

COLONEL CHARLES D. MAYNARD LOCK AND DAM

JULY 11, 2007.—Referred to the House Calendar and ordered to be printed

Mr. OBERSTAR, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 781]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 781) to redesignate Lock and Dam No. 5 of the McClellan-Kerr Arkansas River Navigation System near Redfield, Arkansas, authorized by the Rivers and Harbors Act approved July 24, 1946, as the “Colonel Charles D. Maynard Lock and Dam”, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

H.R. 781 redesignates Lock and Dam No. 5 of the McClellan-Kerr Arkansas River Navigation System near Redfield, Arkansas, as the “Colonel Charles D. Maynard Lock and Dam”.

BACKGROUND AND NEED FOR LEGISLATION

The headwaters for the Arkansas River are in the Rocky Mountains near Leadville, Colorado. The river flows southeastward 1,396 miles through Colorado, Kansas, Oklahoma, and Arkansas to join the Mississippi River 599 miles above Head of Passes, Louisiana. The McClellan-Kerr Arkansas River Navigation System (“MKARNS”) provides navigation, hydroelectric power, flood control, water supply, sediment control, recreation, and fish and wild-life propagation improvements in the Arkansas River Basin. The MKARNS provides a navigation channel that is nine feet deep and 444.8 miles long. The waterway is canalized throughout its length by 17 locks and dams.

Lock and Dam No. 5 is located on Navigation Mile 86.3. Construction began on the lock and dam in March 1965 and the lock and dam began operating in December 1968. The initial construction cost was \$28,700,000 and tow haulage equipment was installed in June 1993. In FY 2006, 8,852,422 tons of commodities traveled through Lock and Dam No. 5. The total number of lockage conducted during FY 2006 was 2,110. Pool 5 has two developed parks which in FY 2006 experienced public visitation exceeding 0.8 million visitor hours.

This bill redesignates Lock and Dam No. 5 as the “Colonel Charles D. Maynard Lock and Dam”. Colonel Charles D. Maynard graduated by from the United States Military Academy at West Point in 1941, after which he was commissioned in the Coast Artillery and later transferred to the Corps of Engineers. He served in New Guinea and the Philippines during World War II. He also received graduate degrees from Harvard University, Rensselaer Polytechnic University, George Washington University, and Rutgers University.

Colonel Maynard was the District Engineer of the Little Rock Engineer District, where he directed planning, design, and construction of 13 locks and dams of the MKARNS. At the time, this was the largest civil works project ever undertaken by the Corps of Engineers. He was the official host for President John F. Kennedy in October 1963 for the official dedication of Greers Ferry Dam.

Colonel Maynard was a leader in both professional and community organizations. He served as Chairman and President of the Water Resources Association of America, Chairman of the Arkansas Waterways Commission, and President of the Arkansas Basin Association. Colonel Maynard was also the U.S. Savings Bond Coordinator for Arkansas, President of the Little Rock Chamber of Commerce, Campaign Chairman for the United Way of Pulaski County, President of the Pulaski County Cancer Society, and Chairman Emeritus of Central Arkansas Radiation Treatment Center.

Colonel Maynard passed away in October 2005. It is fitting and proper to honor his outstanding contributions to Arkansas and the United States with this designation.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Designation

Section 1 makes Congressional findings regarding the contributions that Colonel Charles D. Maynard made to Arkansas and his community through his professional work as an engineer and his community service.

Section 2. References

Section 2 declares that any reference in a law, map, regulation, document, paper, or other record of the United States to Lock and Dam No. 5 of the McClellan-Kerr Arkansas River Navigation System near Redfield, Arkansas, authorized by the Rivers and Harbors Act approved July 24, 1946, shall be deemed a reference to the “Colonel Charles D. Maynard Lock and Dam”.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On January 31, 2007, Representative Mike Ross introduced H.R. 781, which redesignates Lock and Dam No. 5 of the McClellan-Kerr Arkansas River Navigation System near Redfield, Arkansas, as the “Colonel Charles D. Maynard Lock and Dam”.

On June 28, 2007, the Committee on Transportation and Infrastructure met in open session and ordered H.R. 781 reported favorably to the House by voice vote.

RECORD VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with ordering H.R. 781 reported. A motion to order H.R. 781 reported favorably to the House was agreed to by voice vote with a quorum present.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(I) of rule XIII of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included in the report.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objective of this legislation are to redesignate Lock and Dam No. 5 of the McClellan-Kerr Arkansas River Navigation System near Redfield, Arkansas as the “Colonel Charles D. Maynard Lock and Dam”.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 781 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 3, 2007.

Hon. JAMES L. OBERSTAR,
*Chairman, Committee on Transportation and Infrastructure, House
of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 781, a bill to redesignate the Lock and Dam No. 5 of the McClellan-Kerr Arkansas River Navigation System near Redfield, Arkansas, authorized by the Rivers and Harbors Act approved on July 24, 1946, as the “Colonel Charles D. Maynard Lock and Dam”, as ordered reported by the House on Transportation “and Infrastructure on June 28, 2007.

CBO estimates that enactment of this legislation would have no significant impact on the federal budget and would not affect direct spending or revenues. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

PETER R. ORSZAG.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 781 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 781 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 781 makes no changes in existing law.

