

RECOGNIZING THE ATLANTIC INTRACOASTAL WATERWAY
ASSOCIATION ON THE OCCASION OF ITS 10TH ANNI-
VERSARY, AND FOR OTHER PURPOSES

OCTOBER 6, 2009.—Referred to the House Calender 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. Res. 465]

The Committee on Transportation and Infrastructure, to whom was referred the resolution (H. Res. 465) recognizing the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the resolution as amended be agreed to.

The amendments are as follows:

Strike all after the resolving clause and insert the following:

That the House of Representatives—

(1) recognizes the importance of the Atlantic Intracoastal Waterway to recreational, commercial, and military vessels and to the history and quality of life of the citizens of the United States; and

(2) acknowledges the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary.

Amend the preamble to read as follows:

Whereas the Atlantic Intracoastal Waterway (AIWW) was authorized by the Rivers and Harbors Act of 1937 to provide a safe inside navigation channel for commercial shipping, support for and encouragement of interstate commerce, and safe harbor and protection for shipping from inclement weather and wartime enemy attack;

Whereas the AIWW, completed in 1940, runs along the southeast coast of the United States from Norfolk, Virginia, to Key West, Florida, and measures 1,088 miles long;

Whereas segments of the intracoastal waterway on the Atlantic Coast received their initial congressional authorization through Rivers and Harbors Acts beginning in 1880;

Whereas the AIWW is a vital transportation system providing safe, reliable, and efficient navigation for commercial, recreational, and military vessels;

- Whereas the Corps of Engineers is currently engaged in flood control, hydropower production, environmental restoration, maintenance dredging, lock maintenance, recreation, and navigation projects along the AIWW;
- Whereas, according to the Corps of Engineers, in 2007 the AIWW supported the transportation of 2,543,000 tons of freight traffic, including commodities such as wheat, corn, soybeans, electrical machinery, iron, coal, gasoline, fabricated metal products, and electrical machinery;
- Whereas, according to the Corps of Engineers, in 2007 the AIWW supported a total of 34,184 trips made by recreational, commercial, and military vessels;
- Whereas the AIWW is an integral transportation network supporting the Armed Forces through the shipment of military equipment, fuel, and generators between Norfolk, Virginia, and Kings Bay, Georgia;
- Whereas the Dismal Swamp Canal, on the AIWW, is the oldest operating artificial waterway in the United States and has been placed on the National Register of Historical Places, was registered as an engineering landmark in 1988, and was included in the National Park Service's Underground Railroad Network to Freedom Program in 2004;
- Whereas the AIWW has enhanced the lives of the residents of Virginia, North Carolina, South Carolina, Georgia, and Florida, as well as the greater southeastern United States, for more than 6 decades;
- Whereas the wildlife, flora, and fauna along the AIWW provide ample recreational opportunities for birdwatchers, photographers, and boaters;
- Whereas the Atlantic Intracoastal Waterway Association was organized in 1999 to address the navigation challenges of the AIWW and to encourage the continuation and further development of waterborne commerce and recreation on the AIWW;
- Whereas the Association has voiced the interests of commercial and recreational users of the AIWW, earning the title of "Voice of the Waterway";
- Whereas the Association has been an advocate for maintenance of the AIWW to promote safe, cost-effective navigation; and
- Whereas the Association promotes the AIWW as a vital marine highway along the Atlantic coast, providing safe navigation for commercial and recreational vessels: Now, therefore, be it

PURPOSE OF THE LEGISLATION

H. Res. 465, as amended, recognizes the importance of the Atlantic Intracoastal Waterway and commends the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary.

BACKGROUND AND NEED FOR LEGISLATION

The Atlantic Intracoastal Waterway (AIWW) was authorized by the Rivers and Harbors Act of 1937 (P.L. 75-392). It was intended to provide a safe inland navigation channel for commercial shipping, and to encourage and support interstate commerce. It was also authorized to serve as a safe harbor to protect shipping from inclement weather and military attack.

Since its creation, the AIWW has served the American public by providing safe, reliable, and efficient navigation for commercial, recreational and military vessels. According to the U.S. Army Corps of Engineers, the AIWW supported over 2.5 million tons of freight traffic in 2007, including commodities such as wheat, corn, soybeans, electrical machinery, iron, coal, gasoline, fabricated metal products and electrical machinery. In addition, recreational, commercial and military vessels traveled a total of 34,184 trips on the AIWW in 2007.

The Atlantic Intracoastal Waterway Association, celebrating its 10th anniversary, was created to address many of the navigation challenges that the AIWW faces, and to serve as a voice for users of the AIWW.

H. Res. 465, as amended, recognizes the AIWW as a means of waterborne transportation and acknowledges the Atlantic Intra-

coastal Waterway Association on the occasion of its 10th anniversary.

SUMMARY OF THE LEGISLATION

The official title of the resolution is: “Recognizing the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary, and for other purposes.”

H. Res. 465 states that the House of Representatives—

(1) recognizes the importance of the Atlantic Intracoastal Waterway to recreational, commercial, and military vessels and to the history and quality of life of the citizens of the United States; and

(2) acknowledges the Atlantic Intracoastal Waterway Association on the occasion of its 10th Anniversary.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On May 20, 2009, Representative Henry Brown, Jr. introduced H. Res. 465. This resolution has not been introduced in a previous Congress.

On September 24, 2009, the Committee on Transportation and Infrastructure met in open session to consider H. Res. 465. The Committee adopted an amendment in the nature of a substitute to the bill by voice vote with a quorum present. The Committee on Transportation and Infrastructure ordered H. Res. 465, as amended, reported favorably to the House by voice vote.

RECORD VOTES

Clause 3(b) of rule XIII of the Rules 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 consideration of H. Res. 465, or ordering the resolution, as amended, reported. A motion to order H. Res. 465, as amended, 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)(1) 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

With respect to the requirements of clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, H. Res. 465 is a resolution of the House of Representatives, and therefore does not have the force of law. As such, there is no cost associated with this legislation for fiscal year 2009, or for any fiscal year thereafter.

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 section 308(a) of the Congressional Budget Act of 1974, the Committee advises that the resolution contains no measure that authorizes funding, so no

comparison of the total estimated funding level for the relevant programs to the appropriate levels under current law is required.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee advises that the resolution contains no measure that authorizes funding, so no statement of general performance and objectives for any measure that authorizes funding is required.

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 advises that the resolution contains no measure that authorizes funding, so no cost estimate nor comparison for any measure that authorizes funding is required.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee is required to include a list of congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives. H. Res. 465, as amended, does not contain any earmarks, limited tax benefits, or limited tariff benefits under clause 9(e), 9(f), or 9(g) of rule XXI.

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

H. Res. 465, as amended, contains no Federal mandates.

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. Res. 465, as amended, 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 (P.L. 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H. Res. 465, as amended, makes no changes in existing law.

