)(C)) is amended by striking “In any case” and all that follows through the period at the end and inserting the following:

“(i) *CONSTRUCTION.*—

“(I) *IN GENERAL.*—In any case in which the non-Federal interest is to receive credit under subparagraph (A) for the cost of construction carried out by the non-Federal interest before execution of a partnership agreement and that construction has not been carried out as of the date of enactment of this clause, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work and shall do so prior to the non-Federal interest initiating construction or issuing a written notice to proceed for the construction.

“(II) *ELIGIBILITY.*—Construction that is carried out after the execution of an agreement under subclause (I) and any design activities that are required for that construction, even if the design activity is carried out prior to the execution of the agreement, shall be eligible for credit.

“(ii) *PLANNING.*—

“(I) IN GENERAL.—In any case in which the non-Federal interest is to receive credit under subparagraph (A) for the cost of planning carried out by the non-Federal interest before execution of a feasibility cost sharing agreement, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such planning and shall do so prior to the non-Federal interest initiating that planning.

“(II) ELIGIBILITY.—Planning that is carried out by the non-Federal interest after the execution of an agreement under subclause (I) shall be eligible for credit.”

**SEC. 115. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.**

(a) IN GENERAL.—The Secretary shall establish a pilot program to evaluate the cost effectiveness and project delivery efficiency of allowing non-Federal interests to carry out authorized water resources development projects for coastal harbor improvement, channel improvement, inland navigation, flood damage reduction, aquatic ecosystem restoration, and hurricane and storm damage reduction.

(b) PURPOSES.—The purposes of the pilot program established under subsection (a) are—

(1) to identify cost-saving project delivery alternatives that reduce the backlog of authorized Corps of Engineers projects; and

(2) to evaluate the technical, financial, and organizational benefits of allowing a non-Federal interest to carry out and manage the design or construction (or both) of 1 or more of such projects.

(c) SUBSEQUENT APPROPRIATIONS.—Any activity undertaken under this section is authorized only to the extent specifically provided for in subsequent appropriations Acts.

(d) ADMINISTRATION.—In carrying out the pilot program established under subsection (a), the Secretary shall—

(1) identify for inclusion in the program at least 15 projects that are authorized for construction for coastal harbor improvement, channel improvement, inland navigation, flood damage reduction, or hurricane and storm damage reduction;

(2) notify in writing the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of each project identified under paragraph (1);

(3) in consultation with the non-Federal interest associated with each project identified under paragraph (1), develop a detailed project management plan for the project that outlines the scope, financing, budget, design, and construction resource requirements necessary for the non-Federal interest to execute the project, or a separable element of the project;

(4) at the request of the non-Federal interest associated with each project identified under paragraph (1), enter into a project partnership agreement with the non-Federal interest under which the non-Federal interest is provided full project management control for the financing, design, or construction (or any combination thereof) of the project, or a separable element of the project, in accordance with plans approved by the Secretary;

(5) following execution of a project partnership agreement under paragraph (4) and completion of all work under the agreement, issue payment, in accordance with subsection (g), to the relevant non-Federal interest for that work; and

(6) regularly monitor and audit each project carried out under the program to ensure that all activities related to the project are carried out in compliance with plans approved by the Secretary and that construction costs are reasonable.

(e) SELECTION CRITERIA.—In identifying projects under subsection (d)(1), the Secretary shall consider the extent to which the project—

(1) is significant to the economy of the United States;

(2) leverages Federal investment by encouraging non-Federal contributions to the project;

(3) employs innovative project delivery and cost-saving methods;

(4) received Federal funds in the past and experienced delays or missed scheduled deadlines;

(5) has unobligated Corps of Engineers funding balances; and

(6) has not received Federal funding for recapitalization and modernization since the project was authorized.

(f) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into a project partnership agreement under subsection (d)(4), a non-Federal interest, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule for the relevant project, based on estimated funding levels, that specifies deadlines for each milestone with respect to the project.

(g) PAYMENT.—Payment to the non-Federal interest for work completed pursuant to a project partnership agreement under subsection (d)(4) may be made from—

(1) if applicable, the balance of the unobligated amounts appropriated for the project;

(2) other amounts appropriated to the Corps of Engineers, except that the total amount transferred to the non-Federal interest may not exceed the estimate of the Federal share of the cost of construction, including any required design; and

(3) revenue generated by the project.

(h) TECHNICAL ASSISTANCE.—At the request of a non-Federal interest participating in the pilot program established under subsection (a), the Secretary may provide to the non-Federal interest, if the non-Federal interest contracts with and compensates the Secretary, technical assistance with respect to—

(1) a study, engineering activity, or design activity related to a project carried out by the non-Federal interest under the program; and

(2) obtaining permits necessary for such a project.

(i) IDENTIFICATION OF IMPEDIMENTS.—

(1) IN GENERAL.—The Secretary shall—

(A) except as provided in paragraph (2), identify any procedural requirements under the authority of the Secretary that impede greater use of public-private partnerships and private investment in water resources development projects;

(B) develop and implement, on a project-by-project basis, procedures and approaches that—

(i) address such impediments; and

(ii) protect the public interest and any public investment in water resources development projects that involve public-private partnerships or private investment in water resources development projects; and

(C) not later than 1 year after the date of enactment of this section, issue rules to carry out the procedures and approaches developed under subparagraph (B).

(2) RULE OF CONSTRUCTION.—Nothing in this section may be construed to allow the Secretary to waive any requirement under—

(A) sections 3141 through 3148 and sections 3701 through 3708 of title 40, United States Code;

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(C) any other provision of Federal law.

(j) PUBLIC BENEFIT STUDIES.—

(1) IN GENERAL.—Before entering into a project partnership agreement under subsection (d)(4), the Secretary shall conduct an assessment of whether, and provide justification in writing to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate that, the proposed agreement provides better public and financial benefits than a similar transaction using public funding or financing.

(2) REQUIREMENTS.—An assessment under paragraph (1) shall—

(A) be completed in a period of not more than 90 days;

(B) take into consideration any supporting materials and data submitted by the relevant non-Federal interest and other stakeholders; and

(C) determine whether the proposed project partnership agreement is in the public interest by determining whether the agreement will provide public and financial benefits, including expedited project delivery and savings for taxpayers.

(k) NON-FEDERAL FUNDING.—A project carried out under the pilot program established under subsection (a) may consist of the non-Federal interest financing the non-Federal share of the project.

(l) APPLICABILITY OF FEDERAL LAW.—Any provision of Federal law that would apply to the Secretary if the Secretary were carrying out a project shall apply to a non-Federal interest carrying out a project under this section.

(m) COST SHARE.—Nothing in this section affects a cost-sharing requirement under Federal law that is applicable to a project carried out under the pilot program established under subsection (a).

(n) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the results of the pilot program established under subsection (a), including any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis.

(o) NON-FEDERAL INTEREST DEFINED.—In this section, the term “non-Federal interest” includes non-Federal government entities and private entities.

**SEC. 116. ANNUAL REPORT TO CONGRESS.**

(a) IN GENERAL.—Not later than February 1 of each year, the Secretary shall develop and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate an annual report, to be entitled “Report to Congress on Future Water Resources Development”, that identifies the following:

(1) FEASIBILITY REPORTS.—Each feasibility report that meets the criteria established in subsection (c)(1)(A).

(2) PROPOSED FEASIBILITY STUDIES.—Any proposed feasibility study submitted to the Secretary by a non-Federal interest pursuant to subsection (b) that meets the criteria established in subsection (c)(1)(A).

(3) PROPOSED MODIFICATIONS.—Any proposed modification to an authorized water resources development project or feasibility study that meets the criteria established in subsection (c)(1)(A) that—

(A) is submitted to the Secretary by a non-Federal interest pursuant to subsection (b); or

(B) is identified by the Secretary for authorization.

(b) REQUESTS FOR PROPOSALS.—

(1) PUBLICATION.—Not later than May 1 of each year, the Secretary shall publish in the Federal Register a notice requesting proposals from non-Federal interests for proposed feasibility studies and proposed modifications to authorized water resources development projects and feasibility studies to be included in the annual report.

(2) DEADLINE FOR REQUESTS.—The Secretary shall include in each notice required by this subsection a requirement that non-Federal interests submit to the Secretary any proposals described in paragraph (1) by not later than 120 days after the date of publication of the notice in the Federal Register in order for such proposals to be considered for inclusion in the annual report.

(3) NOTIFICATION.—On the date of publication of each notice required by this subsection, the Secretary shall—

(A) make the notice publicly available, including on the Internet; and

(B) provide written notification of such publication to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(c) CONTENTS.—

(1) FEASIBILITY REPORTS, PROPOSED FEASIBILITY STUDIES, AND PROPOSED MODIFICATIONS.—

(A) CRITERIA FOR INCLUSION IN REPORT.—The Secretary shall include in the annual report only those feasibility reports, proposed feasibility studies, and proposed modifications to authorized water resources development projects and feasibility studies that—

(i) are related to the missions and authorities of the Corps of Engineers;

(ii) require specific authorization by Congress in law or otherwise;

(iii) are not authorized by Congress;

(iv) have not been included in any previous annual report; and

(v) if authorized, could be carried out by the Corps of Engineers.

(B) DESCRIPTION OF BENEFITS.—For each proposed feasibility study and proposed modification to an authorized water resources development project or feasibility study included in the annual report, the Secretary shall describe the potential benefit of the proposed feasibility study or modification, including, to the extent applicable, whether the water resources development project that is the subject of the proposed feasibility study, or the proposed modification, will—

(i) reduce risks to human life or public safety or property;

(ii) benefit the national economy;

(iii) stimulate the creation of jobs;

(iv) reduce the need for future disaster relief;

(v) promote the development and delivery of domestic energy resources;

(vi) improve the competitiveness of United States exports;

(vii) improve water-related transportation for interstate or international commerce;

(viii) restore or protect, or mitigate the impacts of a water resources development project on, the environment; or

(ix) promote the use of cost-effective and sustainable solutions to water resources challenges.

(2) TRANSPARENCY.—The Secretary shall include in the annual report, for each feasibility report, proposed feasibility study, and proposed modification to an authorized water resources development project or feasibility study included under paragraph (1)(A)—

(A) the name of the associated non-Federal interest, including the name of any non-Federal interest that has contributed, or is expected to contribute, a non-Federal share of the cost of—

(i) the feasibility report;

(ii) the proposed feasibility study;

(iii) the authorized feasibility study for which the modification is proposed; or

(iv) construction of—

(I) the water resources development project that is the subject of—

(aa) the feasibility report;

(bb) the proposed feasibility study; or

(cc) the authorized feasibility study for which a modification is proposed; or

(II) the proposed modification to an authorized water resources development project;

(B) a letter or statement of support for the feasibility report, proposed feasibility study, or proposed modification to an authorized water resources development project or feasibility study from each associated non-Federal interest;

(C) the purpose of the feasibility report, proposed feasibility study, or proposed modification to an authorized water resources development project or feasibility study;

(D) an estimate of the Federal, non-Federal, and total costs of—

(i) the proposed feasibility study, or proposed modification to an authorized feasibility study; and

(ii) construction of—

(I) the water resources development project that is the subject of—

(aa) the feasibility report; or

(bb) the authorized feasibility study for which a modification is proposed, with respect to the change in costs resulting from such modification; or

(II) the proposed modification to an authorized water resources development project; and

(E) an estimate, to the extent practicable, of the monetary and nonmonetary benefits of—

(i) the water resources development project that is the subject of—

(I) the feasibility report;

(II) the proposed feasibility study; or

(III) the authorized feasibility study for which a modification is proposed, with respect to the benefits of such modification; or

(ii) the proposed modification to an authorized water resources development project.

(3) CERTIFICATION.—The Secretary shall include in the annual report a certification stating that each feasibility report, proposed feasibility study, and proposed modification to an authorized water resources development project or feasibility study included in the annual report meets the criteria in paragraph (1)(A).

(4) APPENDIX.—The Secretary shall include in the annual report an appendix listing the proposals submitted under subsection (b) that were not included in the annual report under paragraph (1)(A) and a description of why the Secretary determined that those proposals did not meet the criteria for inclusion under such paragraph.

(d) SPECIAL RULE FOR INITIAL ANNUAL REPORT.—Notwithstanding any other deadlines required by this section, the Secretary shall—

(1) not later than 30 days after the date of enactment of this Act, publish in the Federal Register a notice required by subsection (b)(1);

(2) include in such notice a requirement that non-Federal interests submit to the Secretary any proposals described in subsection (b)(1) by not later than 90 days after the date of publication of such notice in the Federal Register in order for such proposals to be considered for inclusion in the first annual report developed by the Secretary under this section; and

(3) not later than 180 days after the date of enactment of this Act, submit an annual report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(e) PUBLICATION.—Upon submission of the annual report to Congress, the Secretary shall make the annual report publicly available, including through publication on the Internet.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) ANNUAL REPORT.—The term “annual report” means the report required by subsection (a).

(2) FEASIBILITY REPORT.—The term “feasibility report” means a final feasibility report developed under section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282), and includes—

(A) a report described in section 105(d)(2) of such Act (33 U.S.C. 2215(d)(2)); and

(B) where applicable, any associated report of the Chief of Engineers.

(3) FEASIBILITY STUDY.—The term “feasibility study” has the meaning given that term in section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215).

(4) NON-FEDERAL INTEREST.—The term “non-Federal interest” has the meaning given that term in section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b).

**SEC. 117. ACTIONS TO BE TAKEN IN CONJUNCTION WITH THE PRESIDENT'S ANNUAL BUDGET SUBMISSION TO CONGRESS.**

(a) RECOMMENDATIONS FOR CORPS OF ENGINEERS CONSTRUCTION PROJECTS IN PRESIDENT'S BUDGET.—

(1) IN GENERAL.—For each fiscal year, as part of the President's annual budget submission to Congress under section 1105(a) of title 31, United States Code, the President shall—

(A) identify and recommend Corps of Engineers construction projects for which Congress should provide funding at the full level authorized for the project; and

(B) provide an explanation of the process used by the President in making the recommendations.

(2) COVERED PERIOD.—The President shall make recommendations under paragraph (1) for the fiscal year for which the budget submission is prepared and each of the succeeding 4 fiscal years.

(3) BASIS FOR MAKING RECOMMENDATIONS.—The President shall base recommendations under paragraph (1) on the assumption that \$2,000,000,000 will be appropriated for Corps of Engineers construction projects for each fiscal year.

(b) MISSOURI RIVER BASIN.—To assist in the prioritization of Federal activities carried out related to the project for mitigation of fish and wildlife losses, Missouri River Bank Stabilization and Navigation Project, Missouri, Kansas, Iowa, and Nebraska, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143), and in conjunction with the President's submission to Congress of a budget under section 1105(a) of title 31, United States Code, the Secretary shall submit to Congress a report that provides—

(1) an inventory of all Federal actions taken and a prioritization of all Federal actions planned in furtherance of the project, including an inventory of lands owned, acquired, or directly controlled by the Federal Government, and lands enrolled in federally assisted conservation programs;

(2) a description of the specific Federal actions proposed for the upcoming fiscal year in furtherance of the project;

(3) an assessment of the progress made in furtherance of the project, including a description of how each of the actions identified under paragraph (1) have impacted such progress; and

(4) an assessment of additional actions necessary to achieve the results of the project.

**SEC. 118. HURRICANE AND STORM DAMAGE REDUCTION STUDY.**

As part of the study for flood and storm damage reduction related to natural disasters to be carried out by the Secretary under title II of division A of the Disaster Relief Appropriations Act, 2013, under the heading “Department of the Army—Corps of Engineers—Civil—Investigations” (127 Stat. 5), the Secretary shall make specific project recommendations. The Secretary may include those recommendations in the report entitled “Report to Congress on Future Water Resources Development”, developed in accordance with this Act.

**SEC. 119. NON-FEDERAL PLANS TO PROVIDE ADDITIONAL FLOOD RISK REDUCTION.**

(a) IN GENERAL.—If requested by a non-Federal interest, the Secretary shall carry out a locally preferred plan that provides a higher level of protection than a flood risk management project authorized under this Act if the Secretary determines that—

(1) the plan is technically feasible and environmentally acceptable; and

(2) the benefits of the plan exceed the costs of the plan.

(b) NON-FEDERAL COSTS.—If the Secretary carries out a locally preferred plan under subsection (a), the cost attributable to the higher level of protection provided under the plan shall be paid by the non-Federal interest.

**SEC. 120. REVIEW OF EMERGENCY RESPONSE AUTHORITIES.**

(a) IN GENERAL.—The Secretary shall undertake a review of implementation of section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and

harbors for flood control, and for other purposes", approved August 18, 1941 (33 U.S.C. 701n), to evaluate the alternatives available to the Secretary to ensure—

(1) the safety of affected communities to future flooding and storm events;

(2) the resiliency of water resources development projects to future flooding and storm events;

(3) the long-term cost effectiveness of water resources development projects that provide flood control and hurricane and storm damage reduction benefits; and

(4) the policy goals and objectives that have been outlined by the President as a response to recent extreme weather events, including Hurricane Sandy, that relate to preparing for future floods are met.

(b) SCOPE OF REVIEW.—In carrying out the review, the Secretary shall—

(1) review the historical precedents and implementation of section 5 of such Act, including those actions undertaken by the Secretary, over time, under that section—

(A) to repair or restore a project; and

(B) to increase the level of protection for a damaged project to address future conditions;

(2) evaluate the difference between adopting, as an appropriate standard under section 5 of such Act, the repair or restoration of a project to pre-flood or pre-storm levels and the repair or restoration of a project to a design level of protection, including an assessment for each standard of—

(A) the implications on populations at risk of flooding or damage;

(B) the implications on probability of loss of life;

(C) the implications on property values at risk of flooding or damage;

(D) the implications on probability of increased property damage and associated costs;

(E) the implications on local and regional economies; and

(F) the estimated total cost and estimated cost savings;

(3) incorporate the science on expected rates of sea-level rise and extreme weather events; and

(4) incorporate the work completed by the Hurricane Sandy Rebuilding Task Force, established by Executive Order 13632 (December 7, 2012).

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the review.

#### SEC. 121. EMERGENCY COMMUNICATION OF RISK.

(a) IN GENERAL.—In any river basin where the Secretary carries out flood risk management activities subject to an annual operating plan, the Secretary shall establish procedures for providing the public and affected governments, including Indian tribes, in the river basin with—

(1) timely information regarding expected water levels;

(2) advice regarding appropriate preparedness actions;

(3) technical assistance; and

(4) any other information or assistance determined appropriate by the Secretary.

(b) PROCEDURES.—The Secretary shall utilize the procedures only when precipitation or runoff exceeds those calculations considered as the lowest risk to life and property contemplated by the annual operating plan.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) AFFECTED GOVERNMENT.—The term "affected government" means a State, local, or tribal government with jurisdiction over an area that will be affected by a flood.

(2) ANNUAL OPERATING PLAN.—The term "annual operating plan" means a plan prepared by

the Secretary that describes potential water conservation scenarios for a river basin for a year.

#### SEC. 122. IMPROVEMENTS TO THE NATIONAL DAM SAFETY PROGRAM ACT.

(a) ADMINISTRATOR.—

(1) IN GENERAL.—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by striking "Director" each place it appears and inserting "Administrator".

(2) CONFORMING AMENDMENT.—Section 2(3) of such Act (33 U.S.C. 467(3)) is amended in the paragraph heading by striking "DIRECTOR" and inserting "ADMINISTRATOR".

(b) INSPECTION OF DAMS.—Section 3(b)(1) of such Act (33 U.S.C. 467a(b)(1)) is amended by striking "or maintenance" and inserting "maintenance, condition, or provision for emergency operations".

(c) NATIONAL DAM SAFETY PROGRAM.—

(1) OBJECTIVES.—Section 8(c)(4) of such Act (33 U.S.C. 467f(c)(4)) is amended to read as follows:

"(4) develop and implement a comprehensive dam safety hazard education and public awareness initiative to assist the public in mitigating against, preparing for, responding to, and recovering from dam incidents;"

(2) BOARD.—Section 8(f)(4) of such Act (33 U.S.C. 467f(f)(4)) is amended by inserting ", representatives from nongovernmental organizations," after "State agencies".

#### SEC. 123. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

Section 2 of the Freedom of Fish Act (Public Law 113-13; 127 Stat. 449) is amended—

(1) in subsection (b)(1) by striking "until the date that is 2 years after the date of enactment of this Act";

(2) in the heading of subsection (c) by inserting "OR MODIFIED" after "NEW"; and

(3) in subsection (c)—

(A) in matter preceding paragraph (1) by inserting "new or modified" after "establishes any"; and

(B) in paragraph (3) by striking "until the date that is 2 years after the date of enactment of this Act" and inserting "until the Secretary has complied with the provisions of this subsection".

#### SEC. 124. LEVEE SAFETY.

Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16) is amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following:

"(e) LEVEE SAFETY.—

"(1) IN GENERAL.—At the request of a State or political subdivision thereof, and in consultation with that State and appropriate non-Federal interests, the Secretary may provide technical assistance to a State to—

"(A) encourage effective State or local programs intended to ensure levee safety to protect human life and property;

"(B) assist the State or political subdivision in establishing and carrying out a levee safety program; or

"(C) improve an existing State or local levee safety program.

"(2) PURPOSES.—The purposes of technical assistance provided under this subsection shall be—

"(A) to ensure that human lives and property that are protected by new and existing levees are safe;

"(B) to encourage the use of appropriate engineering policies and procedures for levee site investigation, design, construction, operation and maintenance, and emergency preparedness;

"(C) to encourage effective levee safety programs in a State;

"(D) to develop and support public education and awareness projects to increase public acceptance and support of levee safety programs;

"(E) to build public awareness of the residual risks associated with living in levee protected areas; and

"(F) to develop technical assistance materials, seminars, and guidelines to improve the security of levees in the United States.

"(3) FEDERAL GUIDELINES.—

"(A) IN GENERAL.—In carrying out this subsection, the Secretary, in consultation with States and non-Federal interests, shall establish Federal guidelines relating to levee safety.

"(B) INCORPORATION OF FEDERAL ACTIVITIES.—The guidelines established under subparagraph (A) shall encompass, to the maximum extent practicable, activities and practices carried out by appropriate Federal agencies.

"(C) INCORPORATION OF STATE AND LOCAL ACTIVITIES.—The guidelines established under subparagraph (A) shall encompass, to the maximum extent practicable—

"(i) the activities and practices carried out by States, local governments, and the private sector to safely build, regulate, operate, and maintain levees; and

"(ii) Federal activities that facilitate State efforts to develop and implement effective State programs for the safety of levees, including levee inspection, levee rehabilitation, locally developed flood plain management, and public education and training programs.

"(D) REVIEW.—The Secretary shall allow States and non-Federal interests, including appropriate stakeholders, to review and comment on the guidelines established under subparagraph (A) before the guidelines are made final.

"(4) ASSISTANCE FOR STATE LEVEE SAFETY PROGRAMS.—

"(A) ELIGIBILITY.—To be eligible for technical assistance under this subsection, a State shall—

"(i) be in the process of establishing or have in effect a State levee safety program under which a State levee safety agency, in accordance with State law, carries out the guidelines established under paragraph (3); and

"(ii) allocate sufficient funds in the budget of that State to carry out such State levee safety program.

"(B) WORK PLANS.—The Secretary shall enter into an agreement with each State receiving technical assistance under this subsection to develop a work plan necessary for the State levee safety program of that State to reach a level of program performance that meets the guidelines established under paragraph (3).

"(C) INSPECTION PROGRAMS.—The Secretary shall work with States receiving technical assistance under this subsection to develop State technical guidelines for levee inspection programs that—

"(i) address hazard classifications and technically based frameworks for levee assessment; and

"(ii) are incorporated into State levee safety programs.

"(D) MAINTENANCE OF EFFORT.—Technical assistance may not be provided to a State under this subsection during a fiscal year unless the State enters into an agreement with the Secretary to ensure that the State will maintain during that fiscal year aggregate expenditures for programs to ensure levee safety that are at or above the average annual level of such expenditures for the State for the 2 fiscal years preceding that fiscal year."

#### SEC. 125. VEGETATION ON LEVEES.

(a) REVIEW.—The Secretary of the Army, in accordance with subsection (c), shall undertake a comprehensive review of the Corps of Engineers policy guidelines on vegetation management for levees (in this section referred to as the "guidelines"). The Secretary shall commence the review upon the date of enactment of this Act.

(b) FACTORS.—

(1) IN GENERAL.—In conducting the review, the Secretary shall examine the guidelines in view of—

(A) the varied interests and responsibilities in managing flood risks, including the need to provide the greatest levee safety benefit with limited resources;

(B) preserving, protecting, and enhancing natural resources, including the potential benefit that vegetation on levees can have in providing habitat for species of concern;

(C) protecting the rights of Indian tribes pursuant to treaties and statutes;

(D) determining how vegetation impacts the performance of a levee or levee system during a storm or flood event; and

(E) such other factors as the Secretary considers appropriate.

(2) REGIONAL AND WATERSHED CONSIDERATIONS.—In conducting the review, the Secretary shall specifically consider factors that promote and allow for consideration of potential variances from national guidelines on a regional or watershed basis. Such factors may include regional or watershed soil conditions, hydrologic factors, vegetation patterns and characteristics, environmental resources, levee performance history, institutional considerations, and other relevant factors. The scope of a variance approved by the Secretary may include an exemption to national guidelines where appropriate.

(c) COOPERATION AND RECOMMENDATIONS.—

(1) IN GENERAL.—The review shall be undertaken in cooperation with interested Federal agencies and in consultation with interested representatives of State and local governments, Indian tribes, appropriate nongovernmental organizations, and the public.

(2) RECOMMENDATIONS.—Corps of Engineers Regional Integration Teams, representing districts, divisions, and headquarters, in consultation with State and Federal resources agencies, and with participation by local agencies, shall recommend to the Secretary vegetation management policies for levees that conform with State and Federal laws and other applicable requirements.

(d) REVISION OF GUIDELINES.—

(1) IN GENERAL.—During the 1-year period beginning on the date of enactment of this Act, the Secretary shall—

(A) provide the public 30 days to review and comment on the guidelines;

(B) revise the guidelines based on consideration of the results of the public review; and

(C) submit to Congress a report that contains a summary of the activities of the Secretary and a description of the findings of the Secretary under this section.

(2) CONTENT; INCORPORATION INTO MANUAL.—The revised guidelines shall—

(A) provide a practical process for approving regional or watershed variances from the national guidelines, reflecting due consideration of measures to maximize public safety benefits with limited resources, levee performance, regional climatic and hydrologic variations, environmental quality, implementation challenges, and allocation of responsibilities; and

(B) be incorporated into the manual proposed under section 5(c) of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved August 18, 1941 (33 U.S.C. 701n(c)).

(e) CONTINUATION OF WORK.—Concurrent with completion of the requirements of this section, the Secretary shall proceed without interruption or delay with those ongoing or programmed projects and studies, or elements of projects or studies, that are not directly related to vegetation variance policy.

#### SEC. 126. REDUCTION OF FEDERAL COSTS.

Section 204(a) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(a)) is amended by adding at the end the following:

“(4) REDUCING COSTS.—To reduce or avoid Federal costs, the Secretary shall consider the beneficial use of dredged material in a manner that contributes to the maintenance of sediment resources in the nearby coastal system.”.

#### SEC. 127. ADVANCED MODELING TECHNOLOGIES.

(a) IN GENERAL.—To the greatest extent practicable, the Secretary shall encourage and incorporate advanced modeling technologies, including 3-dimensional digital modeling, for activities related to water resources development projects and studies.

(b) ACTIVITIES.—In carrying out subsection (a), the Secretary, to the greatest extent practicable, shall—

(1) compile information related to advanced modeling technologies, including industry best practices with respect to the use of the technologies;

(2) disseminate to non-Federal interests the information described in paragraph (1); and

(3) promote the use of advanced modeling technologies.

(c) ADVANCED MODELING TECHNOLOGY DEFINED.—In this section, the term “advanced modeling technology” means an available or developing technology, including 3-dimensional digital modeling, that can expedite project delivery for or improve the evaluation of water resources development projects that receive Federal funding by—

(1) accelerating and improving the environmental review process;

(2) increasing effective public participation;

(3) enhancing the detail and accuracy of project designs;

(4) increasing safety;

(5) accelerating construction and reducing construction costs; or

(6) otherwise achieving such purposes.

#### SEC. 128. ENHANCED USE OF ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the Secretary’s actions to carry out section 2301 of title 41, United States Code, regarding the use of electronic commerce in Federal procurement.

(b) CONTENTS.—The report submitted under subsection (a) shall include, with respect to the 2 fiscal years most recently ended before the fiscal year in which the report is submitted—

(1) an identification of the number, type, and dollar value of procurement solicitations with respect to which the public was permitted to respond to the solicitation electronically, which shall differentiate between solicitations that allowed full or partial electronic submission;

(2) an analysis of the information provided under paragraph (1) and actions that could be taken by the Secretary to refine and improve the use of electronic submission for procurement solicitation responses;

(3) an analysis of the potential benefits of and obstacles to implementing fuller use of electronic submission for procurement solicitation responses, including with respect to cost savings, error reduction, paperwork reduction, increased bidder participation, and competition, and expanded use of electronic bid data collection for cost-effective contract management and timely reporting; and

(4) an analysis of the options and technologies available to facilitate expanded implementation of electronic submission for procurement solicitation responses and the suitability of each option and technology for contracts of various types and sizes.

#### SEC. 129. CORROSION PREVENTION.

(a) IN GENERAL.—To the greatest extent practicable, the Secretary shall encourage and incorporate corrosion prevention activities at water resources development projects.

(b) ACTIVITIES.—In carrying out subsection (a), the Secretary, to the greatest extent practicable, shall ensure that contractors performing work for water resources development projects—

(1) use best practices to carry out corrosion prevention activities in the field;

(2) use industry recognized standards and corrosion mitigation and prevention methods when—

(A) determining protective coatings;

(B) selecting materials; and

(C) determining methods of cathodic protection, design, and engineering for corrosion prevention;

(3) use certified coating application specialists and cathodic protection technicians and engineers;

(4) use best practices in environmental protection to prevent environmental degradation, and to ensure careful handling of all hazardous materials;

(5) demonstrate a history of employing industry-certified inspectors to ensure adherence to best practices and standards; and

(6) demonstrate a history of compliance with applicable requirements of the Occupational Safety and Health Administration.

(c) CORROSION PREVENTION ACTIVITIES DEFINED.—In this section, the term “corrosion prevention activities” means—

(1) the application and inspection of protective coatings for complex work involving steel and cementitious structures, including structures that will be exposed in immersion;

(2) the installation, testing, and inspection of cathodic protection systems; and

(3) any other activities related to corrosion prevention the Secretary determines appropriate.

#### SEC. 130. RESILIENT CONSTRUCTION AND USE OF INNOVATIVE MATERIALS.

The Secretary, to the extent practicable, shall encourage the use of durable, resilient, and sustainable materials and practices, including the use of geosynthetic materials, advanced composites, and innovative technologies, in carrying out the activities of the Corps of Engineers.

#### SEC. 131. ASSESSMENT OF WATER SUPPLY IN ARID REGIONS.

(a) IN GENERAL.—The Secretary shall conduct an assessment of the management practices, priorities, and authorized purposes at Corps of Engineers reservoirs in arid regions to determine the effects of such practices, priorities, and purposes on water supply during periods of drought.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the assessment.

#### SEC. 132. RIVER BASIN COMMISSIONS.

Section 5019 of the Water Resources Development Act of 2007 (121 Stat. 1201) is amended by adding at the end the following:

“(f) REPORT.—After each fiscal year, if the Secretary did not allocate funds in accordance with subsection (b), the Secretary, in conjunction with the President’s next submission to Congress of a budget under section 1105(a) of title 31, United States Code, shall submit to Congress a report that describes—

“(1) the reasons why the Secretary did not allocate funds in accordance with subsection (b) during that fiscal year; and

“(2) the impact, on the jurisdiction of each Commission specified in subsection (b), of not allocating the funds, including with respect to—

“(A) water supply allocation;

“(B) water quality protection;

“(C) regulatory review and permitting;

“(D) water conservation;

“(E) watershed planning;

“(F) drought management;

“(G) flood loss reduction;

“(H) recreation; and

“(I) energy development.”.

#### SEC. 133. SENSE OF CONGRESS REGARDING WATER RESOURCES DEVELOPMENT BILLS.

(a) FINDINGS.—Congress finds the following:

(1) Between 1986 and 2000, a water resources development bill was typically enacted every 2 years.

(2) Since 2000, only 1 water resources development bill has been enacted.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, because the missions of the Corps of Engineers are unique and benefit all individuals in the United States and because water resources development projects are critical to

maintaining economic prosperity, national security, and environmental protection, Congress should consider a water resources development bill not less than once every Congress.

**SEC. 134. DONALD G. WALDON LOCK AND DAM.**

It is the sense of Congress that, at an appropriate time and in accordance with the rules of the House of Representatives and the Senate, to recognize the contributions of Donald G. Waldon, whose selfless determination and tireless work, while serving as administrator of the Tennessee-Tombigbee Waterway for 21 years, contributed greatly to the realization and success of the Tennessee-Tombigbee Waterway Development Compact, that the lock and dam located at mile 357.5 on the Tennessee-Tombigbee Waterway should be known and designated as the "Donald G. Waldon Lock and Dam".

**SEC. 135. AQUATIC INVASIVE SPECIES.**

Section 104(a) of the River and Harbor Act of 1958 (33 U.S.C. 610(a)) is amended by inserting "and aquatic invasive species" after "noxious aquatic plant growths".

**SEC. 136. RECREATIONAL ACCESS.**

(a) IN GENERAL.—The Secretary may not prohibit the use of a floating cabin on waters under the jurisdiction of the Secretary if—

(1) the floating cabin is in compliance regulations for recreational vessels issued under chapter 43 of title 46, United States Code, and section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322); and

(2) the Secretary has authorized the use of recreational vessels on such waters.

(b) FLOATING CABIN DEFINED.—In this section, the term "floating cabin" means a vessel, as defined in section 3 of title 1, United States Code, with overnight accommodations.

**SEC. 137. TERRITORIES OF THE UNITED STATES.**

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) by striking "The Secretary shall waive" and inserting "(a) IN GENERAL.—The Secretary shall waive"; and

(2) by adding at the end the following:

"(b) INFLATION ADJUSTMENT.—The Secretary shall adjust the dollar amount specified in subsection (a) for inflation for the period beginning on November 17, 1986, and ending on the date of enactment of this subsection."

**SEC. 138. SENSE OF CONGRESS REGARDING INTERSTATE WATER AGREEMENTS AND COMPACTS.**

(a) FINDINGS.—Congress finds the following:

(1) States and local interests have primary responsibility for developing water supplies for domestic, municipal, industrial, and other purposes.

(2) The Federal Government cooperates with States and local interests in developing water supplies through the construction, maintenance, and operation of Federal water resources development projects.

(3) Interstate water disputes are most properly addressed through interstate water agreements or compacts that take into consideration the concerns of all affected States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress and the Secretary should urge States to reach agreement on interstate water agreements and compacts;

(2) at the request of the Governor of a State, the Secretary should facilitate and assist in the development of an interstate water agreement or compact;

(3) Congress should provide prompt consideration of interstate water agreements and compacts; and

(4) the Secretary should adopt policies and implement procedures for the operation of reservoirs of the Corps of Engineers that are consistent with interstate water agreements and compacts.

**TITLE II—NAVIGATION IMPROVEMENTS**

**Subtitle A—Ports**

**SEC. 201. EXPANDED USE OF HARBOR MAINTENANCE TRUST FUND.**

(a) IN GENERAL.—For any fiscal year in which target appropriations described in subsection (b) are met, the Secretary may use up to 5 percent of the total amount made available to the Secretary from the Harbor Maintenance Trust Fund for the eligible operations and maintenance costs described in section 210(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(a)(2)) for that fiscal year for expanded uses of the Harbor Maintenance Trust Fund.

(b) TARGET APPROPRIATIONS.—For purposes of this section, target appropriations are met for a fiscal year if the total amount made available to the Secretary from the Harbor Maintenance Trust Fund for that fiscal year equals or exceeds, as determined by the Secretary, the following:

(1) For fiscal year 2014, 65 percent of the total amount of harbor maintenance taxes received in fiscal year 2013.

(2) For fiscal year 2015, 67 percent of the total amount of harbor maintenance taxes received in fiscal year 2014.

(3) For fiscal year 2016, 69 percent of the total amount of harbor maintenance taxes received in fiscal year 2015.

(4) For fiscal year 2017, 71 percent of the total amount of harbor maintenance taxes received in fiscal year 2016.

(5) For fiscal year 2018, 73 percent of the total amount of harbor maintenance taxes received in fiscal year 2017.

(6) For fiscal year 2019, 75 percent of the total amount of harbor maintenance taxes received in fiscal year 2018.

(7) For fiscal year 2020, and each fiscal year thereafter, 80 percent of total amount of harbor maintenance taxes received in the previous fiscal year.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) ELIGIBLE HARBORS AND INLAND HARBORS DEFINED.—The term "eligible harbor or inland harbor" means a harbor or inland harbor that, historically, as determined by the Secretary—

(A) generates an amount of harbor maintenance taxes; that exceeds

(B) the value of work carried out for the harbor or inland harbor using amounts from the Harbor Maintenance Trust Fund.

(2) EXPANDED USES.—The term "expanded uses" means the following activities performed for an eligible harbor or inland harbor:

(A) The maintenance dredging of a berth in a harbor that is accessible to a Federal navigation project and that benefits commercial navigation at the harbor.

(B) The maintenance dredging and disposal of legacy-contaminated sediment, and sediment unsuitable for open water disposal, if—

(i) such dredging and disposal benefits commercial navigation at the harbor; and

(ii) such sediment—

(I) is located in and affects the maintenance of a Federal navigation project; or

(II) is located in a berth that is accessible to a Federal navigation project.

(3) TOTAL AMOUNT OF HARBOR MAINTENANCE TAXES RECEIVED.—The term "total amount of harbor maintenance taxes received" means, with respect to a fiscal year, the aggregate of amounts appropriated, transferred, or credited to the Harbor Maintenance Trust Fund under section 9505(a) of the Internal Revenue Code of 1986 for that fiscal year as set forth in the current year estimate provided in the President's budget request for the subsequent fiscal year, submitted pursuant to section 1105 of title 31, United States Code.

(d) CONFORMING AMENDMENT.—Section 9505(c)(1) of the Internal Revenue Code of 1986 is amended by striking "(as in effect on the date

of the enactment of the Water Resources Development Act of 1996)".

(e) SENSE OF CONGRESS.—It is the sense of Congress that any increase in harbor maintenance programs described in this section shall result from an overall increase in appropriations for the civil works program of the Corps of Engineers and not from similar reductions in the appropriations for other programs, projects, and activities carried out by the Corps of Engineers for other authorized purposes.

**SEC. 202. ASSESSMENT AND PRIORITIZATION OF OPERATION AND MAINTENANCE.**

(a) ASSESSMENT.—Section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238) is amended by adding at the end the following:

"(c) ASSESSMENT OF OPERATION AND MAINTENANCE NEEDS.—

"(1) IN GENERAL.—Not later than 90 days after the date of enactment of this subsection, and biennially thereafter, the Secretary shall assess the operation and maintenance needs of the harbors referred to in subsection (a)(2).

"(2) TYPES OF HARBORS.—In carrying out paragraph (1), the Secretary shall assess the operation and maintenance needs of the harbors used for—

"(A) commercial navigation;

"(B) commercial fishing;

"(C) subsistence, including utilization by Indian tribes (as such term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) for subsistence and ceremonial purposes;

"(D) use as a harbor of refuge;

"(E) transportation of persons;

"(F) purposes relating to domestic energy production, including the fabrication, servicing, or supply of domestic offshore energy production facilities;

"(G) activities of the Secretary of the department in which the Coast Guard is operating;

"(H) public health and safety related equipment for responding to coastal and inland emergencies;

"(I) recreation purposes; and

"(J) any other authorized purpose.

"(3) REPORT TO CONGRESS.—For fiscal year 2015, and biennially thereafter, in conjunction with the President's annual budget submission to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that, with respect to harbors referred to in subsection (a)(2)—

"(A) identifies the operation and maintenance costs associated with the harbors, including those costs required to achieve and maintain the authorized length, width, and depth for the harbors, on a project-by-project basis;

"(B) identifies the amount of funding requested in the President's budget for the operation and maintenance costs associated with the harbors, on a project-by-project basis;

"(C) identifies the unmet operation and maintenance needs associated with the harbors, on a project-by-project basis; and

"(D) identifies the harbors for which the President will allocate funding over the next 5 fiscal years for operation and maintenance activities, on a project-by-project basis, including the amounts to be allocated for such purposes."

(b) OPERATION AND MAINTENANCE OF EMERGING HARBOR PROJECTS.—Section 210 of such Act (33 U.S.C. 2238) is further amended by adding at the end the following:

"(d) OPERATION AND MAINTENANCE OF EMERGING HARBOR PROJECTS.—

"(1) IN GENERAL.—To the maximum extent practicable, the Secretary shall make expenditures to pay for operation and maintenance costs of the harbors referred to in subsection (a)(2), including expenditures of funds appropriated from the Harbor Maintenance Trust Fund, based on an equitable allocation of funds among all such harbors, regardless of the size or tonnage throughput of the harbor.

“(2) **CRITERIA.**—In determining the equitable allocation of funds under paragraph (1), the Secretary shall—

“(A) utilize the information obtained in the assessment conducted under subsection (c);

“(B) consider the national and regional significance of harbor operation and maintenance; and

“(C) not make such allocation based solely on the tonnage transiting through a harbor.

“(3) **EMERGING HARBORS.**—

“(A) **IN GENERAL.**—Notwithstanding paragraph (1), in making expenditures described in paragraph (1) for each of fiscal years 2015 and 2016, the Secretary shall allocate not less than 10 percent of the total amount of the expenditures to pay for operation and maintenance costs of emerging harbors.

“(B) **EMERGING HARBOR DEFINED.**—In this paragraph, the term ‘emerging harbor’ means a harbor referred to in subsection (a)(2) that transits less than 1,000,000 tons of commerce annually.

“(4) **EMERGENCY EXPENDITURES.**—Nothing in this subsection may be construed to prohibit the Secretary from making an expenditure to pay for the operation and maintenance costs of a specific harbor, including the transfer of funding from the operation and maintenance of a separate project, if—

“(A) the Secretary determines that the action is necessary to address the navigation needs of a harbor where safe navigation has been severely restricted due to an unforeseen event; and

“(B) the Secretary provides advance notice and information on the need for the action to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate.

“(5) **MANAGEMENT OF GREAT LAKES NAVIGATION SYSTEM.**—To sustain effective and efficient operation and maintenance of the Great Lakes Navigation System, including any navigation feature in the Great Lakes that is a Federal responsibility with respect to operation and maintenance, the Secretary shall manage and allocate funding for all of the individually authorized projects in the Great Lakes Navigation System as components of a single, comprehensive system, recognizing the interdependence of the projects.”.

#### **SEC. 203. PRESERVING UNITED STATES HARBORS.**

(a) **IN GENERAL.**—The Secretary may enter into an agreement with a non-Federal interest, at the request of the non-Federal interest, under which the Secretary agrees to maintain a navigation project for a harbor or inland harbor (in this section referred to as a ‘federally authorized harbor’) in accordance with section 101(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)).

(b) **REPORT BY NON-FEDERAL INTEREST.**—

(1) **IN GENERAL.**—To be eligible to enter into an agreement under subsection (a) with respect to a federally authorized harbor, a non-Federal interest shall submit to the Secretary a report justifying economic investment in maintenance of the harbor.

(2) **JUSTIFICATION OF INVESTMENT.**—A report submitted under paragraph (1) may justify economic investment in the maintenance of a federally authorized harbor based on—

(A) projected economic benefits, including transportation savings and job creation; and

(B) other factors, including navigation safety, national security, and sustainability of subsistence harbors.

(3) **TERMINATION OF CERTAIN AGREEMENTS.**—An agreement entered into under subsection (a) with respect to a federally authorized harbor shall contain terms to allow the Secretary to terminate the agreement if the Secretary determines that Federal economic investment in maintaining the harbor is no longer justified.

(c) **LIMITATION ON STATUTORY CONSTRUCTION.**—Nothing in this section may be construed to preclude the operation and maintenance of a federally authorized harbor under section 101(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)).

#### **SEC. 204. CONSOLIDATION OF DEEP DRAFT NAVIGATION EXPERTISE.**

Section 2033(e) of the Water Resources Development Act of 2007 (33 U.S.C. 2282a(e)) is amended by adding at the end the following:

“(3) **DEEP DRAFT NAVIGATION PLANNING CENTER OF EXPERTISE.**—

“(A) **IN GENERAL.**—The Secretary shall consolidate deep draft navigation expertise within the Corps of Engineers into a deep draft navigation planning center of expertise.

“(B) **LIST.**—Not later than 60 days after the date of the consolidation required under subparagraph (A), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a list of personnel, including the grade levels and expertise of the personnel, assigned to the center described in subparagraph (A).”.

#### **SEC. 205. DISPOSAL SITES.**

(a) **IN GENERAL.**—The Secretary, in accordance with subsections (b) and (c) and with the concurrence of the Administrator of the Environmental Protection Agency, is authorized to reopen the Cape Arundel Disposal Site (in this section referred to as the ‘Site’) as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)).

(b) **DEADLINE.**—The Site may remain open under subsection (a) until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(c) **LIMITATIONS.**—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

#### **Subtitle B—Inland Waterways**

#### **SEC. 211. DEFINITIONS.**

In this subtitle, the following definitions apply:

(1) **INLAND WATERWAYS TRUST FUND.**—The term ‘Inland Waterways Trust Fund’ means the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

(2) **QUALIFYING PROJECT.**—The term ‘qualifying project’ means any construction or major rehabilitation project for navigation infrastructure of the inland and intracoastal waterways that is—

(A) authorized before, on, or after the date of enactment of this Act;

(B) not completed on the date of enactment of this Act; and

(C) funded at least in part from the Inland Waterways Trust Fund.

#### **SEC. 212. PROJECT DELIVERY PROCESS REFORMS.**

(a) **REQUIREMENTS FOR QUALIFYING PROJECTS.**—With respect to each qualifying project, the Secretary shall require—

(1) for each project manager, that—

(A) the project manager have formal project management training and certification; and

(B) the project manager be assigned from among personnel certified by the Chief of Engineers; and

(2) for an applicable cost estimation, that—

(A) the Secretary utilize a risk-based cost estimate with a confidence level of at least 80 percent; and

(B) the cost estimate be implemented—

(i) for a qualifying project that requires an increase in the authorized amount in accordance with section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), during the preparation of a post-authorization change report or other similar decision document;

(ii) for a qualifying project for which the first construction contract has not been awarded, prior to the award of the first construction contract;

(iii) for a qualifying project without a completed feasibility report in accordance with section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282), prior to the completion of such a report; and

(iv) for a qualifying project with a completed feasibility report in accordance with section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) that has not yet been authorized, during design for the qualifying project.

(b) **ADDITIONAL PROJECT DELIVERY PROCESS REFORMS.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(1) establish a system to identify and apply on a continuing basis best management practices from prior or ongoing qualifying projects to improve the likelihood of on-time and on-budget completion of qualifying projects;

(2) evaluate early contractor involvement acquisition procedures to improve on-time and on-budget project delivery performance; and

(3) implement any additional measures that the Secretary determines will achieve the purposes of this subtitle, including—

(A) the implementation of applicable practices and procedures developed pursuant to management by the Secretary of an applicable military construction program;

(B) the development and use of a portfolio of standard designs for inland navigation locks;

(C) the use of full-funding contracts or formulation of a revised continuing contracts clause; and

(D) the establishment of procedures for recommending new project construction starts using a capital projects business model.

(c) **PILOT PROJECTS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary may carry out pilot projects to evaluate processes and procedures for the study, design, and construction of qualifying projects.

(2) **INCLUSIONS.**—At a minimum, the Secretary shall carry out pilot projects under this subsection to evaluate—

(A) early contractor involvement in the development of features and components;

(B) an appropriate use of continuing contracts for the construction of features and components; and

(C) applicable principles, procedures, and processes used for military construction projects.

(d) **INLAND WATERWAYS USER BOARD.**—Section 302 of the Water Resources Development Act of 1986 (33 U.S.C. 2251) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) **DUTIES OF USERS BOARD.**—

“(1) **IN GENERAL.**—The Users Board shall meet not less frequently than semiannually to develop and make recommendations to the Secretary and Congress regarding the inland waterways and inland harbors of the United States.

“(2) **ADVICE AND RECOMMENDATIONS.**—For commercial navigation features and components of the inland waterways and inland harbors of the United States, the Users Board shall provide—

“(A) prior to the development of the budget proposal of the President for a given fiscal year, advice and recommendations to the Secretary regarding construction and rehabilitation priorities and spending levels;

“(B) advice and recommendations to Congress regarding any completed feasibility report in accordance with section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) relating to those features and components;

“(C) advice and recommendations to Congress regarding an increase in the authorized cost of those features and components;

“(D) not later than 60 days after the date of the submission of the budget proposal of the President to Congress, advice and recommendations to Congress regarding construction and rehabilitation priorities and spending levels; and

“(E) advice and recommendations on the development of a long-term capital investment program in accordance with subsection (d).

“(3) PROJECT DEVELOPMENT TEAMS.—The chairperson of the Users Board shall appoint a representative of the Users Board to serve as an informal advisor to the project development team for a qualifying project or the study or design of a commercial navigation feature or component of the inland waterways and inland harbors of the United States.

“(4) INDEPENDENT JUDGMENT.—Any advice or recommendation made by the Users Board to the Secretary shall reflect the independent judgment of the Users Board.”;

(2) by striking subsection (c) and inserting the following:

“(c) DUTIES OF SECRETARY.—The Secretary shall—

“(1) communicate not less than once each quarter to the Users Board the status of the study, design, or construction of all commercial navigation features or components of the inland waterways or inland harbors of the United States; and

“(2) submit to the Users Board a courtesy copy of all completed feasibility reports relating to a commercial navigation feature or component of the inland waterways or inland harbors of the United States.

“(d) CAPITAL INVESTMENT PROGRAM.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary, in coordination with the Users Board, shall develop and submit to Congress a report describing a 20-year program for making capital investments on the inland and intracoastal waterways based on the application of objective, national project selection prioritization criteria.

“(2) CONSIDERATION.—In developing the program under paragraph (1), the Secretary shall take into consideration the 20-year capital investment strategy contained in the Inland Marine Transportation System (IMTS) Capital Projects Business Model, Final Report published on April 13, 2010, as approved by the Users Board.

“(3) CRITERIA.—In developing the plan and prioritization criteria under paragraph (1), the Secretary shall ensure, to the maximum extent practicable, that investments made under the 20-year program described in paragraph (1)—

“(A) are made in all geographical areas of the inland waterways system; and

“(B) ensure efficient funding of inland waterways projects.

“(4) STRATEGIC REVIEW AND UPDATE.—Not later than 5 years after the date of enactment of this subsection, and not less frequently than once every 5 years thereafter, the Secretary, in coordination with the Users Board, shall—

“(A) submit to Congress a strategic review of the 20-year program in effect under this subsection, which shall identify and explain any changes to the project-specific recommendations contained in the previous 20-year program (including any changes to the prioritization criteria used to develop the updated recommendations); and

“(B) make revisions to the program, as appropriate.

“(e) PROJECT MANAGEMENT PLANS.—The chairperson of the Users Board and the project development team member appointed by the

chairperson under subsection (b)(3) may sign the project management plan for the qualifying project or the study or design of a commercial navigation feature or component of the inland waterways and inland harbors of the United States.

“(f) ADMINISTRATION.—The Users Board shall be subject to the Federal Advisory Committee Act, other than section 14, and, with the consent of the appropriate agency head, the Users Board may use the facilities and services of any Federal agency. For the purposes of complying with such Act, the members of the Users Board shall not be considered special Government employees (as defined in section 202 of title 18, United States Code). Non-Federal members of the Users Board while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.”.

#### SEC. 213. EFFICIENCY OF REVENUE COLLECTION.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare a report on the efficiency of collecting the fuel tax for the Inland Waterways Trust Fund, which shall include—

(1) an evaluation of whether current methods of collection of the fuel tax result in full compliance with requirements of the law;

(2) whether alternative methods of collection would result in increased revenues into the Inland Waterways Trust Fund; and

(3) an evaluation of alternative collection options.

#### SEC. 214. INLAND WATERWAYS REVENUE STUDIES.

(a) INLAND WATERWAYS CONSTRUCTION BONDS STUDY.—

(1) STUDY.—The Secretary, in coordination with the Secretary of the Treasury, shall conduct a study on the feasibility of authorizing the issuance of federally tax-exempt bonds secured against the available proceeds, including projected annual receipts, in the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

(2) CONTENTS.—In carrying out the study, the Secretary and the Secretary of the Treasury shall examine the implications of issuing such bonds, including the potential revenues that could be generated and the projected net cost to the Treasury, including loss of potential revenue.

(3) CONSULTATION.—In carrying out the study, the Secretary and the Secretary of the Treasury, at a minimum, shall consult with—

(A) representatives of the Inland Waterway Users Board established by section 302 of the Water Resources Development Act of 1986 (33 U.S.C. 2251);

(B) representatives of the commodities and bulk cargos that are currently shipped for commercial purposes on the segments of the inland and intracoastal waterways listed in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804);

(C) representatives of other users of locks and dams on the inland and intracoastal waterways, including persons owning, operating, using, or otherwise benefiting from—

(i) hydropower generation facilities;

(ii) electric utilities that rely on the waterways for cooling of existing electricity generation facilities;

(iii) municipal and industrial water supply;

(iv) recreation;

(v) irrigation water supply; or

(vi) flood damage reduction;

(D) other stakeholders associated with the inland and intracoastal waterways, as identified by the Secretary or the Secretary of the Treasury; and

(E) the heads of other appropriate Federal agencies, including the Secretary of Transportation, the Secretary of the Interior, and the

Administrator of the Environmental Protection Agency.

(4) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of the Treasury shall submit a joint report on the results of the study to—

(A) the Committee on Transportation and Infrastructure, the Committee on Ways and Means, and the Committee on the Budget of the House of Representatives; and

(B) the Committee on Environment and Public Works, the Committee on Finance, and the Committee on the Budget of the Senate.

(b) POTENTIAL FEES FOR BENEFICIARIES AND USERS OF INLAND AND INTRACOASTAL WATERWAYS INFRASTRUCTURE.—

(1) IN GENERAL.—The Secretary shall conduct a study and submit to Congress a report on potential user fees and revenues from other sources that could be collected to generate additional revenues for the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

(2) SCOPE OF STUDY.—

(A) IN GENERAL.—In carrying out the study, the Secretary shall evaluate an array of potential user fees and other revenues options that, when combined with funds generated by section 4042 of the Internal Revenue Code of 1986, are sufficient to support one-half of annual construction expenditure levels of \$380,000,000 for the authorized purposes of the Inland Waterways Trust Fund.

(B) POTENTIAL REVENUE OPTIONS FOR STUDY.—In carrying out the study, the Secretary, at a minimum, shall evaluate potential user fees and other revenue options identified in—

(i) the report of the Congressional Budget Office entitled “Paying for Highways, Airways, and Waterways: How Can Users Be Charged?”, dated May 1, 1992;

(ii) the draft bill submitted by the Assistant Secretary of the Army (Civil Works) to Congress entitled the “Lock User Fee Act of 2008”, dated April 4, 2008;

(iii) the Inland Marine Transportation System (IMTS) Capital Projects Business Model, Final Report, published on April 12, 2010, as approved by the Inland Waterways Users Board established by section 302 of the Water Resources Development Act of 1986 (33 U.S.C. 2251); and

(iv) the draft bill submitted by the President to Congress entitled the “Inland Waterways Capital Investment Act of 2011”, dated September 2011.

(3) CONDUCT OF STUDY.—In carrying out the study, the Secretary shall—

(A) take into consideration whether the potential user fees and revenues from other sources—

(i) are equitably associated with the construction, operation, and maintenance of inland and intracoastal waterway infrastructure, including locks, dams, and navigation channels; and

(ii) can be efficiently collected;

(B) consult with, at a minimum—

(i) representatives of the Inland Waterways Users Board; and

(ii) representatives of other nonnavigation beneficiaries of inland and intracoastal waterway infrastructure, including persons benefiting from—

(I) municipal water supply;

(II) hydropower;

(III) recreation;

(IV) industrial water supply;

(V) flood damage reduction;

(VI) agricultural water supply;

(VII) environmental restoration;

(VIII) local and regional economic development; or

(IX) local real estate interests; and

(iii) representatives of other interests, as identified by the Secretary; and

(C) provide the opportunity for public hearings in each of the geographic regions that contain segments of the inland and intracoastal

waterways listed in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804).

(4) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit a report on the results of the study to—

(A) the Committee on Transportation and Infrastructure, the Committee on Ways and Means, and the Committee on the Budget of the House of Representatives; and

(B) the Committee on Environment and Public Works, the Committee on Finance, and the Committee on the Budget of the Senate.

**SEC. 215. INLAND WATERWAYS STAKEHOLDER ROUNDTABLE.**

(a) **IN GENERAL.**—The Secretary shall conduct an inland waterways stakeholder roundtable to provide for a review and evaluation of alternative approaches—

(1) to address the financial needs of the Inland Waterways Trust Fund; and

(2) to support the water infrastructure needs of the Inland Waterways System.

(b) **SELECTION OF PARTICIPANTS.**—

(1) **IN GENERAL.**—Not later than 45 days after the date on which the Secretary submits to Congress the report required by section 214(b), the Secretary shall select individuals to be invited to participate in the stakeholder roundtable.

(2) **COMPOSITION.**—The individuals selected under paragraph (1) shall include—

(A) representatives of affected shippers and suppliers;

(B) representatives of State and Federal water managers; and

(C) other interested persons with direct knowledge of the Inland Waterways System.

(c) **FRAMEWORK AND AGENDA.**—The Secretary shall work with a group of the individuals selected under subsection (b) to develop the framework and agenda for the stakeholder roundtable.

(d) **CONDUCT OF STAKEHOLDER ROUNDTABLE.**—

(1) **IN GENERAL.**—Not later than 120 days after the date on which the Secretary submits to Congress the report required by section 214(b), the Secretary shall conduct the stakeholder roundtable.

(2) **ISSUES TO BE DISCUSSED.**—The stakeholder roundtable shall provide for the review and evaluation described in subsection (a) and shall include the following:

(A) An evaluation of alternatives that have been developed to address funding options for the Inland Waterways System.

(B) An evaluation of the funding status of the Inland Waterways Trust Fund.

(C) Prioritization of the ongoing and projected water infrastructure needs of the Inland Waterways System.

(D) Identification of a process forward for meeting such needs, with timeline for addressing the funding challenges for the inland waterways trust system.

(e) **REPORT TO CONGRESS.**—Not later than 180 days after the date on which the Secretary submits to Congress the report required by section 214(b), the Secretary shall submit to Congress a report that contains—

(1) a summary the stakeholder roundtable, including areas of concurrence on funding approaches and areas of disagreement in meeting funding needs; and

(2) recommendations developed by the Secretary for logical next steps to address the issues discussed at the stakeholder roundtable.

**SEC. 216. PRESERVING THE INLAND WATERWAY TRUST FUND.**

(a) **OLMSTED PROJECT REFORM.**—

(1) **IN GENERAL.**—Notwithstanding section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(a)), for each fiscal year beginning after the date of enactment of this Act, 25 percent of the cost of construction for the Olmsted Project shall be paid from amounts appropriated from the Inland Waterways Trust Fund.

(2) **DEFINITION.**—In this subsection the term “Olmsted Project” means the project for navigation, Lower Ohio River, Locks 52 and 53, Illinois and Kentucky, authorized by section 3(a)(6) of the Water Resources Development Act of 1986 (102 Stat. 4013).

(3) **SENSE OF CONGRESS.**—It is the sense of Congress that the appropriation for the Olmsted project should be not less than \$150,000,000 for each fiscal year until construction of the project is completed.

(4) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate regarding the lessons learned from the experience of planning and constructing the Olmsted Project and how such lessons might apply to future inland waterway studies and projects.

(b) **ANNUAL REPORT ON PROGRESS AND COSTS.**—For any inland waterways project that the Secretary carries out that has an estimated total cost of \$500,000,000 or more, the Secretary shall submit to the congressional committees referred to in subsection (a)(4) an annual financial plan for the project. The plan shall be based on detailed annual estimates of the cost to complete the remaining elements of the project and on reasonable assumptions, as determined by the Secretary, of any future increases of the cost to complete the project.

**SEC. 217. PUBLIC COMMENT ON LOCK OPERATIONS.**

At least 90 days before carrying out a proposed modification to the operation of a lock at a project for navigation on the inland waterways, the Secretary shall—

(1) provide notice of the proposed modification in the Federal Register; and

(2) accept public comments on the proposed modification.

**SEC. 218. ASSESSMENT OF OPERATION AND MAINTENANCE NEEDS OF THE ATLANTIC INTRACOASTAL WATERWAY AND THE GULF INTRACOASTAL WATERWAY.**

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall assess the operation and maintenance needs of the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway.

(b) **TYPES OF ACTIVITIES.**—In carrying out subsection (a), the Secretary shall assess the operation and maintenance needs of the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway as used for the following purposes:

(1) Commercial navigation.

(2) Commercial fishing.

(3) Subsistence, including utilization by Indian tribes (as such term is defined by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) for subsistence and ceremonial purposes.

(4) Use as ingress and egress to harbors of refuge.

(5) Transportation of persons.

(6) Purposes relating to domestic energy production, including fabrication, servicing, and supply of domestic offshore energy production facilities.

(7) Activities of the Secretary of the department in which the Coast Guard is operating.

(8) Public health and safety related equipment for responding to coastal and inland emergencies.

(9) Recreation purposes.

(10) Any other authorized purpose.

(c) **REPORT TO CONGRESS.**—For fiscal year 2015, and biennially thereafter, in conjunction with the President's annual budget submission to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that, with respect

to the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway—

(1) identifies the operation and maintenance costs required to achieve the authorized length, width, and depth;

(2) identifies the amount of funding requested in the President's budget for operation and maintenance costs; and

(3) identifies the unmet operation and maintenance needs of the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway.

**SEC. 219. UPPER MISSISSIPPI RIVER PROTECTION.**

(a) **ECONOMIC IMPACT STUDY.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall conduct a study and submit to Congress a report on the impact of closing the Upper St. Anthony Falls Lock and Dam on the economy and the environment, including an assessment of the annual average tonnage moving through the Upper St. Anthony Falls Lock and Dam during the preceding 5 years.

(b) **MANDATORY CLOSURE.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall close the Upper St. Anthony Falls Lock and Dam if the Secretary determines pursuant to the study conducted under subsection (a), or based on other appropriate information made available to the Secretary, that the annual average tonnage moving through the Upper St. Anthony Falls Lock and Dam during the preceding 5 years was not more than 1,500,000 tons.

(c) **EMERGENCY OPERATIONS.**—Nothing in this section may be construed to prevent the Secretary from carrying out emergency lock operations necessary to mitigate flood damage.

(d) **UPPER ST. ANTHONY FALLS LOCK AND DAM DEFINED.**—In this section, the term “Upper St. Anthony Falls Lock and Dam” means the lock and dam located on Mississippi River Mile 853.9 in Minneapolis, Minnesota.

**SEC. 220. CORPS OF ENGINEERS LOCK AND DAM ENERGY DEVELOPMENT.**

Section 1117 of the Water Resources Development Act of 1986 (100 Stat. 4236) is amended to read as follows:

**“SEC. 1117. W.D. MAYO LOCK AND DAM.**

“(a) **IN GENERAL.**—The Cherokee Nation of Oklahoma may—

“(1) design and construct one or more hydroelectric generating facilities at the W.D. Mayo Lock and Dam on the Arkansas River, Oklahoma; and

“(2) market the electricity generated from any such facility.

“(b) **PRECONSTRUCTION REQUIREMENTS.**—

“(1) **PERMITS.**—Before the date on which construction of a hydroelectric generating facility begins under subsection (a), the Cherokee Nation shall obtain any permit required under Federal or State law, except that the Cherokee Nation shall be exempt from licensing requirements that may otherwise apply to construction, operation, or maintenance of the facility under the Federal Power Act (16 U.S.C. 791a et seq.).

“(2) **REVIEW OF PLANS AND SPECIFICATIONS.**—The Cherokee Nation may initiate the design or construction of a hydroelectric generating facility under subsection (a) only after the Secretary reviews and approves the plans and specifications for the design and construction.

“(c) **PAYMENT OF DESIGN AND CONSTRUCTION COSTS.**—

“(1) **IN GENERAL.**—The Secretary may accept funds offered by the Cherokee Nation and use such funds to carry out the design and construction of a hydroelectric generating facility under subsection (a).

“(2) **ALLOCATION OF COSTS.**—The Cherokee Nation shall—

“(A) bear all costs associated with the design and construction of a hydroelectric generating facility under subsection (a); and

“(B) provide any funds necessary for the design and construction to the Secretary prior to the Secretary initiating any activities related to the design and construction.

“(d) ASSUMPTION OF LIABILITY.—The Cherokee Nation shall—

“(1) hold all title to a hydroelectric generating facility constructed under subsection (a) and may, subject to the approval of the Secretary, assign such title to a third party;

“(2) be solely responsible for—

“(A) the operation, maintenance, repair, replacement, and rehabilitation of the facility; and

“(B) the marketing of the electricity generated by the facility; and

“(3) release and indemnify the United States from any claims, causes of action, or liabilities that may arise out of any activity undertaken to carry out this section.

“(e) ASSISTANCE AVAILABLE.—The Secretary may provide technical and construction management assistance requested by the Cherokee Nation relating to the design and construction of a hydroelectric generating facility under subsection (a).

“(f) THIRD PARTY AGREEMENTS.—The Cherokee Nation may enter into agreements with the Secretary or a third party that the Cherokee Nation or the Secretary determines are necessary to carry out this section.”.

### TITLE III—DEAUTHORIZATIONS AND BACKLOG PREVENTION

#### SEC. 301. DEAUTHORIZATION OF INACTIVE PROJECTS.

(a) PURPOSES.—The purposes of this section are—

(1) to identify \$12,000,000,000 in water resources development projects authorized by Congress that are no longer viable for construction due to—

(A) a lack of local support;

(B) a lack of available Federal or non-Federal resources; or

(C) an authorizing purpose that is no longer relevant or feasible;

(2) to create an expedited and definitive process to deauthorize water resources development projects that are no longer viable for construction; and

(3) to allow the continued authorization of water resources development projects that are viable for construction.

(b) DEAUTHORIZATION OF PROJECTS AUTHORIZED BEFORE WRDA 2007.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and shall publish in the Federal Register, a report that lists each authorized water resources development project, or separable element of a project, authorized for construction before November 8, 2007—

(A) for which—

(i) construction was not initiated before the date of enactment of this Act; or

(ii) construction was initiated before the date of enactment of this Act, but for which no funds, Federal or non-Federal, were obligated for construction of the project or separable element during the 5-year period ending on July 1, 2013; and

(B) that is identified in accordance with paragraph (3).

(2) SPECIAL RULE FOR ONGOING CONSTRUCTION.—A project or separable element shall not be listed pursuant to paragraph (1)(A)(ii) if the project or separable element is being constructed as of the date of enactment of this Act.

(3) IDENTIFICATION OF PROJECTS.—

(A) IN GENERAL.—The Secretary shall identify in the report submitted under paragraph (1) projects and separable elements that—

(i) meet the requirements described in subparagraph (A) of that paragraph; and

(ii) in the aggregate have an estimated Federal cost to complete (as of the date of the report) that is at least \$12,000,000,000.

(B) SEQUENCING OF PROJECTS.—In identifying projects and separable elements under subpara-

graph (A), the Secretary shall identify projects and separable elements according to the order in which the projects and separable elements were authorized, beginning with the earliest authorized projects and separable elements and ending upon the aggregate estimated Federal cost to complete for the projects and separable elements identified satisfying the requirement under subparagraph (A)(ii).

(4) CONGRESSIONAL REVIEW PERIOD; DEAUTHORIZATION.—After the expiration of the 180-day period beginning on the date of the submission of the report under this subsection, any project or separable element identified in that report is hereby deauthorized, unless during such period the non-Federal interest for the project or separable element provides, under Federal law, all funds necessary to complete the project or separable element.

(c) TREATMENT OF PROJECT MODIFICATIONS.—For purposes of this section, if an authorized water resources development project or separable element has been modified in an Act of Congress, the date of the authorization of the project or separable element shall be deemed to be the date of the most recent such modification.

#### SEC. 302. REVIEW OF CORPS OF ENGINEERS ASSETS.

(a) ASSESSMENT AND INVENTORY.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct an assessment of all properties under the control of the Corps of Engineers and develop an inventory of the properties that are not needed for the missions of the Corps of Engineers.

(b) CRITERIA.—In conducting the assessment and developing the inventory under subsection (a), the Secretary shall use the following criteria:

(1) The extent to which the property aligns with the current missions of the Corps of Engineers.

(2) The economic impact of the property on existing communities in the vicinity of the property.

(3) The extent to which the utilization rate for the property is being maximized and is consistent with nongovernmental industry standards for the given function or operation.

(4) The extent to which the reduction or elimination of the property could reduce operation and maintenance costs of the Corps of Engineers.

(5) The extent to which the reduction or elimination of the property could reduce energy consumption by the Corps of Engineers.

(c) NOTIFICATION.—As soon as practicable following completion of the inventory of properties under subsection (a), the Secretary shall provide the inventory to the Administrator of General Services.

(d) REPORT TO CONGRESS.—Not later than 30 days after the date of the notification under subsection (c), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the findings of the Secretary with respect to the assessment and inventory required under subsection (a).

#### SEC. 303. BACKLOG PREVENTION.

(a) PROJECT DEAUTHORIZATION.—

(1) IN GENERAL.—A water resources development project, or separable element of such a project, authorized for construction by this Act shall not be authorized after the last day of the 7-year period beginning on the date of enactment of this Act unless during that period funds have been obligated for construction of such project.

(2) IDENTIFICATION OF PROJECTS.—Not later than 60 days after the expiration of the 7-year period referred to in paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report

that identifies the projects deauthorized under paragraph (1).

(b) REPORT TO CONGRESS.—Not later than 60 days after the expiration of the 12-year period beginning on the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that contains—

(1) a list of any water resources development projects authorized by this Act for which construction has not been completed during that period;

(2) a description of the reasons the projects were not completed; and

(3) a schedule for the completion of the projects based on expected levels of appropriations.

#### SEC. 304. DEAUTHORIZATIONS.

(a) IN GENERAL.—The following projects are not authorized after the date of enactment of this Act:

(1) WALNUT CREEK (PACHECO CREEK), CALIFORNIA.—The portions of the project for flood protection on Walnut Creek, California, constructed under section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 488), consisting of the Walnut Creek project from Sta 0+00 to Sta 142+00 and the upstream extent of the Walnut Creek project along Pacheco Creek from Sta 0+00 to Sta 73+50.

(2) WALNUT CREEK (SAN RAMON CREEK), CALIFORNIA.—The portion of the project for flood protection on Walnut Creek, California, constructed under section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 488), consisting of the culvert constructed by the Department of the Army on San Ramon Creek from Sta 4+27 to Sta 14+27.

(3) HILLSBOROUGH (HILLSBORO) BAY AND RIVER, FLORIDA.—Those portions of the project for navigation, Hillsborough (Hillsboro) Bay and River, Florida, authorized by the Act of March 3, 1899 (30 Stat. 1126; chapter 425), that extend on either side of the Hillsborough River from the Kennedy Boulevard bridge to the mouth of the river that cause the existing channel to exceed 100 feet in width.

(4) KAHULUI WASTEWATER RECLAMATION FACILITY, MAUI, HAWAII.—The project carried out pursuant to the authority provided by section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) to provide shoreline protection for the Kahului Wastewater Reclamation Facility, located on the Island of Maui in the State of Hawaii.

(5) CHICAGO HARBOR, ILLINOIS.—The portion of the project for navigation, Chicago Harbor, Illinois, authorized by the first section of the Act of March 3, 1899 (30 Stat. 1129; chapter 425), and the first section of the Act of March 2, 1919 (40 Stat. 1283; chapter 95), and described as follows:

(A) Beginning at the southwest corner of Metropolitan Sanitary District of Greater Chicago sluice gate that abuts the north wall of the Chicago River Lock.

(B) Thence running north for approximately 290 feet.

(C) Thence running east approximately 1,000 feet.

(D) Thence running south approximately 290 feet.

(E) Thence running west approximately 1,000 feet to the point of origin.

(6) LUCAS-BERG PIT, ILLINOIS WATERWAY AND GRANT CALUMET RIVER, ILLINOIS.—The portion of the project for navigation, Illinois Waterway and Grand Calumet River, Illinois, authorized by the first section of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved July 24, 1946 (60 Stat. 636; chapter 596), that consists of the Lucas-Berg Pit confined disposal facility, Illinois.

(7) ROCKLAND HARBOR, MAINE.—The portion of the project for navigation, Rockland Harbor,

Maine, authorized by the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved June 3, 1896 (29 Stat. 202), and described as follows:

(A) Beginning at the point in the 14-foot turning basin limit with coordinates N162,927.61, E826,210.16.

(B) Thence running north 45 degrees 45 minutes 15.6 seconds east 287.45 feet to a point N163,128.18, E826,416.08.

(C) Thence running south 13 degrees 17 minutes 53.3 seconds east 129.11 feet to a point N163,002.53, E826,445.77.

(D) Thence running south 45 degrees 45 minutes 18.4 seconds west 221.05 feet to a point N162,848.30, E826,287.42.

(E) Thence running north 44 degrees 14 minutes 59.5 seconds west 110.73 feet to the point of origin.

(8) CORSICA RIVER, QUEEN ANNE'S COUNTY, MARYLAND.—The portion of the project for improving the Corsica River, Maryland, authorized by the first section of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved July 25, 1912 (37 Stat. 205), and described as follows: Approximately 2,000 feet of the eastern section of the project channel extending from—

(A) centerline station 0+000 (coordinates N506350.60, E1575013.60); to

(B) station 2+000 (coordinates N508012.39, E1574720.18).

(9) GLOUCESTER HARBOR AND ANNISQUAM RIVER, MASSACHUSETTS.—The portions of the project for navigation, Gloucester Harbor and Annisquam River, Massachusetts, authorized by section 2 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved of March 2, 1945 (59 Stat. 12; chapter 19), consisting of an 8-foot anchorage area in Lobster Cove, and described as follows:

(A) Beginning at a bend along the easterly limit of the existing project, N3063230.31, E878283.77, thence running northwesterly about 339 feet to a point, N3063478.86, E878053.83, thence running northwesterly about 281 feet to a bend on the easterly limit of the existing project, N3063731.88, E877932.54, thence running southeasterly about 612 feet along the easterly limit of the existing project to the point of origin.

(B) Beginning at a bend along the easterly limit of the existing project, N3064065.80, E878031.45, thence running northwesterly about 621 feet to a point, N3064687.05, E878031.13, thence running southwesterly about 122 feet to a point, N3064686.98, E877908.85, thence running southeasterly about 624 feet to a point, N3064063.31, E877909.17, thence running southwesterly about 512 feet to a point, N3063684.73, E877564.56, thence running about 741 feet to a point along the westerly limit of the existing project, N3063273.98, E876947.77, thence running northeasterly about 533 feet to a bend along the westerly limit of the existing project, N3063585.62, E877380.63, thence running about 147 feet northeasterly to a bend along the westerly limit of the project, N3063671.29, E877499.63, thence running northeasterly about 233 feet to a bend along the westerly limit of the existing project, N3063340.60, E877660.29, thence running about 339 feet northeasterly to a bend along the westerly limit of the existing project, N3064120.34, E877852.55, thence running about 573 feet to a bend along the westerly limit of the existing project, N3064692.98, E877865.04, thence running about 113 feet to a bend along the northerly limit of the existing project, N3064739.51, E877968.31, thence running 145 feet southeasterly to a bend along the northerly limit of the existing project, N3064711.19, E878110.69, thence running about 650 feet along the easterly

limit of the existing project to the point of origin.

(10) IPSWICH RIVER, MASSACHUSETTS.—The portion of the project for navigation, Ipswich River, Massachusetts, authorized by the first section of the Act of August 5, 1886 (24 Stat. 317, chapter 929) consisting of a 4-foot channel located at the entrance to the inner harbor at Ipswich Harbor, and described as follows:

(A) Lying northwesterly of a line commencing at N3,074,938.09, E837,154.87.

(B) Thence running easterly approximately 60 feet to a point with coordinates N3,074,972.62, E837,203.93.

(11) EAST FORK OF TRINITY RIVER, TEXAS.—The portion of the project for flood protection on the East Fork of the Trinity River, Texas, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1185), that consists of the 2 levees identified as Kaufman County Levees K5E and K5W.

(12) BURNHAM CANAL, WISCONSIN.—The portion of the project for navigation, Milwaukee Harbor Project, Milwaukee, Wisconsin, known as the Burnham Canal, authorized by the first section of the Act entitled "An Act for the protection of commerce on Lake Michigan", approved March 3, 1843 (5 Stat. 619; chapter 85), and described as follows:

(A) Beginning at channel point #415a N381768.648, E2524554.836, a distance of about 170.58 feet.

(B) Thence running south 53 degrees 43 minutes 41 seconds west to channel point #417 N381667.728, E2524417.311, a distance of about 35.01 feet.

(C) Thence running south 34 degrees 10 minutes 40 seconds west to channel point #501 N381638.761, E2524397.639, a distance of about 139.25 feet.

(D) Thence running south 34 degrees 10 minutes 48 seconds west to channel point #503 N381523.557, E2524319.406, a distance of about 235.98 feet.

(E) Thence running south 32 degrees 59 minutes 13 seconds west to channel point #505 N381325.615, E2524190.925, a distance of about 431.29 feet.

(F) Thence running south 32 degrees 36 minutes 05 seconds west to channel point #509 N380962.276, E2523958.547, a distance of about 614.52 feet.

(G) Thence running south 89 degrees 05 minutes 00 seconds west to channel point #511 N380952.445, E2523344.107, a distance of about 74.68 feet.

(H) Thence running north 89 degrees 04 minutes 59 seconds west to channel point #512 N381027.13, E2523342.91, a distance of about 533.84 feet.

(I) Thence running north 89 degrees 05 minutes 00 seconds east to channel point #510 N381035.67, E2523876.69, a distance of about 47.86 feet.

(J) Thence running north 61 degrees 02 minutes 07 seconds east to channel point #508 N381058.84, E2523918.56, a distance of about 308.55 feet.

(K) Thence running north 36 degrees 15 minutes 29 seconds east to channel point #506 N381307.65, E2524101.05, a distance of about 199.98 feet.

(L) Thence running north 32 degrees 59 minutes 12 seconds east to channel point #504 N381475.40, E2524209.93, a distance of about 195.14 feet.

(M) Thence running north 26 degrees 17 minutes 22 seconds east to channel point #502 N381650.36, E2524296.36, a distance of about 81.82 feet.

(N) Thence running north 88 degrees 51 minutes 05 seconds west to channel point #419 N381732.17, E2524294.72, a distance of about 262.65 feet.

(O) Thence running north 82 degrees 01 minutes 02 seconds east to channel point #415a, the point of origin.

(13) MANITOWOC HARBOR, WISCONSIN.—The portion of the project for navigation, Manitowoc

River, Manitowoc, Wisconsin, authorized by the Act of August 30, 1852 (10 Stat. 58; chapter 104), and described as follows: The triangular area bound by—

(A) 44.09893383N and 087.66854912W;

(B) 44.09900535N and 087.66864372W; and

(C) 44.09857884N and 087.66913123W.

(b) SEWARD WATERFRONT, SEWARD, ALASKA.—

(1) IN GENERAL.—Subject to paragraph (2), the portion of the project for navigation, Seward Harbor, Alaska, identified as Tract H, Seward Original Townsite, Waterfront Park Replat, Plat No 2012-4, Seward Recording District, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(2) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter upon the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigation features of the project referred to in paragraph (1).

(c) PORT OF HOOD RIVER, OREGON.—

(1) EXTINGUISHMENT OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easement identified as Tract 1200E-6 on the Easement Deed recorded as Instrument No. 740320 is extinguished above elevation 79.39 feet (NGVD 29), the ordinary high water line.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in Hood River County, Oregon, are as follows:

(A) Instrument Number 2010-1235.

(B) Instrument Number 2010-02366.

(C) Instrument Number 2010-02367.

(D) Parcel 2 of Partition Plat 2011-12P.

(E) Parcel 1 of Partition Plat 2005-26P.

(3) EXTINGUISHMENT OF FLOWAGE EASEMENT.—With respect to the properties described in paragraph (2), the flowage easement is extinguished if the elevation of the property is above the standard project flood elevation.

(4) FEDERAL LIABILITIES.—The United States shall not be liable for any injury caused by the extinguishment of the easement under this subsection.

(5) NO EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects the remaining rights and interests of the Corps of Engineers for authorized project purposes.

#### SEC. 305. LAND CONVEYANCES.

(a) TULSA PORT OF CATOOSA, ROGERS COUNTY, OKLAHOMA LAND EXCHANGE.—

(1) LAND EXCHANGE.—On conveyance by the Tulsa Port of Catoosa to the United States of all right, title, and interest in and to the non-Federal land, the Secretary shall convey to the Tulsa Port of Catoosa all right, title, and interest of the United States in and to the Federal land.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) FEDERAL LAND.—The term "Federal land" means the approximately 87 acres of land situated in Rogers County, Oklahoma, contained within United States Tracts 413 and 427 and acquired for the McClellan-Kerr Arkansas Navigation System.

(B) NON-FEDERAL LAND.—The term "non-Federal land" means the approximately 34 acres of land situated in Rogers County, Oklahoma, and owned by the Tulsa Port of Catoosa that lie immediately south and east of the Federal land.

(3) SPECIFIC CONDITIONS.—

(A) DEEDS.—

(i) DEED TO NON-FEDERAL LAND.—The Secretary may only accept conveyance of the non-Federal land by warranty deed, as determined acceptable by the Secretary.

(ii) DEED TO FEDERAL LAND.—The Secretary shall convey the Federal land to the Tulsa Port of Catoosa by quitclaim deed and subject to any reservations, terms, and conditions the Secretary determines necessary to—

(1) allow the United States to operate and maintain the McClellan-Kerr Arkansas River Navigation System; and

(II) protect the interests of the United States.  
 (iii) CASH PAYMENT.—If the appraised fair market value of the Federal land, as determined by the Secretary, exceeds the appraised fair market value of the non-Federal land, as determined by the Secretary, the Tulsa Port of Catoosa shall make a cash payment to the United States reflecting the difference in the appraised fair market values.

(b) CITY OF ASOTIN, WASHINGTON.—  
 (1) IN GENERAL.—The Secretary shall convey to the city of Asotin, Asotin County, Washington, without monetary consideration, all right, title, and interest of the United States in and to the land described in paragraph (3).

(2) REVERSION.—If the land transferred under this subsection ceases at any time to be used for a public purpose, the land shall revert to the United States.

(3) DESCRIPTION.—The land to be conveyed to the city of Asotin, Washington, under this subsection are—

(A) the public ball fields designated as Tracts 1503, 1605, 1607, 1609, 1611, 1613, 1615, 1620, 1623, 1624, 1625, 1626, and 1631; and

(B) other leased areas designated as Tracts 1506, 1522, 1523, 1524, 1525, 1526, 1527, 1529, 1530, 1531, and 1563.

(c) GENERALLY APPLICABLE PROVISIONS.—  
 (1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of any real property to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

(4) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(5) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

**TITLE IV—WATER RESOURCES  
 INFRASTRUCTURE**

**SEC. 401. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.**

The following final feasibility studies for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Federal Cost	E. Estimated Non-Federal Cost
1. TX, LA	Sabine Neches Waterway, Southeast Texas and Southwest Louisiana.	July 22, 2011	\$779,399,000	\$359,227,000
2. FL	Jacksonville Harbor-Milepoint	April 30, 2012	\$27,804,000	\$9,122,000
3. GA	Savannah Harbor Expansion Project	Aug. 17, 2012	\$461,000,000	\$201,000,000
4. TX	Freeport Harbor	Jan. 7, 2013	\$121,132,000	\$116,342,000
5. FL	Canaveral Harbor (Sect 203 Sponsor Report)	Feb. 25, 2013	\$28,652,000	\$11,588,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Federal Cost	E. Estimated Non-Federal Cost
1. KS	Topeka	Aug. 24, 2009	\$15,494,000	\$8,343,000
2. CA	American River Watershed, Common Features Project, Natomas Basin.	Dec. 30, 2010	\$943,300,000	\$479,500,000
3. IA	Cedar River, Cedar Rapids	Jan. 27, 2011	\$67,216,000	\$36,194,000
4. MN, ND	Fargo-Moorhead Metro	Dec. 19, 2011	\$801,542,000	\$979,806,000
5. KY	Ohio River Shoreline, Paducah	May 16, 2012	\$12,893,000	\$6,943,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Federal Cost and Estimated Total Federal Cost for Life of Project	E. Estimated Initial Non-Federal Cost and Estimated Total Non-Federal Cost for Life of Project
1. NC	West Onslow Beach and New River Inlet (Topsail Beach).	Sept. 28, 2009	Initial Cost: \$30,557,000 Total Cost: \$132,372,000	Initial Cost: \$17,315,000 Total Cost: \$132,372,000
2. NC	Surf City and North Topsail Beach	Dec. 30, 2010	Initial Cost: \$81,484,000 Total Cost: \$106,182,000	Initial Cost: \$43,900,000 Total Cost: \$106,182,000
3. CA	San Clemente Shoreline	April 5, 2012	Initial Cost: \$7,500,000 Total Cost: \$43,400,000	Initial Cost: \$4,000,000 Total Cost: \$43,400,000

(4) HURRICANE AND STORM DAMAGE RISK REDUCTION AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Federal Cost	E. Estimated Non-Federal Cost
1. MS	Mississippi Coastal Improvement Program (MSCIP) Hancock, Harrison, and Jackson Counties.	Sept. 15, 2009	\$815,090,000	\$438,890,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Federal Cost	E. Estimated Non-Federal Cost
1. MD	Mid-Chesapeake Bay Island	Aug. 24, 2009	\$1,221,721,000	\$657,849,000
2. FL	Central and Southern Florida Project, Comprehensive Everglades Restoration Plan, Caloosahatchee River (C-43) West Basin Storage Project, Hendry County.	March 11, 2010	\$297,189,000	\$297,189,000
3. LA	Louisiana Coastal Area	Dec. 30, 2010	\$954,452,000	\$513,936,000
4. MN	Marsh Lake	Dec. 30, 2011	\$6,403,000	\$3,564,000
5. FL	Central and Southern Florida Project, Comprehensive Everglades Restoration Plan, C-111 Spreader Canal Western Project.	Jan. 30, 2012	\$88,992,000	\$88,992,000
6. FL	CERP Biscayne Bay Coastal Wetland, Florida	May 2, 2012	\$96,209,000	\$96,209,000
7. FL	Central and Southern Florida Project, Broward County Water Preserve Area.	May 21, 2012	\$433,353,500	\$433,353,500
8. LA	Louisiana Coastal Area-Barataria Basin Barrier	June 22, 2012	\$283,567,000	\$152,690,000
9. NC	Neuse River Basin	April 23, 2013	\$23,253,100	\$12,520,900

SEC. 402. PROJECT MODIFICATIONS.

(a) MIAMI HARBOR, MIAMI-DADE COUNTY, FLORIDA.—

(1) IN GENERAL.—The project for navigation, Miami Harbor, Miami-Dade County, Florida, authorized by section 1001(17) of the Water Resources Development Act of 2007 (121 Stat. 1052), is modified to authorize the Secretary to construct the project at a total cost of \$152,510,000, with an estimated Federal cost of \$92,007,000 and a non-Federal cost of \$60,503,000.

(2) APPLICABILITY.—Paragraph (1) shall take effect on November 8, 2007.

(b) LOWER OHIO RIVER, ILLINOIS AND KENTUCKY.—The project for navigation, Lower Ohio River, Locks and Dams 52 and 53, Illinois and Kentucky, authorized by section 3(a)(6) of the Water Resources Development Act of 1988 (102 Stat. 4013), is modified to authorize the Secretary to construct the project at a total cost of \$2,300,000,000, with a first Federal cost of \$2,300,000,000.

(c) LITTLE CALUMET RIVER BASIN (CADY MARSH DITCH), INDIANA.—The project for flood control, Little Calumet River Basin (Cady Marsh Ditch), Indiana, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4115), and modified by section 127 of Public Law 109-103 (119 Stat. 2259), is further modified to authorize the Secretary to construct the project at a total cost of \$269,988,000, with an estimated Federal cost of \$202,800,000 and a non-Federal cost of \$67,188,000.

The Acting CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 113-251. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall

not be subject to a demand for a division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GIBBS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113-251.

Mr. GIBBS. Mr. Chairman, as the designee of the gentleman from Pennsylvania (Mr. SHUSTER), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 14, after “company” insert “or natural gas company”.

Page 33, after line 20, insert the following: SEC. \_\_\_\_ EXPEDITED COMPLETION OF REPORTS.

The Secretary shall—

(1) expedite the completion of any on-going feasibility study for a project initiated before the date of enactment of this Act; and

(2) if the Secretary determines that the project is justified in a completed report, proceed directly to preconstruction planning, engineering, and design of the project in accordance with section 910 of the Water Resources Development Act of 1986 (100 Stat. 4189).

Page 42, after line 23, add the following:

(g) SAVING PROVISION.—Nothing in this section may be construed to affect any agreement entered into under section 204(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2232(f)) before the date of enactment of this Act.

Page 46, after line 23, insert the following: SEC. \_\_\_\_ CONTRIBUTIONS BY NON-FEDERAL INTERESTS PRIOR TO AUTHORIZATION OF FINAL FEASIBILITY REPORTS.

(a) IN GENERAL.—Subject to subsection (b), a non-Federal interest may carry out a project for which—

(1) a final feasibility report has been completed; and

(2) authority for the Secretary to carry out such project has not specifically been authorized by Congress.

(b) CONDITIONS.—The non-Federal interest—

(1) shall, before carrying out the project, obtain any permit, approval, or authorization required pursuant to Federal or State law; and

(2) shall carry out the project in accordance with the plan, and subject to the conditions, described in the final feasibility report.

(c) CREDIT, REIMBURSEMENT, AND FUTURE MAINTENANCE.—

(1) ELIGIBILITY FOR CREDIT OR REIMBURSEMENT.—Subject to paragraph (4), and in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b), a non-Federal interest may be eligible for credit or reimbursement for the Federal share of any work carried out by the non-Federal interest under this section.

(2) ELIGIBILITY FOR MAINTENANCE OF NAVIGATION PROJECTS.—Subject to paragraph (4), and in accordance with section 211(h) of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13(h)), whenever a non-Federal interest constructs improvements to a harbor or inland harbor under this section, the Secretary shall be responsible for maintenance of such harbor.

(3) LIMITATION.—Any activities carried out under this section are authorized only to the extent specifically provided for in subsequent appropriations Acts.

(4) IMPLEMENTATION.—Paragraphs (1), (2), and (3) shall not apply unless—

(A) all laws and regulations that would apply to the Secretary if the Secretary were carrying out the project were applied by the non-Federal interest during construction of the project; and

(B) the project is subsequently specifically authorized by Congress.

(5) IN-KIND CONTRIBUTIONS.—Absent a specific subsequent authorization by Congress, the non-Federal interest shall not be reimbursed or receive credit for in-kind contributions.

Page 75, after line 12, insert the following:

(3) review and evaluate the historic and potential uses, and economic feasibility for the life of the project, of nonstructural alternatives, including natural features such as dunes, coastal wetlands, floodplains, marshes, and mangroves, to reduce the damage caused by floods, storm surges, winds, and other aspects of extreme weather events, and to increase the resiliency and long-term cost-effectiveness of water resources development projects;

Page 128, beginning on line 13, strike “section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(a))” and insert “section 3(a)(6) of the Water Resources Development Act of 1988 (102 Stat. 4013)”.

Page 163, strike lines 1 through 8.

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from Ohio (Mr. GIBBS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. GIBBS. Mr. Chairman, I rise in support of the bipartisan manager’s amendment.

In this amendment, we provide clarity related to expediting projects while authorizing the Corps of Engineers to move to pre-construction, planning, engineering, and design activities immediately following a completed feasibility study. This will ensure work will continue without stops and starts in the study process.

We authorize non-Federal interests with the ability to carry out work at their own expense pursuant to an unauthorized yet completed feasibility study if the non-Federal interest agrees to carry out the work subject to any State or Federal permitting departments, and that the non-Federal interests carry out the project in accordance with the feasibility study.

We request that the Corps of Engineers review the uses and economic feasibility of nonstructural alternatives in their review of existing authorities for clearing-out work after a storm event. We have made technical and conforming changes to the bill.

We developed this amendment working closely with Members to address several key issues and to improve upon the underlying bill.

Mr. Chairman, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, although I am not opposed to the amendment, I claim the time in opposition to the amendment offered by the gentleman from Pennsylvania.

The Acting CHAIR. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. RAHALL. Mr. Chairman, Shuster amendment No. 1 provides for the expediting and completion of ongoing feasibility studies and authorizes the Corps of Engineers to move to pre-construction planning, engineering, and design. It directs the Corps of Engineers to

consider nonstructural alternatives in the rebuilding of areas impacted by floods and storms.

I am in support of the amendment, and I yield 1 minute to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank Mr. RAHALL for yielding.

Mr. Chairman, I, too, am in support of this amendment. I particularly want to thank the chairman for the inclusion of language in this amendment that addresses two issues of concern. One is the inclusion of consideration of nonstructural alternatives in preventing future storm damage. I think that is very important, particularly in the wake of Hurricane Sandy, for those of us that live in the Northeast; also, the language that allows the non-Federal cost-share partner to begin work on issues that are of importance to their locality.

I think these are very important issues to Members on our side, and I thank the chairman for including them.

Mr. GIBBS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Chairman, I rise in support of the amendment and the underlying bill.

I want to thank Chairman SHUSTER and Ranking Member RAHALL and all of the committee for the tremendous work that was done to substantially improve the outlook on the use of the harbor maintenance tax because these moneys were not being used for dredging, as they were intended to be. And this has severely hurt American competitiveness.

If we are going to grow this economy, we have to expand international trade, and we have to have the maritime and port infrastructure to do so. It is essential that these funds are used for the intended purpose.

I also want to point out a couple of concerns I have. There are two issues in the 2007 WRDA bill, authorizations that require technical amendments that pertain to Louisiana authorizations, and I am hopeful that as we go forward on this, the chairman and the subcommittee chairman will work with me to achieve some resolution of this, because it is holding up Army Corps of Engineers projects, and it is something that would be very easy to fix, it is no cost, and adds nothing to the budget. They are purely technical adjustments that need to be made.

So I am hopeful we can work through this as we go forward.

Mr. RAHALL. Mr. Chairman, I yield back the balance of my time.

Mr. GIBBS. Mr. Chairman, I yield 1 minute to the gentlelady from South Dakota (Mrs. NOEM).

Mrs. NOEM. Mr. Chairman, I certainly support the amendment and the underlying bill. I wanted to speak to one concern that I had.

Mr. Chair, Congress has consistently limited the authority of the Corps of Engineers and recognized the long-es-

tablished State water rights to protect federalism. This bill is certainly no exception.

In my State of South Dakota, and in the Upper Missouri Basin, the Corps is planning to charge for water from the Missouri River. This is after the Dakotas gave up hundreds of thousands of acres of farmland during the creation of the dams along the Missouri River, for which we have never been fully compensated.

The issue of the Corps charging for surplus water is a concern for many communities, tribes, and cities up and down the Missouri River. Chairman SHUSTER has assured me that he would work with us into the future to move forward on conferees to resolve this issue and to stop this attempt to take our water. For that, I certainly appreciate the efforts.

Mr. GIBBS. Mr. Chairman, I yield 30 seconds to the gentleman from Arkansas (Mr. COTTON).

Mr. COTTON. I want to thank the chairman and the committee for their hard work on WRRDA, which I am pleased to support.

Mr. Chairman, I have offered an amendment that addresses an issue with the population growth projections of the 1958 Water Supply Act, which are outdated, and many local water districts are now forced to pay substantial principal and interest to the Federal Government on excess water supply.

My amendment allows the Corps and local water districts to collaborate on finding new markets for their excess water storage. Not only does this partnership allow for the best use of shared resources, it also saves the taxpayers millions of dollars.

Again, I want to thank the Transportation and Infrastructure Committee, the chairman, and the ranking member for their hard work on this bill and for supporting my amendment.

Mr. GIBBS. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. First, I do want to thank the chairman, the ranking member, and also Representative MCCOLLUM.

Mr. Chairman, our amendment is on the Asian carp. It is a very invasive species that really has a devastating effect on the Upper Mississippi River and the Ohio River Basin. This is a fish that can grow to 70 to 100 pounds. It is a voracious fish that is highly invasive. It can potentially destroy a \$7 billion commercial fishing business industry in the Great Lakes. It also would have a devastating effect on commercial boaters, recreational boaters, and sportsmen.

Again, I want you to understand that the nature of this fish is incredible. Anytime the surface of the water is disturbed, it leaps out of the water. As I said, it can be 70 to 100 pounds. I know that many of us do boating in the summertime and have little children that boat with us. This is a fish that is so aggressive and so voracious that it

can eat sometimes up to four times its own weight.

What does this fish do? It eats everything that other fish eat. If we allow this to come forward, it can be devastating.

This is a great example. I watched the last 3 weeks as both sides tried to get to some type of agreement, and couldn't get there. This is a bipartisan effort, a collective effort, collaborative effort, that allows both the States and the Federal agencies to work together on a solution to a problem that has been in existence and will continue to be in existence until we stop it.

So I want to again thank Chairman SHUSTER, Ranking Member RAHALL, and especially Ms. MCCOLLUM as we work together on this piece of legislation. I think it will have a great effect on our ability to keep the Great Lakes, the Upper Mississippi River, and the Ohio River Basin safe.

Mr. GIBBS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. GIBBS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO  
The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113-251.

Mr. DEFAZIO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 11, strike line 19 and all that follows through page 12, line 3, and insert the following:

“(b) EFFECTIVE DATE.—This section shall be effective on the date on which the Secretary certifies to Congress that the cost to construct all water resources development projects that are authorized for construction by the Chief of Engineers by any Act of Congress, but are not completed, is less than \$20,000,000,000 (adjusted for inflation as of the date on which the certification is made).”.

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, this amendment would delay the environmental shortcuts in section 103 until the Secretary certifies that the Corps has significantly reduced the backlog of projects that have already been approved, using the current environmental review process—already been approved.

The reason we are doing this is to make the point that this shortcut process would undermine environmental protections and critical public participation under NEPA and other conservation laws. Combined with strict timelines and limited funding for feasibility studies, it guarantees the Corps will not have the information it needs to plan major projects with broad environmental impact.

There is no evidence that the public participation environmental review process has caused delay. In the hearings on H.R. 3080, no witness identified a single project where that had been the case. When asked directly about why Corps projects take years to implement, the common answer was: lack of available appropriations at critical times during project development and construction.

The problem is not NEPA. The problem is that this Congress has failed to appropriate enough money to keep up with the projects we authorized. WRDA 2007 authorized \$23 billion in new projects. Few have even been started. The estimated cost of completion of Corps projects currently under construction is another \$20 billion.

In stark contrast, the most recent appropriation of the Corps' construction budget was \$12.2 billion. If the Ryan budget is adopted—well, it was adopted in the House, but not implemented—that number would be even lower, pathetically lower.

Clearly, complying with NEPA and other environmental and public participation requirements is not the reason we have a backlog of projects worth billions of dollars.

Congress should appropriate—and this bill is a start—the funding needed to allow these projects which have already been approved, using all existing environmental review requirements, to be completed before we implement any new shortcuts.

A more thoughtful approach, as we work through this backlog over the next 5, 6, 10, 15 years at the current rate of spending—or 25 or 50 years at Ryan spending—would be to bifurcate the process. If we identified that there was a delay, particularly for repair, rehabilitation, replacement, or minor projects, we could streamline those under the House or Senate provisions, but major projects should still go through a full review so that we don't end up later in endless litigation over those very same projects.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, H.R. 3080 was drafted in a bipartisan fashion. Our environmental streamlining provision in section 103 is a result of compromise.

We have heard from many Members who are supportive of our provisions to implement what is commonly called the “three by three by three process.” However, in order for the Corps to have the flexibility to fit within the timeframes laid in section 101 of H.R. 3080, accelerating the environmental review process in section 103 of the bill is critical.

The amendment seeks to undermine all environmental streamlining provisions in WRRDA. Regardless of the ex-

istence of backlog, streamlining environmental reviews is an essential reform, and I believe will help to reduce backlogs.

Additionally, reforms in WRRDA provide opportunities for non-Federal interests and other private sectors to move projects forward with their own funds, providing incentive for accelerating these project delivery processes regardless of the availability of Federal funding.

So I urge all Members to oppose the amendment, and I reserve the balance of my time.

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Mr. DEFAZIO. Mr. Chairman, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Oregon has 2½ minutes remaining.

Mr. DEFAZIO. I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman, and what he said is correct in terms of a situation here.

Mr. Chairman, streamlining provisions in this bill provide nothing but an empty promise that projects will be built faster. The empty promise comes with real costs: it will lead to more damaging and costly projects, and it will prevent States, local governments and other stakeholders from making realistic plans for the future.

The Corps currently has an estimated backlog of over 1,000 authorized activities that will take about \$60 billion. The bill before us adds to the backlog. Both the Corps, itself, and the administration have pointed out that these proposed streamlining guidelines may actually slow project development and do not adequately protect communities, taxpayers, and the environment.

The real cause of delay is limited funding, competition for funding amongst the extensive study and project construction backlog, poor project planning that does not focus on national priorities or on identifying the least possible damaging solution to water resource problems. Project studies take the longest when the Corps and Congress insist on pushing outdated, damaging, and extremely costly projects that inconvenience or even harm communities instead of adopting low-impact, modern solutions that could more easily gain broad-based support.

I am all for getting projects done faster, but our infrastructure deficit slows the economy and puts people in physical danger at worst. We need to address that problem. Undercutting the environmental protections does not address it. It merely complicates it.

Mr. SHUSTER. Is the gentleman from Oregon prepared to close?

Mr. DEFAZIO. I have one more speaker.

Mr. SHUSTER. I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentlelady from Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE. I thank the gentleman from Oregon. I thank the sponsors of this legislation, Mr. BLUMENAUER, and I am delighted, along with Mr. DEFAZIO, to be a cosponsor.

Mr. Chairman, I really just want to emphasize the core values of Mr. DEFAZIO's as to what this amendment represents. The fact is there is a lack of funding. For those of us who are around ports, who are experiencing extreme flooding, there is a lack of funding that the environmental review process has nothing to do with, and it has not led to the backlog of authorized projects that are not being constructed. I support the timely delivery of water resources projects, but I have concerns as to whether the changes made in this bill in the name of streamlining will actually achieve that goal.

So I ask and urge my colleagues on both sides of the aisle to support this amendment, which will make the construction of already authorized projects a priority, which clearly had no problems with the environmental review process, and I would argue the fact that we should be encouraged to make this truly a jobs bill and support the DeFazio amendment.

Mr. Chair, as a cosponsor to Rep. DEFAZIO's amendment, that would delay the application of the environmental "streamlining" provisions in Section 103 until the Secretary certifies that there is sufficient funding to reduce the backlog of authorized Corps projects to less than \$20 billion in construction costs, I ask my colleagues across the aisle to support amendment #2.

This amendment highlights the fact that it is a lack of funding not the environmental review process that has led to a backlog of authorized projects that are not being constructed. We have spent enough energy arguing over the budget and the National Environmental Policy Act (NEPA) streamlining, but not enough time in making the hard decisions and investments that are going to create economic growth and create jobs.

In short, while I strongly support timely delivery of water resources projects, I have concerns as to whether the changes made in this bill in the name of streamlining will actually achieve that goal.

Particularly given the real world funding issues that we face, and I remain very concerned about the impacts these changes will have on the public participation process and the assessment of impacts to the environment. I urge Members to support Rep. DEFAZIO's amendment which will make the construction of already authorized projects that clearly had no problems with the environmental review process a priority.

Mr. SHUSTER. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR (Mr. LATHAM). The gentleman from Pennsylvania has 4 minutes remaining.

Mr. SHUSTER. I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO) to control.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania (Mr. SHUSTER)?

There was no objection.

Mr. DEFAZIO. I yield 1½ minutes to the gentledady from California (Ms. LEE).

Ms. LEE of California. I want to thank the gentleman for yielding. I want to thank you and all of the cosponsors of this amendment for putting this forward.

Mr. Chairman, this would actually delay the so-called "environmental streamlining" provisions in this bill, which would fast-track the critical review process and significantly limit public input. This amendment would also preserve the current review process that helps the Army Corps of Engineers foresee harmful environmental impacts before undertaking any project.

This safe, sustainable infrastructure is not really produced by cutting corners. WRRDA projects have wide-ranging consequences. I have several projects in my district, and I know how complex they can be. It is important to fully understand the effects that these projects will have on public health, on public safety, and on the environment.

History, quite frankly, has shown us that robust environmental reviews are good for the environment, the economy, public safety, and taxpayers. This bipartisan amendment would protect the environment and would really save taxpayer dollars. So I urge a "yea" vote, and I thank the gentleman for his tremendous leadership on this.

Mr. SHUSTER. Mr. Chairman, I continue to reserve the balance of my time.

Mr. DEFAZIO. I thank the chairman for his generosity, and I yield myself the balance of the time.

Mr. Chairman, I think there is substantial agreement here in that we need to put more investment into critical water infrastructure projects. This bill begins to do that. We want to do it in the most thoughtful way possible. Some of these projects will alter local or regional environmental resources forever, sometimes to mitigate, sometimes, perhaps, not so much if they are not well thought out. Many of these projects are designed to last for 100 years or more. It certainly would behoove us to spend a little bit of time fully vetting these projects before we authorize them and move forward.

With that, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I urge a "no" vote on the DeFazio amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. FLORES

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113-251.

Mr. FLORES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ NATIONAL OCEAN POLICY IMPLEMENTATION.**

(a) FINDINGS.—Congress finds that—

(1) the July 19, 2010, Executive Order 13547 that established the "National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes" (in this section referred to as the "National Ocean Policy") among other things requires Federal implementation of "ecosystem-based management" to achieve a "fundamental shift" in how the United States manages ocean, coastal, and Great Lakes resources, and the establishment of 9 new governmental "Regional Planning Bodies" and "Coastal and Marine Spatial Plans" in every region of the United States;

(2) Executive Order 13547 created a 54-member National Ocean Council led by the White House Council on Environmental Quality and Office of Science and Technology Policy that includes principal and deputy-level representatives from Federal entities, including the Department of Defense;

(3) Executive Order 13547 requires National Ocean Council members, including the Department of Defense, to take action to implement the National Ocean Policy and participate in Coastal and Marine Spatial Planning to the fullest extent;

(4) the Final Recommendations that were adopted by Executive Order 13547 state that "effective" implementation of the National Ocean Policy will "require clear and easily understood requirements and regulations, where appropriate, that include enforcement as a critical component";

(5) despite repeated congressional requests, the National Ocean Council, which is charged with overseeing National Ocean Policy implementation, has still not provided a complete accounting of Federal activities taken and resources expended and allocated in furtherance of National Ocean Policy implementation;

(6) the Corps of Engineers is participating on at least one "Coastal and Marine Spatial Planning Regional Team"; and

(6) the Nation's continued economic and budgetary challenges underscore the necessity for sound, transparent, and practical Federal policies.

(b) PROHIBITION.—None of the programs or actions authorized under this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order 13547.

(c) STUDY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing all activities engaged in and resources expended in furtherance of Executive Order 13547 since it was issued on July 19, 2010, as well as any fiscal year 2014 budget requests in support of National Ocean Policy implementation.

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from Texas (Mr. FLORES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FLORES. Mr. Chairman, I rise today to offer an amendment that addresses a burdensome executive order that will have vast impacts on both our ocean and inland economies.

Executive Order 13547 was signed in 2010, and it requires that various bureaucracies essentially zone the ocean and the sources thereof. This means that a drop of rain that falls on your house could be subject to this overreaching policy because that precipitation will ultimately wind up in the ocean. The new policy guidelines under this executive order that were finalized in April of this year have the potential to change permitting criteria and regulatory requirements for a large number of economic sectors, including maritime shipping and inland river transportation.

The Army Corps of Engineers is participating in at least one Coastal and Marine Spatial Planning regional team, requiring resources and staff time outside of their current statutory obligations and outside their current budgetary authority. Since the Corps has not specifically asked for funds for the purpose of implementing Executive Order 13547, then they are raiding existing accounts to fund these activities, thus adding to the current projects backlogs and misusing scarce taxpayer resources.

Furthermore, the Senate WRDA bill includes a funding stream for regional planning bodies pursuant to the administration's National Ocean Policy, thereby creating a permanent slush fund to bankroll the implementation of their ocean-zoning initiative that has not even received congressional authorization.

My amendment would prohibit the programs or actions authorized under WRRDA from being used to further implement ocean zoning under the executive order, and it further requires that the Secretary of the Army conduct and submit a study to Congress that details all of the activities engaged in and resources expended relating to the executive order and to the National Ocean Policy, as well as relevant FY 2014 budget requests.

I want to thank the T&I Committee for its hard work on the WRRDA bill. I look forward to voting for the WRRDA bill, and I urge the approval of my amendment.

I reserve the balance of my time.

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I yield myself such time as I may consume.

Mr. Chairman, this amendment is very destructive to a very good policy that was created by this House by the Committee on Natural Resources when, back in the late nineties, all of the Federal agencies and private sector came to Congress and said, We have a

lot of conflicts of the sea. We need to start doing some planning in the ocean, like we have on land, so that we can get jobs done.

We were losing all kinds of equipment to fisheries and mining operations. It was just a huge mess. No Federal agency knew what the other Federal agency was doing. It was all on public lands called the "oceans," and the exploration of the oceans was very underserved.

The underlying bill that this amendment attacks was created by the committee in order to create a commission made up, in fact, of people from Texas for the oil industry. One of the things they said is, Stop that conflict. Let's have smart ocean planning. Let's help use and conserve our finite resources and grow our ocean economy.

This is the way to do it, but this amendment wipes it all back. It goes back to the Dark Ages. It goes back to the flat Earth opinion about ocean planning, which is: don't do it.

The aquaculture industry, which is a \$1.2 billion industry, has said this would be very destructive, that the Flores amendment would be a major setback for our industry. The aquaculture is growing, and we rely on efficient permitting and long-term planning so our industry can grow and prosper.

If the Army Corps of Engineers can't engage in the National Ocean Policy planning that is geared toward helping our industry, then that is what sets us up for failure.

The North American Submarine Cable Association is opposed to this amendment. They stated that the first and foremost undersea cable operators engage in coastal marine spatial planning. Did you know that undersea cables, not satellites, carry more than 95 percent of the international voice, data and Internet traffic in the United States? They are critical for national security, and they carry civilian and military and U.S. Government traffic.

The Corps is working to improve coastal and sea floor maps and nautical charts, which are critical for navigation, citing offshore energy and recreational boating and fishing. The list goes on and on.

Even in the gentleman's home State of Texas, there are 170,000 people who are employed in the ocean economy. His amendment would destroy their ability to have good planning.

So I urge all of my friends to oppose this amendment, which is opposed by the private sector and public sectors, and it is just not smart thinking.

I reserve the balance of my time.

Mr. FLORES. I continue to reserve the balance of my time.

Mr. FARR. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Chairman, the Flores amendment is, quite frankly, an affront to states' rights. By preventing the Army Corps of Engineers from coordinating ocean and coastal planning with Federal and State partners, it will inhibit the ability of States like Rhode Island, my home State, from managing resources in a way that fits their needs and priorities.

We have long recognized that our ocean resources do not adhere to State boundaries. Accordingly, their management must be regionally based. In the Northeast, our Regional Ocean Council has allowed our States to pool resources and our businesses to have a voice in decision-making. The Flores amendment may inhibit regional efforts, including ongoing Hurricane Sandy recovery and restoration planning to protect against future storm damage.

Put simply, it is an attempt to impose restrictions and requirements on coastal States and districts that will prevent our counties, cities, along with State Governors, from working collaboratively with their Federal partners on projects critical to coastal economies.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FARR. I yield the gentleman an additional 15 seconds.

Mr. LANGEVIN. I thank the gentleman for yielding.

In 2010, maritime economic activities supported 2.7 million jobs and \$258 billion in GDP. These resources are too important to our economies not to be managed with the best science practices available.

I strongly urge my colleagues to protect the rights of States to manage their own resources and to vote "no" on this misguided amendment.

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Mr. FLORES. Mr. Chairman, how much time does each side have remaining?

The Acting CHAIR. The gentleman from Texas has 3 minutes remaining. The gentleman from California has 1¼ minutes remaining.

Mr. FLORES. Mr. Chairman, I reserve the balance of my time to close.

Mr. FARR. I yield 1¼ minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding me the time.

I think there is a little misunderstanding here. This is not about a new agency or giving agencies new regulatory authority or direction. I will use a simple example.

We have great prospects for wave energy off the Northwest coast. We had a really great wave period doing research at Oregon State. I have a couple of private companies interested, but there are at least three Federal agencies involved. Simply what this executive order does is require that those agencies coordinate and they don't stovepipe, they don't work in silos. So when

the wave developer goes to FERC, FERC will also have in the room NOAA, Marine Fisheries; the Pacific Fisheries Management Council will be involved; the other Federal agencies that have jurisdiction will be involved, and we won't end up going through one process with one agency, getting to the end of that, and then having another agency saying, "Wait a minute. You didn't talk to us."

This just happened with the bridge over the Columbia River to Washington State where the Coast Guard came in very late and said, "Wait a minute. We have height concerns about passage under this bridge." Had it been coordinated terrestrially inland in the same way that the President is imposing for agencies to work in the ocean, we will have a better, more comprehensive process that serves all interests.

Mr. FARR. Mr. Chairman, I yield back the balance of my time.

Mr. FLORES. Mr. Chairman, in closing, you have heard a lot of hyperbole about my amendment. My amendment is a simple amendment, and that is to stop an unconstitutional executive order that has been considered four times by Congress, including the 110th Congress and 111th Congress which were controlled by the other side. During none of those Congresses was the law that is now part of this executive order ever approved by those Congresses. This is the bureaucracy in this chart that has been created unconstitutionally by this executive order. Congress clearly doesn't intend to do that because it has studied this for four Congresses and elected not to.

You also heard that there are shareholders that don't support what I propose to do in this amendment. Unfortunately, that is not true either. We have got everybody from farmers to energy to commercial fisheries to recreational fishing interests that support this amendment and are fully on the side of it.

They have said that stakeholders came to Congress and said there were problems and that they wanted this executive order. That is not true, because we had a hearing in the 112th Congress and the stakeholders, I specifically asked them: Did any of you want the provisions that are included by this executive order? To an entity, they said, no, they didn't care for it.

Also, I would like to say that this amendment has also passed four other times. In the 112th Congress, I added this amendment to the CJS appropriations bill for fiscal year 2013. It passed on a bipartisan basis, 246-174. I offered a similar amendment to the Offshore Energy and Jobs Act that passed by a bipartisan vote of 233-190. I also offered a related amendment to the FY 2014 Energy and Water appropriations bill that passed by a voice vote.

This is a commonsense amendment. We are just saying, A, if Congress hasn't authorized this activity, and B, if Congress hasn't appropriated any money for this activity, then this ac-

tivity shouldn't take place. That is what the Constitution calls for. That is what this amendment does.

With that, I would urge approval of the amendment and approval of the underlying bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENTS EN BLOC OFFERED BY MR. SHUSTER

Mr. SHUSTER. Mr. Chairman, pursuant to H. Res. 385, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc consisting of amendment Nos. 4, 9, 10, 11, 12, 14, 15, 17, 18, 19, 20, 21, 22, and 23 printed in House Report 113-251, offered by Mr. SHUSTER of Pennsylvania:

AMENDMENT NO. 4 OFFERED BY MR. MULLIN OF OKLAHOMA

At the end of title I, insert the following:  
**SEC. \_\_\_\_ . REPORT ON SURFACE ELEVATIONS AT DROUGHT EFFECTED LAKES.**

(a) FINDINGS.—Congress finds that—

(1) due to the ongoing drought in many parts of the United States, State agencies are finding it difficult to maintain Federal Energy Regulatory Commission-licensed lake levels; and

(2) local agencies should be able to modify licenses when drought conditions arise and persist.

(b) ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the FERC shall initiate an assessment of the effects of drought conditions on FERC-licensed lakes, which shall include an assessment of—

(A) existing FERC-licensed lakes with stipulated lake levels and rule curves in areas of previous, current and prolonged drought; and

(B) the effect the long-term licenses have on state agencies being able to meet all their obligations, including hydroelectric obligations, water supply downstream, fish and wildlife, and recreation.

(2) REPORT.—FERC shall submit to Congress a report on the assessment carried out under paragraph (1).

AMENDMENT NO. 9 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 72, line 18, insert "In making recommendations pursuant to this section, the Secretary shall consult with key stakeholders, including State, county, and city governments, and, where applicable, State and local water districts, and in the case of recommendations concerning projects that substantially affect communities served by historically Black colleges and universities, Tribal Colleges and Universities, and other minority-serving institutions, the Secretary shall also consult with such colleges, universities, and institutions." before "The Secretary".

AMENDMENT NO. 10 OFFERED BY MR. GRIMM OF NEW YORK

Page 72, line 18, strike "may" and insert "shall".

AMENDMENT NO. 11 OFFERED BY MR. PETERS OF CALIFORNIA

Page 76, after line 13, insert the following (and redesignate subsequent subsections accordingly):

(b) PUBLIC AVAILABILITY OF INFORMATION.—To the maximum extent practicable, the Secretary, in coordination with the Administrator of the Federal Emergency Management Agency, shall make the information required under subsection (a) available to the public through widely used and readily available means, including on the Internet.

AMENDMENT NO. 12 OFFERED BY MR. STUTZMAN OF INDIANA

Page 86, after line 24, insert the following:

(f) INTERIM RULE.—Until the date on which revisions to the guidelines are adopted under this section, the Secretary shall not require the removal of existing vegetation as a condition or requirement for any approval or funding of a project, or any other action, unless the specific vegetation has been demonstrated to present an unacceptable safety risk.

AMENDMENT NO. 14 OFFERED BY MR. PIERLUISI OF PUERTO RICO

Page 95, line 21, strike "and" at the end.  
Page 95, after line 21, insert the following:  
(2) in subsection (a), as so designated, by inserting "Puerto Rico," before "and the Trust Territory of the Pacific Islands"; and  
Page 95, line 22, strike "(2)" and insert "(3)".

AMENDMENT NO. 15 OFFERED BY MR. COTTON OF ARKANSAS

Page 97, after line 7, insert the following:  
**SEC. 1 \_\_\_\_ . FUTURE WATER SUPPLY.**

Section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

"(c) ESTABLISHMENT OF 10-YEAR PLANS FOR THE UTILIZATION OF FUTURE STORAGE.—

"(1) IN GENERAL.—Beginning 180 days after the date of enactment of this subsection and not later than January 1, 2016, the Secretary may accept from an interested State or local interest a submission of a plan for the utilization of future use water storage under this Act.

"(2) CONTENTS.—A plan submitted under paragraph (1) shall include—

"(A) a 10-year timetable for conversion of future use storage to present use; and

"(B) a schedule of actions that the State or local interest agrees to carry out over a 10-year period, in cooperation with the Corps of Engineers, to seek new and alternative users of future water storage that is contracted to the State or local interest on the date of enactment of this subsection."

AMENDMENT NO. 17 OFFERED BY MR. HASTINGS OF WASHINGTON

Page 97, after line 7, insert the following:  
**SEC. 1 \_\_\_\_ . CONGRESSIONAL CONSENT FOR NEW PROJECT PURPOSES.**

Nothing in this Act authorizes the Secretary to carry out, at a Corps of Engineers dam or reservoir, any project for a purpose not otherwise authorized as of the date of enactment of this Act.

AMENDMENT NO. 18 OFFERED BY MS. MCCOLLUM OF MINNESOTA

At the end of title I, add the following:  
**SEC. 139. MULTIAGENCY EFFORT TO SLOW THE SPREAD OF ASIAN CARP IN THE UPPER MISSISSIPPI RIVER AND OHIO RIVER BASINS AND TRIBUTARIES.**

(a) MULTIAGENCY EFFORT TO SLOW THE SPREAD OF ASIAN CARP IN THE UPPER MISSISSIPPI AND OHIO RIVER BASINS AND TRIBUTARIES.—

(1) IN GENERAL.—The Director of the United States Fish and Wildlife Service, in coordination with the Chief of Engineers, the Director of the National Park Service, and the Director of the United States Geological Survey, shall lead a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries by providing technical assistance, coordination, best practices, and support to State and local governments in carrying out activities designed to slow, and eventually eliminate, the threat posed by Asian carp.

(2) BEST PRACTICES.—To the maximum extent practicable, the multiagency effort shall apply lessons learned and best practices such as those described in the document prepared by the Asian Carp Working Group entitled “Management and Control Plan for Bighead, Black, Grass, and Silver Carps in the United States” and dated November 2007, and the document prepared by the Asian Carp Regional Coordinating Committee entitled “FY 2012 Asian Carp Control Strategy Framework” and dated February 2012.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than December 31 of each year, the Director of the United States Fish and Wildlife Service, in coordination with the Chief of Engineers, shall submit to the Committee on Appropriations, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Appropriations and the Committee on Environment and Public Works of the Senate a report describing the coordinated strategies established and progress made toward the goals of controlling and eliminating Asian carp in the Upper Mississippi and Ohio River basins and tributaries.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) any observed changes in the range of Asian carp in the Upper Mississippi and Ohio River basins and tributaries during the 2-year period preceding submission of the report;

(B) a summary of Federal agency efforts, including cooperative efforts with non-Federal partners, to control the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries;

(C) any research that the Director determines could improve the ability to control the spread of Asian carp;

(D) any quantitative measures that the Director intends to use to document progress in controlling the spread of Asian carp; and

(E) a cross-cut accounting of Federal and non-Federal expenditures to control the spread of Asian carp.

AMENDMENT NO. 19 OFFERED BY MR. THOMPSON OF CALIFORNIA

Page 97, after line 7, insert the following:

**SEC. 1. AQUATIC INVASIVE SPECIES PREVENTION AND CONTROL.**

(a) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the Federal costs of, and spending on, aquatic invasive species.

(b) CONTENTS.—The assessment conducted under subsection (a) shall include—

(1) identification of current Federal spending on, and projected future Federal costs of, operation and maintenance related to mitigating the impacts of aquatic invasive species on federally owned or operated facilities;

(2) identification of current Federal spending on aquatic invasive species prevention;

(3) analysis of whether spending identified in paragraph (2) is adequate for the maintenance and protection of services provided by federally owned or operated facilities, based on the current spending and projected future costs identified in paragraph (1); and

(4) review of any other aspect of aquatic invasive species prevention or mitigation determined appropriate by the Comptroller General.

(c) FINDINGS.—Not later than one year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the Senate and the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).

AMENDMENT NO. 20 OFFERED BY MS. BROWNLEY OF CALIFORNIA

Page 102, after line 12, insert the following (and redesignate subsequent subparagraphs accordingly):

“(H) activities of the Secretary of the Navy;

Page 104, line 18, strike “and”.

Page 104, after line 18, insert the following (and redesignate the subsequent subparagraph accordingly):

“(C) where appropriate, consider national security and military readiness needs in consultation with the Secretary of the Navy; and

AMENDMENT NO. 21 OFFERED BY MR. LOWENTHAL OF CALIFORNIA

Page 103, line 7, insert “and the costs for expanded uses (as such term is defined in section 201(c)(2) of the Water Resources Reform and Development Act of 2013)” after “the harbors”.

AMENDMENT NO. 22 OFFERED BY MS. BROWNLEY OF CALIFORNIA

Page 109, after line 23, insert the following:  
**SEC. 2. HARBOR MAINTENANCE TRUST FUND STUDY.**

(a) DEFINITIONS.—In this section:

(1) LOW-USE PORT.—The term “low-use port” means a port at which not more than 1,000,000 tons of cargo are transported each calendar year.

(2) MODERATE-USE PORT.—The term “moderate-use port” means a port at which more than 1,000,000, but fewer than 10,000,000, tons of cargo are transported each calendar year.

(b) STUDY.—Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall carry out a study and submit to Congress a report that—

(1) evaluates the effectiveness of activities funded by the Harbor Maintenance Trust Fund in maximizing economic growth and job creation in the communities surrounding low- and moderate-use ports; and

(2) includes recommendations relating to the use of amounts in the Harbor Maintenance Trust Fund to increase the competitiveness of United States ports relative to Canadian and Mexican ports.

AMENDMENT NO. 23 OFFERED BY MR. SCHNEIDER OF ILLINOIS

Page 142, line 7, strike “and”.

Page 142, line 9, strike the period and insert “; and”.

Page 142, after line 9, insert the following:

(4) a 5-year and 10-year projection of construction backlog and any recommendations to Congress regarding how to mitigate current problems and the backlog.

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from West Virginia (Mr. RAHALL) each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent that amendment

No. 4 in House Report 113–251 be modified by the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 4 offered by Mr. SHUSTER of Pennsylvania:

At the end of title I, insert the following:  
**SEC. . REPORT ON SURFACE ELEVATIONS AT DROUGHT EFFECTED LAKES.**

(a) ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the FERC, shall initiate an assessment of the effects of drought conditions on lakes managed by the Secretary that are affected by FERC-licensed reservoirs, which shall include an assessment of—

(A) lake levels and rule curves in areas of previous, current, and prolonged drought; and

(B) the effect the long-term FERC licenses have on the Secretary’s ability to manage lakes for hydropower generation, navigation, flood protection, water supply, fish and wildlife, and recreation.

(2) REPORT.—The Secretary, in coordination with the FERC, shall submit to Congress a report on the assessment carried out under paragraph (1).

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I support the amendments en bloc, all of which have been approved by both the majority and the minority. These Members put forth thoughtful amendments, and I am pleased to be able to support moving them all en bloc.

Mr. Chairman, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, this amendment reflects the good work of many Members from both sides of the aisle and, again, reflects a bipartisan process followed by Chairman SHUSTER in assembling this important legislation.

It includes thoughtful language related to control of aquatic invasive species at the bipartisan request of several Members from the Great Lakes area and the west coast, language relating to promoting government efficiency and communicating potential risk of flooding, as well as several important requests for additional information related to the Harbor Maintenance Trust Fund and how Congress can continue to address the backlog of unconstructed Corps projects.

I support the amendment and reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I continue to reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California, Mr. MIKE THOMPSON.

Mr. THOMPSON of California. Mr. Chairman, I thank the gentleman for yielding.

I rise in strong support of our bipartisan amendment to require GAO to study the impacts of aquatic invasive species, and I thank the committee

leadership for including it in the en bloc agreement.

Aquatic invasives impose a challenge across our great country. Just to take one example, aquatic mussels such as quagga and zebra mussels have cost more than \$5 billion since their introduction in the 1980s. Unfortunately, too often this important problem only receives attention after it is too late. This amendment would be proactive. It would require a timely report to find gaps in current efforts and minimize duplication of activities.

Invasive species are a national problem with significant and expensive local implications. More than ever, we need knowledge and guidance on this issue.

Mr. SHUSTER. Mr. Chairman, I continue to reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Puerto Rico (Mr. PIERLUISI).

Mr. PIERLUISI. Mr. Chairman, I support the en bloc amendment, which includes an amendment I filed.

Since 1986, the other U.S. territories have been given partial relief—up to \$200,000—from the local cost-sharing requirements for Army Corps projects. The bill increases this amount to account for inflation. My amendment extends this waiver to the territory of Puerto Rico. There are about 20 authorized flood protection, harbor, and other Army Corps projects pending in Puerto Rico, some of which are stalled due to the constrained ability of the local government to provide its share of project costs.

The two reasons that justified enactment of this waiver for the other territories three decades ago also justify its extension to Puerto Rico today. Puerto Rico is particularly vulnerable to natural disasters like hurricanes and floods. In 2011 alone, there were several federally declared disasters in Puerto Rico, with FEMA assistance totaling \$95 million. In addition, Puerto Rico faces severe economic and fiscal challenges which are in large part due to the fact that, as a territory, Puerto Rico is shortchanged under key Federal programs.

I thank the chairmen and the ranking members for recognizing that critical Army Corps projects in Puerto Rico should not be deferred or deauthorized because of the unique circumstances in the territory.

Mr. SHUSTER. Mr. Chairman, I continue to reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentlelady from Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE. Mr. Chairman, let me thank the ranking member and the chairman for including the Jackson Lee amendment in the en bloc amendments and indicate that this is a bill long overdue. Just to acknowledge, 209,000 jobs, 970 jobs in Texas, \$16.7 billion in direct business, \$14.1 billion in personal income.

My amendment adds to this legislation by providing for the Army Corps of Engineers under section 118 to consult with key stakeholders, including State, county, and city governments where applicable; State and local water districts; and in the case of recommendations concerning projects that substantially affect underrepresented communities, the Secretary shall also consult with Historically Black Colleges and Universities, tribal colleges and universities, and other minority-serving institutions.

Mr. Chairman, we are all reminded of the tragedy of Hurricane Sandy, of the tragedy of Tropical Storm Allison, Hurricane Rita, Hurricane Ike, and Hurricane Katrina. Universities and communities were impacted. The Army Corps of Engineers will be much better for the idea of being able to engage in those who are directly impacted.

Again, I ask my colleagues to support the amendment and support the underlying bill.

Mr. SHUSTER. Mr. Chairman, I continue to reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, with that, I ask my colleagues to support the amendments en bloc, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chair, I support this bill and urge my colleagues to support my amendment to retain Congress's traditional role in authorizing project purposes at U.S. Army Corps of Engineers dams and reservoirs.

Corps dams and reservoirs throughout the Nation provide multiple benefits. Water supplies, hydropower, recreation and flood control are just some of the benefits that were approved by Congress and paid for by beneficiaries such as ratepayers. Some Corps dams also provide year-round cold-water flows for fisheries as part of their operations. In the Pacific Northwest, multi-purpose dams provide the economic backbone for our region. They power communities, small businesses and residential homes and provide water necessary for irrigation, recreation and navigation. These duties have been approved by Congress in some fashion after careful deliberation over the costs, needs and justification for these uses.

I'm proud to have worked with the National Rural Electric Cooperative Association and the American Public Power Association, which collectively represent almost 90 million electric ratepayers in 49 states, on this amendment. These ratepayers receive emissions-free and renewable hydropower from federal reservoirs throughout our country. These organizations, whose ratepayers pay—with interest—for hydropower and other functions at the Corps of Engineers dams—have been concerned with proposals that would give undue discretion to the agency to change the projects without ratepayer or Congressional oversight and authorization.

I will quote an October 8, 2013 letter from the organizations to illustrate their predicament:

"The ability to change project operations at Corps projects that provide hydropower pre-

sents a risk that hydropower generation from these projects could be diminished at the agency's discretion. For many members of NRECA and APPA who rely on the power generated at Corps projects to keep electric rates as low as possible, the loss of hydropower generated at these projects would require our members to seek more expensive replacement power."

Policies and authorizations that govern the uses of Corps facilities, as authorized by Congress, should not be re-written by un-elected bureaucrats. There are some proposals to allow the Corps to administratively change project purposes and manuals that govern the Corps dams and reservoirs that could undermine congressional intent, erode government accountability, limit public input and create a litigious atmosphere. And, any such changes would have a cascading effect on dams owned by the Bureau of Reclamation and non-federal entities like public utility districts.

Instead of giving courts and bureaucrats more power, Congress needs to reinforce the congressionally-authorized policies that govern these projects. And, if changes need to be made at these facilities, they should be made by Congress in the open, not by the un-elected.

This amendment simply continues our historical role in determining how multiple-use Corps projects are operated. I urge my colleagues to support this amendment and the underlying bill.

Ms. BROWNLEY of California. Mr. Chair, I would like to thank the Chairman and the Ranking Member of the House Transportation and Infrastructure Committee for including my amendment No. 20, related to the Navy, in the en bloc agreement today.

My amendment is a simple, straightforward improvement to H.R. 3080, the Water Resources Reform and Development Act.

As you know, Section 202 of the underlying bill requires the Army Corps of Engineers to assess the operation and maintenance needs of harbors used for a variety of purposes, including for commercial navigation; for commercial fishing; for transportation of persons; domestic energy production; public health and safety; the activities of the Coast Guard; recreation; and other purposes.

My amendment would add "activities of the Secretary of the Navy" to the list of activities that the Army Corps must consider when assessing the operation and maintenance needs of harbors.

Section 202 of the underlying bill also requires the Army Corps of Engineers to determine an equitable allocation of funds from the Harbor Maintenance Trust Fund.

The bill sets forth criteria, including an assessment of utilization; national and regional significance, and also states that the allocations shall not be based solely on tonnage.

My amendment would add a requirement for the Corps to consider—where appropriate—our national security needs in consultation with the Secretary of the Navy.

My amendment does not alter the delicate balance that the Committee

has sought to achieve between small and large harbors. It simply requires that the Corps of Engineers takes into account our naval fleet and our national security needs.

I believe better up-front coordination of our priorities is needed between the Army Corps of Engineers and the Navy because of a situation that has arisen in my Congressional District.

The U.S. Army Corps of Engineers began dredging Channel Islands Harbor in 1960 because erosion was threatening Navy installations near Port Hueneme and the dredging provided the sand to replenish what had washed away.

Due to inadequate federal funding for harbor maintenance in 2013, the beach area—that borders along Naval Base Ventura County—received only a fraction of the 1 million cubic yards of sand it typically gets when the Corps dredges the Channel Islands Harbor sand trap.

Now, severe erosion is threatening coastal streets in Port Hueneme, which serve as a critical transportation artery to and from the Naval Base.

The erosion is also threatening military readiness at Naval Base Ventura County.

According to the Navy: “Continued beach erosion creates a potential for mission impacts at Naval Base Ventura County. These impacts include risks to critical Navy facilities and infrastructure; such as ordinance magazines and transportation routes, lab and training buildings, runway lighting, etc.”

Since coming to Congress, I have worked tirelessly with the Army Corps of Engineers and the Department of the Navy to address these issues.

The Department of the Navy has communicated its clear national security interest to the Corps, and has informed me that the Navy stands ready to provide its legally required share of funds for the project. However, the project remains underfunded.

In the future, as the Army Corps of Engineers prioritizes the use of funds, I believe the Army Corps needs to consider the activities of the navy and our national security needs.

My amendment will require the Corps to take these issues into account when prioritizing the use of funds.

While I continue to work to find funds to address the immediate crisis, it is my hope that better up-front coordination between the Army Corps and the Navy will prevent this issue from occurring again in the future.

Again, I appreciate the Chairman and Ranking Members support for this common-sense improvement to H.R. 3080.

Ms. BROWNLEY of California. Mr. Chair, I would like to thank the Chairman and the Ranking Member of the House Transportation and Infrastructure Committee for including my amendment No. 22, related to job creation, in the en bloc agreement today.

My amendment is a simple, straightforward improvement to H.R. 3080, the Water Resources Reform and Development Act.

This important amendment will require the Government Accountability Office to study and report to Congress on the effectiveness of the activities funded by the Harbor Maintenance Trust Fund in maximizing economic growth and job creation in the communities surrounding low- and moderate-use ports.

The GAO will also be required to include recommendations relating to the use of amounts in the Harbor Maintenance Trust Fund to increase the competitiveness of United States ports relative to Canadian and Mexican ports.

Under my amendment, the term “low-use port” means a port at which not more than 1,000,000 tons of cargo are transported each calendar year.

The term “moderate-use port” means a port at which more than 1,000,000, but fewer than 10,000,000, tons of cargo are transported each calendar year.

I came to Congress to move our nation forward, to create jobs, and to ensure that Ventura County has the resources necessary to succeed.

Like many of my colleagues, I view all of the actions that Congress takes—and all federal programs—through the lens of its potential to create jobs.

That is why I think it is critically important that GAO undertake a comprehensive study of the Harbor Maintenance Trust Fund and help us to maximize the job creation potential of the program and to increase our international competitiveness.

In my district, I am fortunate to represent several ports and harbors, including Channel Islands Harbor, Ventura Harbor, and the Port of Hueneme.

The ports and harbors in my district are critical to our local and regional economy—supporting both small, mid-size, and large businesses, as well as thousands of jobs both directly at the port and indirectly in our community.

In 2012, the Port of Hueneme—which moved approximately 1.3 million tons of cargo—undertook a study of the local and regional economic impact.

The study concluded that 9,448 jobs in the Port Hueneme metropolitan region and the State of California were in some way related to the activity at the Port’s marine terminals. This included 2,277 direct jobs, 2,727 induced jobs, 620 indirect jobs, and 3,824 regional jobs influenced by cargo exported and imported through the Port Hueneme marine terminals.

In fiscal year 2012, marine cargo activity at the Port of Hueneme generated a total of \$723.8 million of total economic activity in the region.

A total of \$50.8 million of state and local tax revenue was generated by maritime activity at the Port’s marine terminals in fiscal year 2012.

In addition, \$12.9 million of state and local taxes were created due to the economic activity of the users of the cargo moving via the marine terminals.

The Port of Hueneme is just one example of how strategic and smart use of the Harbor Maintenance Trust Fund is helping to create jobs and generate economic growth.

Across the nation our ports and harbors are vital economic engines of our economy.

I think it is critically important for Congress to have a thorough report from the GAO on the use of the Harbor Maintenance Trust Fund across the nation so that we can maximize the use of these taxpayer dollars—supporting businesses and creating jobs.

Again, I appreciate the Chairman and Ranking Members support for this common-sense improvement to H.R. 3080.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The en bloc amendments, as modified, were agreed to.

AMENDMENT NO. 5 OFFERED BY MR. YOUNG OF ALASKA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113-251.

Mr. YOUNG of Alaska. Mr. Chairman, I rise today to offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:  
**SEC. . . . GEOSPATIAL SURVEYING AND MAPPING.**

Section 918 of the Water Resources Development Act of 1986 (33 U.S.C. 2292) is amended to read as follows:

**“SEC. 918. GEOSPATIAL SURVEYING AND MAPPING.**

**“(a) PROCUREMENT OF SURVEYING AND MAPPING SERVICES.**—Any surveying or mapping services to be performed in connection with a water resources project which is or has been authorized to be undertaken by the Secretary shall be procured in accordance with chapter 11 of title 40, United States Code.

**“(b) GEOSPATIAL SURVEYING AND MAPPING ACTIVITIES.**—In carrying out water resources projects, the Secretary shall, wherever practicable, utilize the private sector for commercially available geospatial surveying and mapping activities. The Secretary shall not start or carry on any activity to provide a commercially available geospatial surveying and mapping service that duplicates, competes with, or can be procured from a commercial source.

**“(c) GUIDANCE.**—

**“(1) ISSUANCE.**—The Secretary shall issue guidance to encourage entities in the Corps of Engineers to utilize, to the maximum extent practicable, contracting with private sector sources for geospatial surveying and mapping services for water resources projects.

**“(A) CONTENTS.**—In carrying out this subsection, the Secretary shall—

**“(i) define appropriate inherently governmental roles in geospatial surveying and mapping activities, which roles shall include—**

**“(I) activities so defined in section 5 of the Federal Activities Inventory Reform Act of 1998 (112 Stat. 2384);**

**“(II) preparation of standards and specifications;**

**“(III) research of geospatial surveying and mapping instrumentation and procedures that are not commercially available, with prompt technology transfer to the private sector;**

**“(IV) providing technical guidance, coordination, and administration of geospatial surveying and mapping activities; and**

“(V) contracting with private sector sources for geospatial surveying and mapping activities.

“(ii) define commercially available geospatial surveying and mapping activities to include activities described in—

“(I) section 36.601-4(a)(4)(A) of the Engineer Federal Acquisition Regulation; and

“(II) section 467 of title 10, United States Code.

“(d) IMPLEMENTATION.—The Secretary shall develop a process for the oversight and monitoring, on an annual basis, of compliance with the guidance issued under subsection (c).

“(e) ASSESSMENT.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall conduct an assessment of all entities in the Corps of Engineers, including divisions, districts, laboratories, and technical centers, to determine the extent to which each entity is utilizing governmental and private sector sources for commercially available geospatial surveying and mapping services. In conducting the assessment, the Secretary shall consult with organizations of commercial geospatial surveying and mapping firms.”

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I suggest respectfully this is a very simple amendment. It is about the intrusion by the Corps into the private sector of mapping. They have been very good in the past about contracting out.

I found out by reports that certain areas of the Corps have bought equipment, they have bought, frankly, a yacht, and they have gotten into the mapping business. In doing so, that is in direct competition to the private sector.

Today, with the scarce amount of money we have for infrastructure, we ought to keep that infrastructure available for, in fact, all the moneys for building and not for getting into the private sector business of mapping. They can still do it. If there isn't a contractor close by or it is not practical, they can still do their own work, but I see the expansion occurring as an invasion into an area that already has plenty of qualified people to do it.

I think this amendment is a very simple amendment. We ought to adopt this amendment, and I reserve the balance of my time.

□ 1630

Mr. BISHOP of New York. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of New York. Mr. Chairman, throughout the development of H.R. 3080, the chairman has taken a measured approach to balancing the desire to encourage additional private sector involvement in the development and execution of Corps projects with maintaining the internal technical capability of the Corps to carry out its vital military and civil works missions.

For decades, this committee has held the belief that maintaining the tech-

nical capability of the Corps is critical not only to address the water resources needs of the Nation, but also to maintain the ability of the Corps to serve its other role as critical support our Nation's military.

To maintain this capability, we have strived to maintain critical technical expertise within the Corps, while at the same time recognizing those areas where outside commercial interests can provide a useful role.

In my view, this amendment seeks to push the lever too far towards outsourcing the internal capabilities of the Corps. My understanding is that currently the Corps contracts extensively with the private sector for surveying and mapping services. However, the decision as to when it is appropriate to use their own staff, a public agency, or a private contractor for this work should remain within the Corps' leadership, who understand the needs of specific projects.

For these reasons, I urge opposition to the amendment, and I include letters from the AFGE, the transportation trade, and the IFPTE in opposition to the amendment.

I reserve the balance of my time.

AMERICAN FEDERATION OF  
GOVERNMENT EMPLOYEES, AFL-CIO,  
Washington, DC, October 23, 2013.

Re Don't bail out bad contractors: oppose the Young-Petri amendment to give all surveying and mapping work to contractors, regardless of high costs or bad performance

DEAR REPRESENTATIVE: On behalf of the American Federation of Government Employees, AFL-CIO, which represents more than 650,000 federal employees, including in the Corps of Engineers (CoE), I urge you to oppose an amendment to be offered to the Water Resources Development Act (H.R. 3080) by Representatives Don Young (R-AK) and Tom Petri (R-WI) that would prevent the CoE from using lower-cost, higher-performing alternatives to contractors for the performance of surveying and mapping functions.

The Department of Defense (DOD), which spends 60% of all service contract dollars, including a large amount on behalf of CoE, has determined that contractors usually cost more than in-house performance, often by significant amounts. In 2010, then DoD Secretary Robert Gates told The Washington Post “that federal workers cost the government 25 percent less than contractors”. Comptroller Robert Hale acknowledged to a Senate Subcommittee in June that contractors are two to three times more expensive than civilians. In a September House hearing, the Army Chief of Staff echoed Hale's remark.

The Young-Petri amendment would direct the CoE, in carrying out water resources projects, to use contractors for surveying and mapping functions whenever possible and forbid the CoE from starting or performing surveying and mapping functions if they happen to be performed by contractors. At a time when taxpayer dollars are precious, it makes no sense to force CoE to give work to contractors that can better be performed by federal employees.

There has been no determination by the agency, the House Transportation and Infrastructure Committee, let alone any independent third party, that the agency is failing to adequately use contractors for these functions or that its federal sector surveyors

and mappers are costly or inadequate. The Young-Petri amendment is simply an attempt by a group of contractors to use political pressure to force the CoE to give them more taxpayer dollars—the worst kind of earmark. The impartial experts at CoE should be responsible for determining how the agency meets its mission, not a self-interested band of contractors. Of course, surveying and mapping contractors want more money, but that doesn't mean they should take it from taxpayers. Enactment of the Young-Petri amendment would be a terrible public policy precedent.

Thank you for your consideration. Please contact John Threlkeld (threlj@afge.org) of my staff if you have any questions.

Sincerely,

BETH MOTEN,  
Legislative and Political Director.

TTD,

October 23, 2013.

Re Vote NO on the Young-Petri Amendment to WRRDA

DEAR REPRESENTATIVE: On behalf of the Transportation Trades Department, AFL-CIO (TTD), I ask that you oppose the Young-Petri amendment (#21) to the Water Resources Reform and Development Act of 2013 (WRRDA). While TTD supports the underlying legislation, Young-Petri would unnecessarily require the Army Corps of Engineers to contract with private firms for surveying and mapping services, and jeopardize the jobs of qualified, public service professionals.

This amendment would do nothing to improve the efficiency or flexibility for Corps surveying and mapping responsibilities. In fact, the Corps already contracts extensively with the private sector for these services. The decision as to when it is appropriate to use their own staff, a public agency or a private contractor for this work should remain with the Corps' leadership who understand the needs of specific projects. Should this amendment be adopted, Congress would be creating a special set-aside for the private firms in this industry and tying the hands of the experts and specialists who manage these projects. In addition, the amendment would set a bad precedent and is contrary to recent legal and regulatory efforts to ensure “special consideration” of using federal employees instead of contractors.

WRRDA is an important piece of legislation that will bring much needed investment and reform to our nation's water infrastructure. However, Young-Petri will have a negative effect on the Corps ability to use best judgment and practices when performing critical surveying and mapping duties and it will deal a devastating blow to those professionals who currently perform that work. I urge you to vote no on this amendment and preserve the integrity and bipartisan principles in the underlying bill.

Sincerely,

EDWARD WYTKIND,  
President.

INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS, AFL-CIO & CLC,

Washington, DC, October 23, 2013.

DEAR REPRESENTATIVE: As President of the International Federation of Professional and Technical Engineers (IFPTE), I am writing regarding today's House consideration of HR 3080, the Water Resources Development Act (WRDA) of 2013. As a union representing tens of thousands of workers, including Army Corps of Engineers employees, IFPTE believes that this much needed legislation will not only go a long way toward modernizing and preserving our homeland critical infrastructures, including our ports, inland, and

coastal waterways, but it will also create and preserve hundreds of thousands of high quality American jobs.

While IFPTE does support the legislation, we also have serious concerns with an amendment made in order by the Rules Committee. The amendment, sponsored by Representatives Don Young and Tom Petri, would force the Army Corps of Engineers to shift mapping and surveying functions from highly skilled federal workers to more costly contractor provided services.

The Young-Petri amendment is a simple one: It directs the Corps to use contractors for mapping and surveying wherever possible when performing water resources projects. It also prohibits Corps federal employees from undertaking mapping and surveying work, regardless of the quality and cost of the work, if it is already being performed by contractors.

IFPTE believes that all outsourcing should be done only after consideration of the cost versus benefit for the taxpayer. Just because a certain function may be deemed commercial in nature does not mean that it should be contracted out, as this amendment seeks to accomplish. The Army Corps of Engineers nor the House Transportation and Infrastructure Committee has found that surveying and mapping functions performed by federal workers are inadequate or more costly than contractors. In fact, just this past June Department of Defense (DOD) Comptroller, Robert Hale, testified before the Senate that contractors cost the taxpayer two to three times more than federal employees. Mr. Hale's statement was later reinforced by the Army Chief of Staff at a September House hearing. Forcing these activities to be contracted out absent any proof of cost savings is simply irresponsible.

WRDA is a jobs bill and will go a long way toward the creation and preservation of hundreds of thousands of American jobs. While our union supports the underlying bill, we are not supportive of the Young/Petri amendment. Support the bill, while rejecting the amendment.

Thank you for your consideration. If you have any questions please contact IFPTE Legislative Director, Matt Biggs.

Sincerely,

GREGORY J. JUNEMANN,  
*President.*

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. I thank my colleague from Alaska for yielding, and I rise to support the Young amendment. I am pleased to be a cosponsor of the amendment.

It is important that the U.S. Army Corps of Engineers be encouraged to use the private sector for surveying and mapping services whenever practical. Congress should take steps to end the increasing duplication of and competition with the private sector by the Corps of Engineers. This amendment would allow the Corps to continue to manage mapping and surveying for its projects, but it should rely on the private sector to perform the mapping and surveying services and activities that are commercially available to the maximum extent practical.

At a time when Federal funds for infrastructure, including water resources projects, are limited, the Corps should be increasing its use of the private sector for surveying and mapping, where it makes sense, not wasting tax dollars

by competing and duplicating the private sector.

So I encourage the House to adopt the Young amendment to increase the Corps' reliance on the capable and qualified private sector surveying and mapping services wherever practical.

Mr. BISHOP of New York. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Chairman SHUSTER).

Mr. SHUSTER. Mr. Chairman, I appreciate the gentleman yielding, and I reluctantly rise in opposition to my good friend from Alaska's amendment.

The Corps of Engineers, like all Federal agencies, is required to follow acquisition and procurement laws. Much of the work of the Corps is in fact contracted out to private sector entities, including much of the hydrographic mapping, which is integral to construction and operation and maintenance.

While I understand and empathize with the sponsor of the amendment, it appears to me to be more of an acquisition and procurement issue. What we do not want is to have one acquisition and procurement law for the Federal Government, and a new or special or additional acquisition or procurement law for the Corps of Engineers.

So again, I reluctantly rise in opposition to my good friend from Alaska's amendment.

Mr. YOUNG of Alaska. I reluctantly respect the gentleman's opinion, but at this time I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Chairman, I appreciate the gentleman from Alaska yielding me this time, and I rise in support of the amendment.

Small businesses struggle to stay in business every day, and they should not have to compete against their government, on top of all of the other challenges they face. In fact, sometimes I think we should pin a medal on anybody who is able to survive today in small businesses. Yet every day in almost every congressional district, big government agencies are competing with small businesses.

When the White House Conference on Small Business met in 1995, it listed unfair government competition with small businesses as one of the top issues. This is not a new problem. In fact, since the Eisenhower administration in 1955, it became official U.S. policy that:

The Federal Government will not start or carry on any commercial activity to provide a service or product for its own use if such product or service can be procured from private enterprise through ordinary business channels.

This is a service that can easily be provided by private small businesses, and we should support that. This amendment would simply require the Army Corps to take advantage of the private mapping and surveying services that are available instead of competing with them.

I believe this is a very reasonable and responsible amendment, and I urge my colleagues to support it.

Mr. BISHOP of New York. Mr. Chairman, I join Chairman SHUSTER in opposing this amendment.

I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, the Corps has been good, but they are expanding. They just spent money, instead of on solving a problem, on a UAV, and they spent \$2.3 million on a yacht. There is no reason for that, Mr. Chairman; there is no reason.

This doesn't keep them from surveying, it doesn't keep them from contracting, but I don't want them to expand this program. We have another government agency, and we are trying to save money and we are going to allow them to expand it. I know how these agencies go. They will start buying more and more and they will expand and say, We don't have to contract anymore. Mr. Chairman, with all due respect, you know that is true. I have watched these agencies. As chairman of this committee, I watched them and tried to stop them. This is not the time to spend money foolishly. We have the contractors out there. Let's use them where they are available. Let's not let them build a machine within the Corps of Engineers themselves. Keep that in mind. You ought to adopt this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was rejected.

AMENDMENT NO. 6 OFFERED BY MR. HASTINGS  
OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113-251.

Mr. HASTINGS of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. 139. ANNUAL OPERATIONS AND MAINTENANCE BUDGET.**

The Secretary shall include operation and maintenance costs associated with sand transfer plants in the annual operations and maintenance budget of the Corps of Engineers.

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, my amendment would help to maintain beaches and the integrity of our shipping channels around the country.

Sand transfer plants are vital for beach renourishment, as well as to fight erosion and shoaling in navigation channels. These inlets are often the lifeblood of the communities they serve. When shoaling of the channels makes navigation dangerous, it is the people and businesses that suffer.

The Army Corps of Engineers is already spending money to dredge these

channels. By reducing the need to dredge so often, my amendment allows for more efficient allocation of Federal dollars. Furthermore, additional Corps resources are then freed up for other uses.

This amendment does not authorize or appropriate any funds. It merely allows the sand transfer plants to participate in the process and gives the Corps flexibility in prioritizing its funding. It applies to all sand transfer plants, those that are in existence and those not yet in existence. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, typically the Corps of Engineers carries out studies and projects that are cost-shared with non-Federal sponsors.

Sand transfer facilities that are associated with beach nourishment projects are traditionally a non-Federal responsibility. This amendment would require the Corps of Engineers to assume the operation and maintenance costs of these facilities. This would put more funding requirements on the Federal taxpayer for this type of work. It is clear that the Corps' budget will not be increased substantially to cover these additional requirements.

One of the key goals of H.R. 3080 is to empower non-Federal interests to take a larger role in carrying out water resources projects. This amendment is not financially responsible since it would place an additional burden on the Corps of Engineers without recognizing the fiscal restraints the Corps is already under, so I urge all Members to oppose this amendment.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Chairman, at this time I am very pleased to yield 2 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, first of all, I want to commend Chairman SHUSTER for restoring the bipartisan nature to our committee, and I want to thank Congressmen RAHALL, BISHOP, and GIBBS for their work on this bill. I also want to thank the Corps of Engineers for their hard work. They have been underfunded and overworked, but they have always been there for the American people. The work they did during Hurricane Katrina and, most recently, Hurricane Sandy should be commended by Congress.

We are already failing to prepare our ports for post-Panamax ships and are falling behind in our international competition. Ports throughout Asia, Europe, South America, and the Caribbean all have ports with depths of 50 feet.

I agree that we need to fully reauthorize WRDA every 2 years, but I don't believe many people are con-

fidant that will happen. In fact, it took 7 years since reauthorization of the last WRDA bill.

I went to a preliminary review on the Chief's Report, and the Army Corps made clear that they don't pick winners and losers, but that is what we are doing here in Congress.

This is a fairness issue for the State of Florida. I hope that as we move toward conference, we must engage the House, the Senate, and the White House to ensure that the State of Florida is not left behind. As this bill continues to move through the process, we need to work together to make sure that we treat every State fairly and don't arbitrarily leave any critical infrastructure projects behind.

Mr. SHUSTER. Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I have great respect for this committee. I think they have done extraordinary work on behalf of all of us here in Congress, operating with fiscal restraint and able to produce a bipartisan product. Toward that end, most of all I respect Chairman SHUSTER, but I firmly disagree with his assessment of this particular measure.

There is one transfer plant that is located in an area that I serve, and that is in Lake Worth, Florida. It is the Lake Worth Inlet. There is one in California, one in New Jersey, and one in Bethany Beach on the Indian River Inlet. Additionally, this amendment would just apply whenever the Corps builds additional sand transfer plants.

There is no money that is involved. The money that the Corps of Engineers would save is immense, and I don't for the life of me understand why there would be opposition to that. I will have a lot more to say over the course of time regarding how the Corps conducts its operations, but I have lived for 21 years with many of their successes and a hell of a lot of their failures.

Toward that end, in this particular instance, I am trying to help them to save something and to be able to do the things that are necessary to allow for navigation of these waters that are critical to the areas that they serve.

I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I urge a "no" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HASTINGS of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. BENTIVOLIO

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 113-251.

Mr. BENTIVOLIO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 136, line 12, strike "\$12,000,000,000" and insert "\$35,000,000,000".

Page 137, beginning line 1, strike "AUTHORIZED BEFORE WRDA 2007".

Page 137, line 12, strike "November 8, 2007" and insert "the date of enactment of this Act".

Page 138, line 14, strike "\$12,000,000,000" and insert "\$35,000,000,000".

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from Michigan (Mr. BENTIVOLIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. BENTIVOLIO. Mr. Chairman, first I would like to thank the Committee on Transportation and Infrastructure, Chairman BILL SHUSTER, and other members of the committee and their staff for working so hard on this bill.

There are many good reforms in this legislation, and I applaud their efforts. However, while this bill initially deauthorizes \$12 billion in old and inactive projects, most of those savings are simply moved to other projects.

□ 1645

Offsetting costs is always good, but we can do better. We should be looking for real savings and clearing out the backlog for the American people. While the bill sunsets some new authorizations to help curtail the backlog problem, much more needs to be done about the current backlog.

I am a former teacher. When educators teach the basics of our system of government, we say "the legislature creates the law and controls the purse." The fact of the matter is, Congress has not been in control of its purse for quite a while, and these outdated, backlogged projects, some almost 50 years old, prove just that. Simply put, there is just too much spending with little to no oversight or accountability. It needs to stop.

Many of these projects were earmarks in previous water resources bills. There was not sufficient follow-up to make sure they were completed on time and under budget. For example, the 2007 bill had approximately \$8 billion in additional projects and earmarks thrown in during conference.

If these projects and this money are important and necessary, then what has Congress been doing all these years to ensure these much-needed projects and funds were being completed? By this body's own action—or inaction—it has shown over and over that either these projects aren't important as some claim or that Congress is spending money on improvements without much thought.

Every dollar we waste is a dollar that could be spent to help the American people and a dollar we wouldn't need to

borrow against our children's and grandchildren's future. If these projects aren't important enough for us to ensure their completion on time and within budget, then we probably shouldn't have authorized it in the first place.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Mr. Chairman, throughout the process of developing this water resources bill, Chairman SHUSTER has done a remarkable job of maintaining a balance between addressing future water resource needs of the Nation and coming to terms with those legacy projects and studies of the Corps of Engineers that may have languished over the decades. Unfortunately, the pending amendment would upset that balance, and it seeks to deauthorize a massive amount of projects that I would suggest continue to have strong local, congressional, and potentially administrative support.

While addressing the unconstructed backlog is an important issue, I urge opposition to this amendment that seeks to wipe away much of the good work of this body over the decades simply to make a point on fiscal conservatism. We all want to address the debt. It is a worthy goal. I agree with the gentleman's comments about passing that debt on to our children and grandchildren, but I suggest this is not the proper manner in which we are fair to our entire country and to the future infrastructure of this Nation.

I reserve the balance of my time.

Mr. BENTIVOLIO. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman from Michigan permitting me to speak on this.

My friend from West Virginia made a very important point, that under this bill, if it is approved, we are going to extend the backlog to something like \$72 million. There are many people who support these various projects, and that is part of the problem.

Simply authorizing is not somehow free. It costs money to be able to move them into the production stage. We have billions of dollars that are ready for construction that are languishing, and because we are not adequately funding year in and year out, we have an amazing number of projects with a shelf life that has expired.

I commend what the gentleman from Pennsylvania and the gentleman from West Virginia have done with the committee, trying to do a deeper dive, trying to fine-tune, trying to make some real progress here. The problem is we have a legacy where, for decades, that same care and consideration was not exercised, where there are a lot of projects that really are not cost effective, that really are no longer state of the art.

I think by moving forward to clear the decks of a little more of the backlog, not diverting—because the Corps and Congress have to contend with people that think just because it has been authorized they are entitled to have the project go forward. I can understand that if it stays on the books, but that is a distortion of where we are now. We are not adequately funding what this bill needs to do.

Unless and until we do a little more aggressive pruning, we are just going to continue to add to the backlog, and we are going to continue to have some projects that will get moved along sometimes for political reasons even though they are not the best projects. The more that we can help the committee move forward, prune it down, tailor it, focus it, we are all going to be better off.

I urge adoption of the amendment.

Mr. RAHALL. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from West Virginia has 3½ minutes remaining, and the gentleman from Michigan has 30 seconds remaining.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to Chairman SHUSTER.

Mr. SHUSTER. Mr. Chairman, I appreciate the gentleman from Michigan wanting to be fiscally responsible. That is what we tried to do in this bill.

All of the new authorizations in WRRDA were more than fully offset by deauthorizations, and WRRDA seeks to deauthorize its old, inactive projects which have not begun construction or have not received any funds, Federal or non-Federal, in the last 5 years. This approach cuts waste and reduces the backlog of projects that are unlikely to move forward.

Such a significant increase in the deauthorization target could have unforeseen consequences, and I believe it would effectively deauthorize viable projects—projects that are almost ready to go, projects that have non-Federal money committed to them—and impact the ability to move these forward, these important water resources and infrastructure improvements that are ready to move that have non-Federal dollars in place.

We also put in this bill a sunset law, that if any new authorizations do not move in 7 years, they will automatically be deauthorized. It will continue to push down on that backlog. I certainly would be open in the next WRRDA bill for additional deauthorizations to make sure we continue to reduce that backlog.

I reluctantly urge all Members to oppose this amendment.

Mr. BENTIVOLIO. Mr. Chairman, our Nation is facing a fiscal crisis and Americans are sick of how much money Congress wastes. The fact that there is between \$60 billion and \$80 billion in old, inactive projects and backlog means something is wrong. It took less than a decade for the United States to go to the Moon. How could it possibly take decades to build a dam? Hoover Dam was built in 5 years.

If we aren't going to do these projects right and on time, we shouldn't be doing them at all. We need to prioritize and follow through on projects that are important. It is not radical to clear out old and back-dated projects.

I yield back the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Chairman, I thank the gentleman for yielding.

Let me pick up on something that Chairman SHUSTER just said. He said that if we were to take the approach that is advocated by this amendment of the gentleman from Michigan, we would run the risk of deauthorizing projects that are very vital. Let me give you an example of one that would be in that category.

The Fire Island to Montauk Point Reformulation Study, a study that comprises the 83 easternmost miles of coastline of Long Island, 70 miles of which is in my district, which was first authorized in the 1960s, it has crept along primarily because it has not had adequate funding either for studies and certainly not for construction.

Hurricane Sandy proved just how valuable and just how important the work that has been contemplated by the Fire Island to Montauk Point Reformulation Study has been and would have been. If it were not for the Sandy supplemental funding, we still wouldn't be in a position to fund the vitally important construction projects associated with FIMP; but FIMP is the kind of project that would fall victim to the amendment offered by the gentleman from Michigan were it to be approved.

So I join the ranking member and the chairman in urging opposition to the amendment.

Mr. RAHALL. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. BENTIVOLIO).

The amendment was rejected.

AMENDMENT NO. 8 OFFERED BY MR. JONES

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 113-251.

Mr. JONES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, line 3, strike "that has been damaged" and all that follows before the closing quotation marks on line 7.

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from North Carolina (Mr. JONES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. JONES. Mr. Chairman, Uncle Sam has largely stopped funding maintenance of federally authorized shallow

draft inlet projects. There are over a dozen of these projects in the district that I represent in North Carolina. These are critical to the local economy. To fill the gap, the State of North Carolina is stepping up to pay for dredging these waterways. My concern is that section 108 of the bill may be interpreted to allow States to only pay for maintenance of projects damaged by disasters.

Does the chairman share my belief that States should be allowed to contribute funds to any of the Federal projects, not just those damaged by disasters? And will he agree to work in conference to perfect the bill's language to meet our shared intent?

Mr. SHUSTER. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. I thank the gentleman from North Carolina, and I thank you for raising this issue.

We will be happy to try to work with you as we go through conference to look into what you are talking about and making sure we do what is right for the country in moving forward.

Mr. JONES. Mr. Chairman, thank you very much for that. I want to thank you and the ranking member for the outstanding job you and your staffs have done on this bill.

Mr. Chairman, I withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 13 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 113-251.

Ms. VELÁZQUEZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 95, after line 15, insert the following (and redesignate subsequent sections accordingly):

**SEC. 137. NATIONAL WATER-BASED FREIGHT POLICY.**

(a) IN GENERAL.—It is the policy of the United States to improve the condition and performance of the national water-based freight network to ensure that such network provides the foundation for the United States to compete in the global economy and achieve each goal described in subsection (b).

(b) GOALS.—The goals of the national water-based freight policy are—

(1) to invest in infrastructure improvements and to implement operational improvements that—

(A) strengthen the contribution of the national water-based freight network to the economic competitiveness of the United States;

(B) reduce congestion; and

(C) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

(2) to improve the safety, security, and resilience of water-based freight transportation;

(3) to improve the state of good repair of the national water-based freight network;

(4) to use advanced technology to improve the safety and efficiency of the national water-based freight network;

(5) to incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national water-based freight network;

(6) to improve the economic efficiency of the national water-based freight network; and

(7) to reduce the environmental impacts of freight movement on the national water-based freight network.

(c) ESTABLISHMENT OF A NATIONAL WATER-BASED FREIGHT NETWORK.—

(1) IN GENERAL.—The Secretary shall establish a national water-based freight network in accordance with this section to assist States in strategically directing resources toward improved system performance to achieve efficient movement of freight on inland waterways, canals, ports, and harbors, and related freight intermodal connectors.

(2) NETWORK COMPONENTS.—The national water-based freight network shall consist of the primary water-based freight network, as designated by the Secretary under subsection (d) as most critical to the movement of water-based freight.

(d) DESIGNATION OF PRIMARY WATER-BASED FREIGHT NETWORK.—

(1) INITIAL DESIGNATION.—Not later than 1 year after the date of enactment of this section, the Secretary shall designate a primary water-based freight network based on an inventory of national water-based freight volume and in consultation with stakeholders, including system users, transportation providers, and States.

(2) FACTORS FOR DESIGNATION.—In designating the primary water-based freight network, the Secretary shall consider—

(A) the origins and destinations of water-based freight movement in the United States;

(B) the total tonnage and value of water-based freight moved across United States bodies of water;

(C) the average annual water-based freight traffic on United States bodies of water;

(D) maritime ports of entry;

(E) access to energy exploration, development, installation, or production areas;

(F) population centers; and

(G) network connectivity.

(3) REDESIGNATION.—On the date that is 10 years after the initial designation of the primary water-based freight network, and every 10 years thereafter, using the factors described in paragraph (2), the Secretary shall redesignate the primary water-based freight network.

(e) NATIONAL WATER-BASED FREIGHT STRATEGIC PLAN.—

(1) INITIAL DEVELOPMENT.—Not later than 3 years after the date of enactment of this section, the Secretary, in consultation with State departments of transportation and other appropriate public and private transportation stakeholders, shall develop and post on a public Web site a national water-based freight strategic plan that shall include—

(A) an assessment of the condition and performance of the national water-based freight network;

(B) an identification of bottlenecks on the national water-based freight network that create significant freight congestion problems, based on a quantitative methodology developed by the Secretary, and, to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

(C) forecasts of water-based freight volumes for the 20-year period beginning with the year during which the plan is issued;

(D) an identification of major trade gateways and national water-based freight corridors that connect major population cen-

ters, trade gateways, and other major water-based freight generators for current and forecasted traffic and water-based freight volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

(E) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved water-based freight transportation performance (including opportunities for overcoming the barriers);

(F) an identification of routes providing access to energy exploration, development, installation, or production areas;

(G) an identification of best practices for improving the performance of the national water-based freight network;

(H) an identification of best practices for mitigating the impacts of water-based freight movement on communities;

(I) an identification of a process for addressing multistate projects and encouraging jurisdictions to collaborate; and

(J) an identification of strategies to improve freight intermodal connectivity.

(2) UPDATES.—Not later than 5 years after the date of completion of the first national water-based freight strategic plan under paragraph (1), and every 5 years thereafter, the Secretary shall update and post on a public Web site a revised national water-based freight strategic plan.

(f) WATER-BASED FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of this section, and biennially thereafter, the Secretary shall prepare a report that contains a description of the conditions and performance of the national water-based freight network in the United States.

(g) TRANSPORTATION INVESTMENT DATA AND PLANNING TOOLS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall—

(A) begin the development of new tools or improve existing tools to support an outcome-oriented, performance-based approach to evaluating proposed water-based freight-related projects, including—

(i) methodologies for systematic analysis of benefits and costs;

(ii) tools for ensuring that the evaluation of water-based freight-related projects and other transportation projects considers safety, economic competitiveness, environmental sustainability, and system condition in the project selection process; and

(iii) other elements to assist in effective transportation planning;

(B) identify water-based transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making water-based transportation investment decisions; and

(C) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing water-based freight flow data collection efforts that could reduce identified water-based freight data gaps and deficiencies and help improve forecasts of water-based freight transportation demand.

(2) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement tools and data collection under paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, America's inland waterways move more than half a billion tons of cargo worth more than \$150 billion annually, and more than 2.3 billion tons of cargo a year move through American seaports. Commercial activity on our inland waterways supports more than 13 million jobs in the United States and is crucial to our economic prosperity. America depends on the strength of its inland waterways to support businesses and consumers across the country.

My amendment will establish a national water-based freight policy. It requires the Secretary of the Army to designate a primary water-based freight network and develop a strategic plan to assess and improve performance. It also improves data collection methods so that the Army Corps of Engineers and policymakers have better information on how to improve the system going forward.

Although the recent surface transportation reauthorization established a national freight policy, that legislation did not incorporate ports, harbors, and inland waterways into the national freight network. As ranking member of the Small Business Committee, I have heard agriculture and rural groups speak time and time again about the importance of establishing a strategy for our inland waterways. This bill recognizes the critical importance of ports, harbors, canals, and inland waterways to our economic competitiveness and develops a comprehensive approach to identify and address their problems.

Unfortunately, our inland waterways are buckling under the pressure of our growing transportation needs. In many areas, the inland waterways system has not been updated since the 1950s; more than half of the locks are over 50 years old; 90 percent of the locks and dams on the U.S. inland waterways system experienced some type of unscheduled delay in 2009.

□ 1700

There is an average of 52 service interruptions a day throughout the system. These delays prevent goods from getting to markets, driving up costs and hurting the businesses that depend on our waterways.

Addressing these issues will take time and careful planning. Projects to repair and replace aging locks and dredge channels can take decades to approve and complete. By identifying key waterways, critical bottlenecks and major trade gateways, my amendment can guide the revitalization of our inland waterways in the most effective way possible.

Thinking strategically about our inland waterway system can lead to outsized returns in the future. The American Society of Civil Engineers estimates that modest investments will protect \$700 billion in gross domestic

product and 738,000 jobs in 2020; but in order for these investments to have their desired impacts, they must be properly targeted.

My amendment will help to funnel resources to the most beneficial projects available so that we can achieve a good return on investment on American taxpayers' money.

America's inland waterways, ports, and harbors are critical tools in ensuring that all markets, foreign and domestic, are open to American goods. Establishing a national network and policy for our waterways will help us grow our economy, spur job creation, and ensure that taxpayer money is put to good use.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, I rise with great respect for the gentlelady from New York and agree with her that our ports, our inland waterway system are in bad shape. But we are in times that are fiscally restrained, and we have got to try to do our best to move these forward under these fiscal restraints, and that is what we think we are doing in this WRRDA bill, moving forward in a way that we can be positive but not break the bank.

The freight network is critical to the Nation's economic security and to our Nation's national security.

I have several concerns with this amendment. First, the amendment gives very broad authority to the administration when creating this freight network. In H.R. 3080, we intended to continue the role of Congress in authorizing Corps of Engineer activities.

Unfortunately, this amendment would undermine one of the key principles of this bill, giving away more of our authority to the administration.

Second, I believe the amendment would significantly increase bureaucracy.

Finally, this amendment requires the designation of a primary freight network that prioritizes projects near population centers and major trade gateways which, of course, are extremely important to the health of this Nation's economy. To someone from Los Angeles and New York City, that seems like a good idea.

Those of us from the interior of the country and rural parts of the country have concerns that this would leave a gaping hole in the freight transportation system. If you are from Coos Bay, Oregon, or Duluth, Minnesota, or Altoona, Pennsylvania, under this amendment you may not be considered part of that primary freight network.

But I assure you, those two ports, and hundreds of others, are integral to the regional economies and the Nation's economic well-being.

So I urge a "no" vote on this, but certainly respect what the gentlelady from New York is trying to do.

Mr. Chairman, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, the chairman of the committee stated that this amendment gives broad authority to the administration, but it is the same authority that we gave to the administration in the provision created for highways in the surface transportation bill, MAP-21.

This amendment is modeled exactly on that provision, so what is good for the goose is good for the gander, right?

So I do not understand your logic. I do not understand your argument.

But let me just say, Mr. Chairman, that this is going to benefit metropolitan areas. We held hearing after hearing in the Small Business Committee regarding this issue, and this issue was brought up to my attention by small agricultural interests from rural areas that were concerned that waterways, particularly those in rural areas, were being ignored.

The truth of the matter is that this amendment will ensure that rural areas are given a greater voice.

Mr. Chairman, I yield back the balance of my time.

Mr. SHUSTER. I thank the gentlelady for pointing that out; but I would also point out that it was the chairman of the Senate Committee who I believe put that provision in there. So in that case, once again, she was the goose and I was the gander. I may have not agreed, but we were in a conference committee on that.

But again, I am very, very concerned about giving away more and more authority to the executive branch; and again, that is one of the key principles of this bill that I think all 435 Members of this body and all 100 Members of the Senate ought to be in lockstep, making sure we don't continue to give away our constitutional authority to the executive branch. We have done far too much of that already.

But, again, I respect the gentlelady from New York and what she is attempting to do. But at this point I urge a "no" vote.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The amendment was rejected.

AMENDMENT NO. 16 OFFERED BY MR. RICHMOND

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 113-251.

Mr. RICHMOND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. \_\_\_\_ . CALCULATION OF BENEFITS AND COSTS FOR FLOOD DAMAGE REDUCTION AND HURRICANE AND STORM DAMAGE REDUCTION PROJECTS.

(a) IN GENERAL.—A feasibility study conducted by the Secretary for a project for flood damage reduction or hurricane and

storm damage reduction shall include, as part of the calculation of benefits and costs—

(1) a calculation of the anticipated reduction in flood or hurricane damage to public and private property and infrastructure resulting from the completion of the proposed project;

(2) a calculation of the anticipated direct and indirect economic benefits resulting from the completion of the proposed project, including such benefits from any potential reductions in national and regional economic volatility, disruptions, and losses; and

(3) a calculation of the anticipated benefits to public safety, including protection of evacuation routes, resulting from the completion of the proposed project.

(b) APPLICABILITY.—This section shall apply to any feasibility study for a project for flood damage reduction or hurricane and storm damage reduction that has not been completed before the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from Louisiana (Mr. RICHMOND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. RICHMOND. Mr. Chairman, let me start with congratulating both the chairman of the committee and the ranking member for including commonsense reforms in this WRRDA bill of this Congress; and with those commonsense reforms, I have just one to add.

Right now, when the Corps of Engineers does their cost-benefit analysis, they only look at the brick and mortar of the property that they are looking to protect. Well, that just doesn't make sense when we are talking about things that affect our economy.

For example, you can't just look at the bricks and mortars of the Port of New York. The Port of New York pays about \$3.7 billion in taxes to the Federal Government every year. So if you only looked at the cost of the port, to rebuild the Port of New York, you would certainly miss the billions and billions of dollars' worth of impact.

There is an example in Louisiana where the port is thinking about building a levee. It includes not only the port, but it also includes our refineries, where we know that if those residents are forced to evacuate, like in Isaac, the cost of gas went up 7 cents around the country for 5 days. So you can't just look at the cost of those homes, when we know that that keeps the price of gas down and would affect the national economy.

So this is just one more of those commonsense reforms, Mr. Chairman; and I would hope that we look at this and make sure that everyone who has a port understands that the value of the port is not in the bricks and mortar, but in the goods and services that come through in the commodities.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, I appreciate what both gentlemen from Louisiana are trying to do with this. But the Corps of Engineers projects undergo rigorous economic and environmental reviews.

In carrying out the economic analysis for flood damage reduction projects, the Corps of Engineers review many factors to determine whether a project is economically justified. In other words, in order for the Corps of Engineers to carry a flood damage reduction project, the economic benefits have to outweigh the cost of constructing a project.

Unfortunately, this amendment would change that. The Corps currently is required to look at the national impact to the economy. So, for instance, the Port of New Orleans, it is extremely important to the Nation; the Port of Newark, New Jersey, extremely important to the Nation.

But in this amendment, what it will take is it will reduce it down to the regional impact to the economy and, again, that is what is important, that the Corps continues to look at a national perspective on how those projects impact nationally, not just regionally.

So I reluctantly, at this point, urge all Members to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. RICHMOND. Mr. Chairman, I yield 2 minutes to my colleague from Louisiana (Mr. SCALISE).

Mr. SCALISE. Mr. Chairman, I thank my colleague from New Orleans, Mr. RICHMOND, for bringing this amendment forward; and, of course, what we are trying to do is just put an additional reform in place to make sure that when a cost-benefit analysis is done, it truly reflects the value of those projects, especially as we are talking about flood protection and hurricane reduction projects, in many cases, where local governments are doing a lot of the work themselves to protect not only people and communities, but also vital energy infrastructure.

Of course, having the value of that infrastructure, as my colleague from New Orleans pointed out, even when we see a storm enter the Gulf of Mexico, and as rigs in the gulf are evacuated, we see immediate increases in the price of gasoline all across the country.

So we ought to be encouraging those local communities to be building up and strengthening their flood protection, whether it is coastal restoration, where our State of Louisiana has actually dedicated the lion's share of all of the offshore oil revenues our State will ultimately start getting in 2017, to make sure that that money is dedicated to restoring our coast, literally, where you have the State putting hundreds of millions of dollars of its own

money where its mouth is to protect those resources.

But just as locals are doing that work, as the Corps is evaluating larger projects, Federal projects that would also protect that vital infrastructure, it is important that that calculation be made because, ultimately, if there is a storm or damage and that work is not done, then the economy will suffer. We have seen it suffer across the Nation.

I do want to mention, Mr. Chairman, that the American Petroleum Institute has come out in support of this amendment. It is a strong bipartisan amendment, and we appreciate the support of API; and, obviously, they understand the national importance of having this kind of reform in the bill.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. RAHALL), the ranking member of the committee.

Mr. RAHALL. I thank the chairman.

Mr. Chairman, I really, really—I mean, I really reluctantly oppose this amendment. Some concerns have been raised about how the changes proposed in this amendment would affect the current process by which the Corps calculates future costs and benefits of potential projects.

The committee may need some additional time to better understand how these changes would be implemented and what the impact to project development would be. So, therefore, I really, really reluctantly oppose this amendment.

Mr. RICHMOND. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Louisiana has 1½ minutes remaining.

Mr. RICHMOND. Mr. Chairman, also what we included in here, which I think is very important, and all of my colleagues should understand, is that when the Corps right now would evaluate a farm, they would just look at rebuilding the farmhouse, as opposed to the fact that you have millions and millions or hundreds of acres that produce goods every day for the Nation.

So we don't want the Corps to just look at brick and mortar when, for example, you may have an interstate smack dab in the area that they are thinking about protecting, and that interstate may be an evacuation route. It may be Interstate 10, which our goods and services come down.

All we are saying is that the Corps should use common sense when they do their cost-benefit analysis and not just look at bricks and mortar because, to do a true economic impact or a cost-benefit analysis, you have to get into the complexities of what the building, what the area has to offer.

So we would say that our refineries, our Port of South Louisiana, our Port of New Orleans are those types of things that you absolutely must protect, and you have to factor in the fact that they send billions and billions of dollars to the Federal Government every year in taxes.

So we would not just lose the bricks and mortar, but the Federal Government would lose billions and billions of dollars. And we are saying to the Corps of Engineers that they should take that into account when they are doing their cost-benefit analysis.

With that, Mr. Chairman, I would just urge my colleagues to vote “yes” for the amendment.

I yield back the balance of my time. Mr. SHUSTER. Mr. Chairman, I share the ranking member’s reluctance to oppose this because my two friends from Louisiana have been formidable opponents on many occasions that I have come up on the short end.

But in this case, I disagree respectfully with my colleagues that the Corps does look at the national implications, and there is no doubt that the gulf coast is the major producing region of energy in this country, so it should be; and it is in the Corps’ calculation when they are looking at hurricane damage to the gulf coast, what the impact is to the Nation.

So, again, I reluctantly oppose this amendment at this time because I just don’t believe this is something that to regionalize it is going to be beneficial to the Nation as whole.

So with that, I urge a “no” vote, and I yield back the balance of my time.

□ 1715

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. RICHMOND).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RICHMOND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 24 OFFERED BY MR. GARDNER

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in House Report 113–251.

Mr. GARDNER. I rise to offer the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:  
SEC. \_\_\_\_ OFFICE OF WATER STORAGE.

(a) DESIGNATION.—The Secretary, acting through the Chief of Engineers, shall designate a team to serve as the Office of Water Storage (in this section referred to as the “Office”) which shall serve as the principal point of contact for any person carrying out a project to construct a water storage facility that requires the acquisition of a Federal permit or the satisfaction of other Federal requirements.

(b) ADMINISTRATOR.—The Secretary, acting through the Chief of Engineers, shall designate an individual to serve as the head of the Office.

(c) PURPOSE.—The Office shall—  
(1) serve as an initial point of contact for any person carrying out a project to construct a water storage facility that requires

the acquisition of a Federal permit or the satisfaction of other Federal requirements;

(2) act as a liaison between such persons and appropriate Federal departments and agencies, including the Environmental Protection Agency and the Department of the Interior, with respect to such projects to facilitate the acquisition of necessary permits and the satisfaction of all other requirements;

(3) ensure that, with respect to such projects, necessary Federal permits are acquired and all other Federal requirements are satisfied before construction begins; and

(4) coordinate with appropriate Federal departments and agencies to streamline the Federal approval process with respect to such projects, including by limiting the duration of such process to not more than 365 days in each case in which each Governor of a State associated with the project has provided notice to the Office of that Governor’s approval of the project.

(d) TIMING REQUIREMENT.—Notwithstanding any other provision of law, with respect to a project to construct a water storage facility, any Federal permit or other Federal requirement necessary to be acquired or satisfied for purposes of such project shall be deemed to be acquired or satisfied if—

(1) each Governor of a State associated with the project has provided notice to the Office of that Governor’s approval of the project; and

(2) a determination with respect to approval of the permit or satisfaction of the requirement was not made during the 365-day period beginning on the date on which an application for the permit or an inquiry regarding the satisfaction of the requirement was submitted to the relevant Federal department or agency.

(e) NOTICE OF PERMIT APPLICATIONS.—The Administrator of the Environmental Protection Agency and the Secretary of the Interior shall each provide notice to the Administrator of the Office upon the receipt of an application for a permit relating to a water storage facility.

(f) WATER STORAGE FACILITY DEFINED.—In this section, the term “water storage facility” means any facility constructed by a person that is equipped to store at least 5,000 acre-feet of water for later use for any purpose, including dams, tanks, covered and uncovered reservoirs, water towers, and artificial water bodies.

The Acting CHAIR. Pursuant to House Resolution 385, the gentleman from Colorado (Mr. GARDNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. GARDNER. Mr. Chairman, I rise today in support of this amendment to the Water Resources Reform and Development Act, and I express my intention to withdraw this amendment at the end of my statement.

This amendment authorizes the Secretary, acting through the Chief of Engineers, to designate a team to serve as the Office of Water Storage. The office is tasked with coordinating every agency involved in the approval of water storage permits, including the EPA, the Bureau of Reclamation, and the Department of the Interior. Once initial applications are submitted to the Office of Water Storage, the office must, upon notification of the Governor, approve or deny a permit within 365 days.

The amendment does not circumvent environmental laws but merely sets a time frame for an initial up-or-down decision to move forward, and the Congressional Budget Office stated that this amendment contains no direct spending. The amendment would seek to streamline the process for desperately needed water storage infrastructure, particularly in the western United States.

Economic development to agriculture job creation is directly correlated to each individual State’s ability to deliver and store water. We can no longer rest on our current water storage infrastructure to meet the demands of both our agricultural and municipal water needs.

In Colorado alone, by the year 2050, we will need an additional 1 million acre-feet of water to meet the needs of agriculture, industry, and our growing cities. Without that water, we will see a buy-up and dry-up of agricultural land and the destruction of our economy.

To approve of these projects that have been tied up for decades in permitting battles, we need to rethink the Federal Government’s role in water storage and redefine the various missions that agencies at the Federal level are charged with in these permitting decisions.

The Federal Government has created a litany of regulations and bureaucratic red tape that inhibit local communities and States from building new reservoirs and new water storage systems, and the result, as I said, will be a buy-up and dry-up of agricultural land if we fail to move forward with these permitting projects.

The amendment puts control back in the hands of local water users, back in the hands of local governments, back in the hands of the Governor of the State, and away from the bureaucracy of Washington, D.C.

I would like to continue to work on this issue with Chairman SHUSTER. I appreciate his leadership, and I certainly would love to continue working on this with the chairman.

I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I thank my good friend from Colorado for yielding.

I understand your great passion for solving the water problems. We saw what has happened after the massive fires in Colorado and the inability to stop the flooding from occurring because the ground cover was stripped away by those terrible fires, and I understand the need for Colorado, in the future, having that water storage for your economic development to ensure that agriculture remains an important part of the economy in Colorado.

So I thank the gentleman for raising the issue. I am committed to continuing to work with you, as we have in the past, to try to address these water issues as we move forward.

Mr. GARDNER. I thank the chairman for his leadership on issues of national infrastructure.

And with that, I withdraw my amendment and yield back the balance of my time.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113–251 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. DEFAZIO of Oregon.

Amendment No. 3 by Mr. FLORES of Texas.

Amendment No. 6 by Mr. HASTINGS of Florida.

Amendment No. 16 by Mr. RICHMOND of Louisiana.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 236, not voting 11, as follows:

[Roll No. 556]

AYES—183

Andrews	DeFazio	Hinojosa
Barber	DeGette	Holt
Bass	Delaney	Honda
Beatty	DeLauro	Horsford
Becerra	DelBene	Hoyer
Bera (CA)	Deutch	Huffman
Blumenauer	Dingell	Israel
Bonamici	Doggett	Jackson Lee
Brady (PA)	Doyle	Jeffries
Bralley (IA)	Edwards	Johnson (GA)
Brown (FL)	Ellison	Kaptur
Brownley (CA)	Engel	Keating
Bustos	Enyart	Kelly (IL)
Butterfield	Eshoo	Kennedy
Capps	Esty	Kildee
Capuano	Farr	Kilmer
Cárdenas	Fattah	Kind
Carney	Fitzpatrick	Kuster
Carson (IN)	Foster	Larsen (WA)
Cartwright	Frankel (FL)	Larsen (CT)
Castro (TX)	Fudge	Lee (CA)
Chu	Gabbard	Levin
Ciilline	Gallego	Lewis
Clarke	Garamendi	Lipinski
Clay	Garcia	Loebsock
Cleaver	Gibson	Lofgren
Clyburn	Grayson	Lowenthal
Cohen	Green, Al	Lowey
Cannolly	Grijalva	Lujan Grisham
Conyers	Gutiérrez	(NM)
Cooper	Hahn	Luján, Ben Ray
Costa	Hanabusa	(NM)
Courtney	Hastings (FL)	Lynch
Crowley	Heck (WA)	Maffei
Cummings	Higgins	Maloney,
Davis (CA)	Himes	Carolyn

Maloney, Sean	Peters (CA)	Sires
Matsui	Peters (MI)	Slaughter
McCollum	Pingree (ME)	Smith (WA)
McDermott	Pocan	Speier
McGovern	Polis	Swalwell (CA)
McIntyre	Price (NC)	Takano
McNerney	Quigley	Thompson (CA)
Meeks	Rangel	Thompson (MS)
Meng	Richmond	Tierney
Michaud	Ruiz	Titus
Miller, George	Ruppersberger	Tonko
Moore	Ryan (OH)	Tsongas
Moran	Sánchez, Linda	Van Hollen
Murphy (FL)	T.	Vargas
Nadler	Sánchez, Loretta	Veasey
Napolitano	Sarbanes	Velázquez
Neal	Schakowsky	Visclosky
Negrete McLeod	Schiff	Walz
Nolan	Schneider	Wasserman
O'Rourke	Schwartz	Schultz
Owens	Scott (VA)	Waters
Pallone	Scott, David	Watt
Pascarell	Serrano	Waxman
Pastor (AZ)	Sewell (AL)	Welch
Payne	Shea-Porter	Wilson (FL)
Pelosi	Sherman	Yarmuth
Perlmutter	Sinema	

NOES—236

Aderholt	Gibbs	Messer
Amash	Gingrey (GA)	Mica
Amodei	Gohmert	Miller (FL)
Bachmann	Goodlatte	Miller (MI)
Bachus	Gosar	Miller, Gary
Barletta	Gowdy	Mullin
Barr	Granger	Mulvaney
Barrow (GA)	Graves (GA)	Murphy (PA)
Barton	Graves (MO)	Neugebauer
Benishek	Green, Gene	Noem
Bentivolio	Griffin (AR)	Nunes
Bilirakis	Griffith (VA)	Nunnelee
Bishop (GA)	Grimm	Olson
Bishop (NY)	Guthrie	Palazzo
Bishop (UT)	Hall	Paulsen
Black	Hanna	Pearce
Blackburn	Harper	Perry
Boustany	Harris	Peterson
Brady (TX)	Hartzler	Petri
Bridenstine	Hastings (WA)	Pittenger
Brooks (AL)	Heck (NV)	Pitts
Brooks (IN)	Hensarling	Poe (TX)
Broun (GA)	Holding	Pompeo
Buchanan	Hudson	Posey
Bucshon	Huelskamp	Price (GA)
Burgess	Huizenga (MI)	Radel
Calvert	Hultgren	Rahall
Camp	Hunter	Reed
Cantor	Hurt	Reichert
Capito	Issa	Renacci
Carter	Jenkins	Ribble
Cassidy	Johnson (OH)	Rice (SC)
Chabot	Johnson, E. B.	Rigell
Chaffetz	Johnson, Sam	Roby
Coble	Jones	Roe (TN)
Coffman	Jordan	Rogers (AL)
Cole	Joyce	Rogers (KY)
Collins (GA)	Kelly (PA)	Rogers (MI)
Collins (NY)	King (IA)	Rohrabacher
Conaway	King (NY)	Rokita
Cook	Kingston	Rooney
Cotton	Kinzinger (IL)	Ros-Lehtinen
Cramer	Kirkpatrick	Roskam
Crawford	Kline	Ross
Crenshaw	Labrador	Rothfus
Cuellar	LaMalfa	Royce
Culberson	Lamborn	Ryunyan
Daines	Lance	Ryan (WI)
Davis, Rodney	Lankford	Salmon
Denham	Latham	Sanford
Dent	Latta	Scalise
DeSantis	LoBiondo	Schock
DesJarlais	Long	Schrader
Diaz-Balart	Lucas	Schweikert
Duffy	Luetkemeyer	Scott, Austin
Duncan (SC)	Lummis	Sensenbrenner
Duncan (TN)	Marchant	Sessions
Ellmers	Marino	Shimkus
Farenthold	Masie	Shuster
Fleischmann	Matheson	Simpson
Fleming	McCarthy (CA)	Smith (MO)
Flores	McCaul	Smith (NE)
Forbes	McClintock	Smith (NJ)
Fortenberry	McHenry	Smith (TX)
Fox	McKeon	Southerland
Franks (AZ)	McKinley	Stewart
Frelinghuysen	McMorris	Stivers
Gardner	Rodgers	Stockman
Garrett	Meadows	Stutzman
Gerlach	Meehan	Terry

Thompson (PA)	Walberg	Wilson (SC)
Thornberry	Walden	Wittman
Tiberi	Walorski	Wolf
Tipton	Weber (TX)	Womack
Turner	Webster (FL)	Woodall
Upton	Wenstrup	Yoder
Valadao	Westmoreland	Yoho
Vela	Whitfield	Young (AK)
Wagner	Williams	Young (IN)

NOT VOTING—11

Campbell	Fincher	Nugent
Castor (FL)	Herrera Beutler	Roybal-Allard
Davis, Danny	Langevin	Rush
Duckworth	McCarthy (NY)	

□ 1752

Messrs. PITTENGER, SMITH of Missouri, BACHUS, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. RIGELL, NUNNELEE, and GARY G. MILLER of California changed their vote from “aye” to “no.”

Mrs. NAPOLITANO, Mr. ENGEL, Ms. CLARKE, Ms. DELAURO, and Mr. MORAN changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. LANGEVIN. Mr. Chair, on rollcall vote No. 556, I was unavoidably detained. Had I been present, I would have voted “aye.”

(By unanimous consent, Mr. COOK was allowed to speak out of order.)

MOMENT OF SILENCE IN HONOR OF SACRIFICE OF SERVICEMEMBERS OF FIRST BATTALION, EIGHTH MARINES KILLED IN BEIRUT

Mr. COOK. Mr. Chairman, I rise today in honor of 241 servicemembers who were killed 30 years ago in the attacks by Hezbollah against the U.S. Marine compound in Beirut.

I was not stationed in Beirut during the attack, but this was my former battalion, the First Battalion, Eighth Marines. Until 9/11, this was the deadliest terrorist attack against Americans in our Nation’s history; and in many ways, it was the beginning of the war on terror that we are still fighting today.

Mr. Chairman, I now ask my colleagues to rise and observe a moment of silence in honor of the sacrifice of 241 Americans—220 marines, 18 sailors, and three soldiers—who were lost 30 years ago today.

The Acting CHAIR. Will all Members present please rise for a moment of silence.

AMENDMENT NO. 3 OFFERED BY MR. FLORES

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. FLORES) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 193, not voting 12, as follows:

[Roll No. 557]

AYES—225

Aderholt	Granger	Pittenger
Amash	Graves (GA)	Pitts
Amodei	Graves (MO)	Poe (TX)
Bachmann	Green, Gene	Pompeo
Bachus	Griffin (AR)	Posey
Barletta	Griffith (VA)	Price (GA)
Barr	Grimm	Radel
Barrow (GA)	Guthrie	Reed
Barton	Hall	Reichert
Benishek	Hanna	Renacci
Bentivolio	Harper	Ribble
Bilirakis	Harris	Rice (SC)
Bishop (UT)	Hartzler	Rigell
Black	Hastings (WA)	Roby
Blackburn	Heck (NV)	Roe (TN)
Boustany	Hensarling	Rogers (AL)
Brady (TX)	Holding	Rogers (KY)
Bridenstine	Hudson	Rogers (MI)
Brooks (AL)	Huelskamp	Rohrabacher
Brooks (IN)	Huizenga (MI)	Rokita
Broun (GA)	Hultgren	Rooney
Buchanan	Hunter	Ros-Lehtinen
Bucshon	Hurt	Roskam
Burgess	Issa	Roskam
Calvert	Jenkins	Rothfus
Camp	Johnson (OH)	Royce
Cantor	Johnson, Sam	Runyan
Capito	Jones	Ryan (WI)
Carter	Jordan	Salmon
Cassidy	Joyce	Sanford
Chabot	Kelly (PA)	Scalise
Chaffetz	King (IA)	Schock
Coble	Kingston	Schweikert
Coffman	Kinzinger (IL)	Scott, Austin
Cole	Kline	Sensenbrenner
Collins (GA)	Labrador	Sessions
Collins (NY)	LaMalfa	Shimkus
Conaway	Lamborn	Simpson
Cook	Lance	Smith (MO)
Costa	Lankford	Smith (NE)
Cotton	Latta	Smith (NJ)
Cramer	LoBiondo	Smith (TX)
Crawford	Long	Southerland
Crenshaw	Lucas	Stewart
Cuellar	Luetkemeyer	Stivers
Culberson	Lummis	Stockman
Daines	Marchant	Stutzman
Davis, Rodney	Marino	Terry
Denham	Massie	Thompson (PA)
Dent	Matheson	Thornberry
DeSantis	McCarthy (CA)	Tiberi
DesJarlais	McCaul	Tipton
Diaz-Balart	McClintock	Turner
Duffy	McHenry	Upton
Duncan (SC)	McKeon	Valadao
Duncan (TN)	McKinley	Vela
Ellmers	Meadows	Wagner
Farenthold	Meehan	Walberg
Fleischmann	Messer	Walden
Fleming	Mica	Walorski
Flores	Miller (FL)	Weber (TX)
Forbes	Miller (MI)	Webster (FL)
Fortenberry	Miller, Gary	Wenstrup
Fox	Mullin	Westmoreland
Franks (AZ)	Mulvaney	Whitfield
Frelinghuysen	Murphy (PA)	Williams
Galleo	Neugebauer	Wilson (SC)
Gardner	Noem	Wittman
Garrett	Nunes	Wolf
Gibson	Nunnelee	Womack
Gingrey (GA)	Olson	Woodall
Gohmert	Palazzo	Yoder
Goodlatte	Paulsen	Yoho
Gosar	Pearce	Young (AK)
Gowdy	Perry	Young (IN)

NOES—193

Andrews	Brown (FL)	Cicilline
Barber	Brownley (CA)	Clarke
Bass	Bustos	Clay
Beatty	Butterfield	Cleaver
Becerra	Capps	Clyburn
Bera (CA)	Capuano	Cohen
Bishop (GA)	Cárdenas	Connolly
Bishop (NY)	Carney	Conyers
Blumenauer	Carson (IN)	Cooper
Bonamici	Cartwright	Courtney
Brady (PA)	Castro (TX)	Crowley
Braley (IA)	Chu	Cummings

Davis (CA)	King (NY)	Pingree (ME)
DeFazio	Kirkpatrick	Pocan
DeGette	Kuster	Polis
Delaney	Langevin	Price (NC)
DeLauro	Larsen (WA)	Quigley
DelBene	Larson (CT)	Rahall
Deutch	Latham	Rangel
Dingell	Lee (CA)	Richmond
Doggett	Levin	Ruiz
Doyle	Lewis	Ruppersberger
Edwards	Lipinski	Ryan (OH)
Ellison	Loeb	Sánchez, Linda
Engel	Loeb	T.
Enyart	Lofgren	Sanchez, Loretta
Eshoo	Lowenthal	Sarbanes
Eshoo	Lowe	Schakowsky
Farr	Lujan Grisham	Schiff
Farr	(NM)	Schneider
Fattah	Luján, Ben Ray	Schrader
Fitzpatrick	(NM)	Schwartz
Foster	Lynch	Scott (VA)
Frankel (FL)	Maffei	Scott (VA)
Fudge	Maloney,	Scott, David
Gabbard	Carolyn	Serrano
Garamendi	Maloney, Sean	Sewell (AL)
García	Matsui	Shea-Porter
Gerlach	McCullum	Sherman
Grayson	McDermott	Shuster
Green, Al	McGintyre	Sinema
Grijalva	McIntyre	Sires
Gutiérrez	McNerney	Slaughter
Hahn	Meeks	Smith (WA)
Hanabusa	Meng	Speier
Hastings (FL)	Michaud	Swalwell (CA)
Heck (WA)	Miller, George	Takano
Higgins	Moore	Thompson (CA)
Himes	Moran	Thompson (MS)
Hinojosa	Murphy (FL)	Tierney
Holt	Nadler	Titus
Honda	Napolitano	Tonko
Horsford	Neal	Tsongas
Hoyer	Negrete McLeod	Van Hollen
Huffman	Nolan	Vargas
Israel	O'Rourke	Veasey
Jackson Lee	Owens	Velázquez
Jeffries	Pallone	Viscosky
Johnson (GA)	Pascrell	Walz
Johnson, E. B.	Pastor (AZ)	Wasserman
Kaptur	Payne	Schultz
Keating	Pelosi	Waters
Kelly (IL)	Perlmutter	Watt
Kennedy	Peters (CA)	Waxman
Kildee	Peters (MI)	Welch
Kilmer	Peterson	Wilson (FL)
Kind	Petri	Yarmuth

NOT VOTING—12

Campbell	Gibbs	Nugent
Castor (FL)	Herrera Beutler	Roybal-Allard
Davis, Danny	McCarthy (NY)	Rush
Duckworth	McMorris	
Fincher	Rodgers	

□ 1800

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. HASTINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 133, noes 287, not voting 10, as follows:

[Roll No. 558]

AYES—133

Andrews	Harris	Posey
Bass	Hastings (FL)	Quigley
Beatty	Holt	Rangel
Becerra	Honda	Richmond
Bishop (GA)	Hoyer	Rooney
Brown (FL)	Israel	Ros-Lehtinen
Butterfield	Jackson Lee	Ruiz
Capps	Jeffries	Ryan (OH)
Capuano	Johnson (GA)	Sánchez, Linda
Cárdenas	Johnson, E. B.	T.
Carney	Keating	Sanchez, Loretta
Carson (IN)	Kind	Schakowsky
Cartwright	Kuster	Schiff
Castro (TX)	Langevin	Schneider
Cicilline	Larson (CT)	Schwartz
Clarke	Lee (CA)	Scott (VA)
Clay	Levin	Scott, David
Cleaver	Lewis	Serrano
Clyburn	Lowenthal	Sewell (AL)
Cohen	Lowe	Shea-Porter
Connolly	Lujan Grisham	Sherman
Conyers	(NM)	Sires
Cooper	Luján, Ben Ray	Slaughter
Costa	(NM)	Speier
Crowley	Lynch	Swalwell (CA)
Cummings	McGovern	Takano
Davis (CA)	McIntyre	Tsongas
Deutch	Meeks	Van Hollen
Diaz-Balart	Meng	Vargas
Doggett	Moore	Veasey
Edwards	Moran	Nolan
Ellison	Murphy (FL)	O'Rourke
Engel	Nadler	Velázquez
Fattah	Neal	Viscosky
Frankel (FL)	Negrete McLeod	Walz
Fudge	Gabbard	Wasserman
Gabbard	Garamendi	Schultz
Garamendi	García	Waters
García	Grayson	Watt
Green, Al	Green, Al	Waxman
Green, Gene	Green, Gene	Welch
Grijalva	Grijalva	Wilson (FL)
Gutiérrez	Gutiérrez	Yarmuth
Hahn	Hahn	
Hanabusa	Hanabusa	

NOES—287

Cook	Goodlatte
Amash	Gosar
Amodei	Courtney
Bachmann	Cramer
Bachus	Crawford
Barber	Crenshaw
Barletta	Cuellar
Barr	Culberson
Barrow (GA)	Daines
Barton	Davis, Rodney
Benishek	DeFazio
Bentivolio	DeGette
Bera (CA)	Delaney
Bilirakis	DeLauro
Bishop (NY)	DelBene
Bishop (UT)	Denham
Black	Dent
Blackburn	DeSantis
Blumenauer	DesJarlais
Bonamici	Dingell
Boustany	Doyle
Brady (PA)	Duffy
Brady (TX)	Duncan (SC)
Braley (IA)	Duncan (TN)
Bridenstine	Ellmers
Brooks (AL)	Enyart
Brooks (IN)	Eshoo
Broun (GA)	Esty
Brownley (CA)	Farenthold
Buchanan	Farr
Bucshon	Fitzpatrick
Burgess	Fleischmann
Bustos	Fleming
Calvert	Flores
Camp	Forbes
Cantor	Fortenberry
Capito	Foster
Carter	Fox
Cassidy	Franks (AZ)
Chabot	Frelinghuysen
Chaffetz	Galleo
Chu	Gardner
Coble	Garrett
Coffman	Gerlach
Cole	Gibbs
Collins (GA)	Gibson
Collins (NY)	Gingrey (GA)
Conaway	Gohmert

Kline	Napolitano	Schweikert	Barr	Gardner	Palazzo	Heck (WA)	McCollum	Ross
Labrador	Neugebauer	Scott, Austin	Barrow (GA)	Garrett	Pallone	Hensarling	McDermott	Runyan
LaMalfa	Noem	Seentzenbrenner	Barton	Gibson	Pascarell	Hinojosa	McGovern	Ryan (WI)
Lamborn	Nunes	Sessions	Bass	Gingrey (GA)	Payne	Honda	McHenry	Sanford
Lance	Nunnelee	Shimkus	Beatty	Gohmert	Pelosi	Hoyer	McKeon	Sarbanes
Lankford	Olson	Shuster	Bera (CA)	Gosar	Perlmutter	Huelskamp	McMorris	Schakowsky
Larsen (WA)	Owens	Bilirakis	Bishop (GA)	Granger	Pitts	Huffman	Rodgers	Schiff
Latham	Palazzo	Simpson	Black	Green, Al	Poe (TX)	Huizenga (MI)	McNerney	Schrader
Latta	Pascarell	Sinema	Blackburn	Green, Gene	Polis	Hultgren	Meadows	Sensenbrenner
Lipinski	Paulsen	Smith (MO)	Boustany	Griffin (AR)	Pompeo	Hunter	Messer	Serrano
LoBiondo	Pearce	Smith (NE)	Brady (PA)	Griffith (VA)	Posey	Jenkins	Michaud	Sessions
Loebsack	Perry	Smith (NJ)	Brady (TX)	Grimm	Price (GA)	Johnson (GA)	Miller (FL)	Shuster
Lofgren	Peters (MI)	Smith (TX)	Bridenstine	Gutiérrez	Quigley	Joyce	Miller (MI)	Simpson
Long	Petri	Smith (WA)	Stewart	Hall	Radel	Kaptur	Miller, Gary	Slaughter
Lucas	Pingree (ME)	Southerland	Stivers	Hanabusa	Rangel	Kelly (PA)	Miller, George	Smith (MO)
Luetkemeyer	Pittenger	Stewart	Stivers	Harper	Reed	Kildee	Mulvaney	Smith (NJ)
Lummis	Pitts	Stivers	Stivers	Harris	Richmond	Kilmer	Murphy (PA)	Smith (WA)
Maffei	Poe (TX)	Stockman	Stockman	Brown (FL)	Rigell	King (NY)	Napolitano	Southerland
Maloney,	Pompeo	Stutzman	Buchanan	Hastings (FL)	Roby	Kingston	Negrete McLeod	Stutzman
Carolyn	Price (GA)	Terry	Burgess	Higgins	Roe (TN)	Kirkpatrick	Noem	Terry
Maloney, Sean	Price (NC)	Thompson (CA)	Butterfield	Himes	Rogers (AL)	Kline	Nolan	Thompson (CA)
Marchant	Radel	Thompson (PA)	Cantor	Holding	Ros-Lehtinen	Labrador	Pastor (AZ)	Thompson (PA)
Marino	Rahall	Thornberry	Capito	Holt	Roskam	Lance	Paulsen	Tiberi
Massie	Reed	Tiberi	Capps	Horsford	Rothfus	Langevin	Pearce	Tierney
Matheson	Reichert	Tipton	Cárdenas	Hudson	Royce	Larsen (WA)	Perry	Titus
Matsui	Renacci	Turner	Carney	Hurt	Ruiz	Latham	Peters (CA)	Upton
McCarthy (CA)	Ribble	Upton	Carson (IN)	Israel	Ruppersberger	Latta	Peters (MI)	Vargas
McCaul	Rice (SC)	Valadao	Carter	Issa	Ryan (OH)	Levin	Peterson	Velázquez
McClintock	Rigell	Wagner	Cartwright	Jackson Lee	Salmon	Lewis	Petri	Visclosky
McCollum	Roby	Walberg	Cassidy	Jeffries	Sánchez, Linda	Lipinski	Pingree (ME)	Wagner
McDermott	Roe (TN)	Walden	Castro (TX)	Johnson (OH)	T.	LoBiondo	Pittenger	Walberg
McHenry	Rogers (AL)	Walorski	Chabot	Johnson, E. B.	Sanchez, Loretta	Loebsack	Pocan	Walden
McKeon	Rogers (KY)	Walz	Chaffetz	Johnson, Sam	Scalise	Lofgren	Price (NC)	Walorski
McKinley	Rogers (MI)	Weber (TX)	Jones	Jones	Schneider	Lowey	Rahall	Walz
McMorris	Rohrabacher	Webster (FL)	Jordan	Jordan	Schock	Lucas	Reichert	Webster (FL)
Rodgers	Rokita	Wenstrup	Keating	Keating	Schwartz	Luetkemeyer	Renacci	Wenstrup
McNerney	Roskam	Westmoreland	Kelly (IL)	Kelly (IL)	Schweikert	Lujan Grisham	Ribble	Williams
Meadows	Ross	Whitfield	Kennedy	Kennedy	Scott (VA)	(NM)	Rice (SC)	Wilson (SC)
Meehan	Rothfus	Williams	Kind	Kind	Scott, Austin	Rogers (KY)	Rogers (KY)	Wittman
Messa	Royce	Wilson (SC)	King (IA)	King (IA)	Scott, David	Rogers (MI)	Rogers (MI)	Wolf
Mica	Runyan	Wittman	Kinzingler (IL)	Kinzingler (IL)	Sewell (AL)	Rohrabacher	Rohrabacher	Woodall
Michaud	Ruppersberger	Wolf	Kuster	Kuster	Shea-Porter	Marino	Rokita	Yoho
Miller (FL)	Ryan (WI)	Womack	LaMalfa	LaMalfa	Sherman	Massie	Rooney	Young (AK)
Miller (MI)	Salmon	Woodall	Lamborn	Lamborn	Shimkus			
Miller, Gary	Sanford	Yoder	Lankford	Lankford	Sinema			
Miller, George	Sarbanes	Yoho	Larson (CT)	Larson (CT)	Sires	Campbell	Fincher	Roybal-Allard
Mullin	Scalise	Young (AK)	Lee (CA)	Lee (CA)	Smith (NE)	Castor (FL)	Herrera Beutler	Rush
Mulvaney	Schock	Young (IN)	Long	Long	Smith (TX)	Davis, Danny	McCarthy (NY)	
Murphy (PA)	Schrader		Lowenthal	Lowenthal	Speier	Duckworth	Nugent	
			Lummis	Lummis	Stewart			
			Cuellar	Cuellar	Stivers			
			Culberson	Culberson	Stockman			
			Cummings	Cummings	Swalwell (CA)			
			Daines	Daines	Takano			
			Davis (CA)	Davis (CA)	Thompson (MS)			
			Delaney	Delaney	Thornberry			
			Dent	Dent	Tipton			
			DeSantis	DeSantis	Tonko			
			Deutch	Deutch	Tsongas			
			Diaz-Balart	Diaz-Balart	Turner			
			Doyle	Doyle	Valadao			
			Edwards	Edwards	Van Hollen			
			Ellmers	Ellmers	Veasey			
			Engel	Engel	Vela			
			Enyart	Enyart	Wasserman			
			Farenthold	Farenthold	Schultz			
			Fattah	Fattah	Waters			
			Fleming	Fleming	Watt			
			Flores	Flores	Waxman			
			Fortenberry	Fortenberry	Weber (TX)			
			Foster	Foster	Welch			
			Frankel (FL)	Frankel (FL)	Westmoreland			
			Franks (AZ)	Franks (AZ)	Whitfield			
			Fudge	Fudge	Wilson (FL)			
			Gabbard	Gabbard	Womack			
			Gallego	Gallego	Yarmuth			
			Garamendi	Garamendi	Yoder			
			Garcia	Garcia	Young (IN)			

NOT VOTING—10

Campbell	Fincher	Roybal-Allard
Castor (FL)	Herrera Beutler	Rush
Davis, Danny	McCarthy (NY)	
Duckworth	Nugent	

□ 1806

Mr. LAMALFA changed his vote from “aye” to “no.”

Mr. HOLT changed his voted from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 16 OFFERED BY MR. RICHMOND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. RICHMOND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 237, noes 183, not voting 10, as follows:

[Roll No. 559]

AYES—237

Aderholt	Bachmann	Barber
Andrews	Bachus	Barletta

NOES—183

Amash	Cole	Farr
Amodei	Conyers	Fitzpatrick
Becerra	Costa	Fleischmann
Benishek	Crenshaw	Forbes
Bentivoglio	Davis, Rodney	Fox
Bishop (NY)	DeFazio	Frelinghuysen
Bishop (UT)	DeGette	Gerlach
Blumenauer	DeLauro	Gibbs
Bonamici	DelBene	Goodlatte
Bralley (IA)	Denham	Gowdy
Brownley (CA)	DesJarlais	Graves (GA)
Bucshon	Dingell	Graves (MO)
Bustos	Doggett	Grayson
Calvert	Duffy	Grijalva
Camp	Duncan (SC)	Guthrie
Capuano	Duncan (TN)	Hahn
Chu	Ellison	Hanna
Cicilline	Eshoo	Hastings (WA)
Coble	Esty	Heck (NV)

NOT VOTING—10

Campbell	Fincher	Roybal-Allard
Castor (FL)	Herrera Beutler	Rush
Davis, Danny	McCarthy (NY)	
Duckworth	Nugent	

□ 1812

Messrs. COTTON, CARSON of Indiana, COURTNEY, and Mrs. ROBY changed their vote from “no” to “aye.” So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1815

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair, Mr. LATHAM, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3080) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, and, pursuant to House Resolution 385, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RAHALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 3, not voting 10, as follows:

[Roll No. 560]

YEAS—417

Aderholt	Collins (NY)	Gibson
Amash	Conaway	Gingrey (GA)
Amodei	Connolly	Gohmert
Andrews	Conyers	Goodlatte
Bachmann	Cook	Gosar
Bachus	Cooper	Gowdy
Barber	Costa	Granger
Barletta	Cotton	Graves (GA)
Barr	Courtney	Graves (MO)
Barrow (GA)	Cramer	Grayson
Barton	Crawford	Green, Al
Bass	Crenshaw	Green, Gene
Beatty	Crowley	Griffin (AR)
Becerra	Cuellar	Griffith (VA)
Benishek	Culberson	Grijalva
Bentivolio	Cummings	Grimm
Bera (CA)	Daines	Guthrie
Bilirakis	Davis (CA)	Gutiérrez
Bishop (GA)	Davis, Rodney	Hahn
Bishop (NY)	DeFazio	Hall
Bishop (UT)	DeGette	Hanabusa
Black	Delaney	Hanna
Blackburn	DeLauro	Harper
Blumenauer	DelBene	Harris
Bonamici	Denham	Hartzler
Boustany	Dent	Hastings (FL)
Brady (PA)	DeSantis	Hastings (WA)
Brady (TX)	DesJarlais	Heck (NV)
Braley (IA)	Deutch	Heck (WA)
Bridenstine	Diaz-Balart	Hensarling
Brooks (AL)	Dingell	Higgins
Brooks (IN)	Doggett	Himes
Broun (GA)	Doyle	Hinojosa
Brown (FL)	Duffy	Holding
Brownley (CA)	Duncan (SC)	Holt
Buchanan	Duncan (TN)	Honda
Bueshon	Edwards	Horsford
Burgess	Ellison	Hoyer
Bustos	Ellmers	Hudson
Butterfield	Engel	Huelskamp
Calvert	Enyart	Huffman
Camp	Eshoo	Huizenga (MI)
Cantor	Esty	Hultgren
Capito	Farenthold	Hunter
Capps	Farr	Hurt
Capuano	Fattah	Israel
Cárdenas	Fitzpatrick	Issa
Carney	Fleischmann	Jackson Lee
Carson (IN)	Fleming	Jeffries
Carter	Flores	Jenkins
Cartwright	Forbes	Johnson (GA)
Cassidy	Fortenberry	Johnson (OH)
Castro (TX)	Foster	Johnson, E. B.
Chabot	Fox	Johnson, Sam
Chaffetz	Frankel (FL)	Jordan
Chu	Franks (AZ)	Joyce
Cicilline	Frelinghuysen	Kaptur
Clarke	Fudge	Keating
Clay	Gabbard	Kelly (IL)
Cleaver	Gallego	Kelly (PA)
Clyburn	Garamendi	Kennedy
Coble	Garcia	Kildee
Coffman	Gardner	Kilmer
Cohen	Garrett	Kind
Cole	Gerlach	King (IA)
Collins (GA)	Gibbs	King (NY)

Kingston	Negrete McLeod	Scott (VA)
Kinzinger (IL)	Neugebauer	Scott, Austin
Kirkpatrick	Noem	Scott, David
Kline	Nolan	Serrano
Kuster	Nunes	Sessions
Labrador	Nunnelee	Sewell (AL)
LaMalfa	O'Rourke	Shea-Porter
Lamborn	Olson	Sherman
Lance	Owens	Shimkus
Langevin	Palazzo	Shuster
Lankford	Pallone	Simpson
Larsen (WA)	Pascrell	Sinema
Larson (CT)	Pastor (AZ)	Sires
Latham	Paulsen	Slaughter
Latta	Payne	Smith (MO)
Lee (CA)	Pearce	Smith (NE)
Levin	Pelosi	Smith (NJ)
Lewis	Perlmutter	Smith (TX)
Lipinski	Perry	Smith (WA)
LoBiondo	Peters (CA)	Southerland
Loeb	Peters (MI)	Speier
Loeb	Petri	Stewart
Lofgren	Pingree (ME)	Stivers
Long	Pittenger	Stockman
Lowenthal	Pitts	Stutzman
Lowe	Pocan	Swalwell (CA)
Lucas	Poe (TX)	Takano
Luetkemeyer	Polis	Terry
Lujan Grisham	Pompeo	Thompson (CA)
(NM)	Posey	Thompson (MS)
Lujan, Ben Ray	Price (GA)	Thompson (PA)
(NM)	Price (NC)	Thornberry
Lummis	Quigley	Tiberi
Lynch	Radel	Tierney
Maffei	Rahall	Tipton
Maloney	Rangel	Titus
Carolyn	Reed	Tonko
Maloney, Sean	Reichert	Tsongas
Marchant	Renacci	Turner
Marino	Ribble	Upton
Masse	Rice (SC)	Valadao
Matheson	Richmond	Van Hollen
Matsui	Rigell	Vargas
McCarthy (CA)	Roby	Veasey
McCaul	Roe (TN)	Vela
McClintock	Rogers (AL)	Velázquez
McCollum	Rogers (KY)	Visclosky
McDermott	Rogers (MI)	Wagner
McGovern	Rohrabacher	Walberg
McHenry	Rokita	Walden
McIntyre	Rooney	Walorski
McKeon	Ros-Lehtinen	Walz
McKinley	Roskam	Wasserman
McMorris	Ross	Schultz
Hanabusa	Rodgers	Walters
McNerney	Rothfus	Watt
Meadows	Royce	Waxman
Meehan	Ruiz	Weber (TX)
Meeks	Runyan	Webster (FL)
Meng	Ruppersberger	Welch
Messer	Ryan (OH)	Wenstrup
Mica	Ryan (WI)	Westmoreland
Michaud	Salmon	Whitfield
Miller (FL)	Sánchez, Linda	Williams
Miller (MI)	T.	Wilson (FL)
Miller, Gary	Sanchez, Loretta	Wilson (SC)
Miller, George	Sanford	Wittman
Moore	Sarbanes	Wolf
Moran	Scalise	Womack
Mullin	Schakowsky	Woodall
Mulvaney	Schiff	Yarmuth
Murphy (FL)	Schneider	Yoder
Murphy (PA)	Schock	Yoho
Nadler	Schrader	Young (AK)
Napolitano	Schwartz	Young (IN)
Neal	Schweikert	

NAYS—3

Jones	Peterson	Sensenbrenner
Campbell	Fincher	Roybal-Allard
Castor (FL)	Herrera Beutler	Rush
Davis, Danny	McCarthy (NY)	
Duckworth	Nugent	

NOT VOTING—10

□ 1822

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on

agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

#### LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the majority leader, Mr. CANTOR, for the purpose of informing us of the schedule for the week to come.

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Tuesday and Wednesday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. Last votes of the week are expected Wednesday afternoon.

Mr. Speaker, the House will consider a few suspensions next week, a complete list of which will be announced by close of business Friday. In addition, the House will consider two bipartisan bills from the Financial Services Committee: H.R. 992, the Swaps Regulatory Improvement Act, authored by Representative RANDY HULTGREN; and H.R. 2374, the Retail Investor Protection Act, sponsored by Representative ANN WAGNER.

Mr. HOYER. I thank the gentleman, and I appreciate that information.

I would simply observe, Mr. Speaker, and then I will have a couple of questions of the majority leader, but last week we did something that was, I think, critically important, and we did it in a bipartisan fashion: we made sure that the government was open, and we made sure that America pays its bills.

Today, in an overwhelming bipartisan fashion, we passed the Water Resources Reform and Development Act, which will, as I heard the majority leader saying and I said as well, be helpful in growing our economy, growing jobs, and investing in America's growth.

I would simply observe that there are other things, Mr. Speaker, that I think we can act on in a bipartisan fashion as well and be successful in seeing enacted, which would make a real difference on behalf of our country.

I would therefore, Mr. Speaker, ask the majority leader whether or not there is any thought about bringing to the floor before the end of the year the immigration bill, and I will yield to my friend for the purpose of a response.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding, and would respond by saying that I think the gentleman knows that both the Speaker and I have said that we are not going to consider the Senate bill because we object to the Senate bill, although we