

WATER RESOURCES
DEVELOPMENT ACT OF 2016

The SPEAKER pro tempore. Pursuant to House Resolution 897 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5303.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1535

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 further consideration of the bill (H.R. 5303) 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. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 10 printed in House Report 114-790 offered by the gentleman from Louisiana (Mr. GRAVES) had been disposed of.

Pursuant to House Resolution 897, no further amendment to the amendment in the nature of a substitute referred to in House Resolution 892 shall be in order except those printed in House Report 114-794.

Each such further amendment 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.

AMENDMENT NO. 1 OFFERED BY MR. BYRNE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-794.

Mr. BYRNE. 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. ____ . GULF COAST OYSTER BED RECOVERY ASSESSMENT.

(a) DEFINITIONS.—In this section:

(1) GULF STATES.—The term “Gulf States” means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

(b) GULF COAST OYSTER BED RECOVERY ASSESSMENT.—The Secretary, in coordination with the Gulf States, shall conduct an assessment relating to the recovery of oyster beds on the coast of Gulf States that were damaged by events including—

- (1) Hurricane Katrina in 2005;
- (2) the Deepwater Horizon oil spill in 2010; and
- (3) floods in 2011 and 2016.

(c) INCLUSION.—The assessment conducted under subsection (b) shall address the bene-

ficial use of dredged material in providing substrate for oyster bed development.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the assessment conducted under subsection (b).

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Alabama (Mr. BYRNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my straightforward amendment calls for the Army Corps of Engineers to perform a gulf coast oyster bed recovery assessment.

Over the last 20 years, the oyster industry on the Gulf Coast has faced some serious challenges. Hurricane Katrina destroyed so many of our oyster reefs. The Deepwater Horizon oil spill blanketed many oyster growing areas and resulted in substantial harvest reductions.

More recently, flooding in 2011 and earlier this year produced increased freshwater discharges into many parts of the Gulf and threw off the mix of fresh- and saltwater that oysters need to thrive.

In 2001, oyster landings in the Gulf totaled 25.5 million pounds; in 2014, which is the most recent data available, oyster landings in the Gulf were down to 19.9 million. This is a dangerous decline that really impacts our oystermen and the overall coastal economies.

This industry is especially important to the Gulf Coast. The oyster industry generated nearly \$100 million in oyster landings by fishermen in the Gulf States in 2014.

And we aren't just talking about the oystermen themselves. Having a successful oyster industry also benefits processors, restaurants, transportation, tourism, wholesalers, and retailers.

Mr. Chairman, I have visited with our local oystermen, and they are really struggling. It is heartbreaking to hear their stories. This is their livelihood, but also a way of life for these Americans. We can and we must do more to support their industry.

My amendment would pave the way for a partnership between the Army Corps of Engineers and the Gulf States to explore ways to improve future prospects for oysters. The assessment will address the beneficial use of dredged material and provide substrate for oyster bed development. Similar work has been done with the oyster industry in the Chesapeake Bay, and it has been a great success.

I also want to point out that improving the oyster beds on the Gulf will also benefit the ecosystem and environment as a whole. As filter feeders, oysters provide significant water quality benefits and, as an important prey spe-

cies, they support finfish, such as redfish and other species, further up the food chain.

States have already been working to improve conditions for the oyster industry through the use of BP settlement money, but further partnerships with the Army Corps of Engineers will go a long way.

I appreciate Chairman SHUSTER and his staff for working with me on this amendment and for all his work on the underlying bill.

Ultimately, I urge my colleagues to stand up for our Gulf Coast oystermen and support my amendment.

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

Mr. DEFAZIO. Mr. Chairman, I claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I think the gentleman's amendment has great merit, and I urge Members to support it.

I yield back the balance of my time.

Mr. BYRNE. Mr. Chairman, I would ask everyone to support this very important amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CRAWFORD

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-794.

Mr. CRAWFORD. 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. ____ . WATER INFRASTRUCTURE FINANCE AND INNOVATION.

(a) PROJECTS ELIGIBLE FOR ASSISTANCE.—Section 5026(6) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905(6)) is amended by striking “or a water recycling project” and inserting “a water recycling project, or a project of the Corps of Engineers to provide alternative water supplies to reduce aquifer depletion”.

(b) CREDIT.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended by adding at the end the following:

“(10) CREDIT.—With respect to a project of the Corps of Engineers to provide alternative water supplies to reduce aquifer depletion, any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph (2)(A)).”.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Arkansas (Mr. CRAWFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. CRAWFORD. Mr. Chairman, first, let me applaud the chairman's efforts and dedication to moving this reauthorization of the Water Resources Development Act. Continued investment in water infrastructure projects is critical to my constituents and communities all over the country who rely on water infrastructure to protect our communities and to strengthen the competitiveness of private enterprise.

The amendment I am offering today builds upon past successes of the chairman and the Transportation and Infrastructure Committee. It seeks to amend the Water Infrastructure Finance Innovation Act, or WIFIA, so that it will better address the problem of groundwater depletion, an issue that is becoming more and more widespread throughout communities all over the United States.

According to the U.S. Geological Survey, groundwater is the source of drinking water for about half of the total U.S. population and nearly all of the rural population. USGS also estimates that groundwater provides over 50 billion gallons per day for agricultural needs. In order to ensure adequate water availability for our communities and our farmers, it is vital to advance infrastructure projects that produce pressure on aquifers that supply groundwater.

In many parts of the country, water availability is at risk due to rates of groundwater pumping that outpace the ability of regional aquifers to recharge. The problem has only grown worse with the recent onslaught of widespread drought.

WIFIA was passed in the 2014 WRDA bill, and is an important tool that will accelerate water infrastructure investment in many important water projects. However, the program does not provide support for alternative water delivery projects aimed at reducing aquifer depletion. My amendment to WRDA clarifies the law to ensure that these types of groundwater conservation projects qualify for WIFIA financing.

Secondly, it makes a technical modification to ensure that WIFIA financing arrangements consider the total cost of the project, which will help advance projects already under construction.

Aquifer depletion threatens our communities and industries that rely on a constant supply of groundwater, so it is critical to support investment in projects that aim to address this serious problem. Therefore, I urge my colleagues to support my amendment.

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

Mr. DEFAZIO. Mr. Chairman, I rise in opposition, although I am not in opposition to the amendment.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I think the gentleman has identified a real and

continuing issue, and I suggest that Members support his amendment.

I yield back the balance of my time. Mr. CRAWFORD. Mr. Chairman, I would like to thank the ranking member and express my appreciation to the chairman for his support of the amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. CRAWFORD).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CULBERSON

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-794.

Mr. CULBERSON. 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. 1. FLOOD MITIGATION AND RIERINE RESTORATION PROGRAM.

The Secretary shall expedite carrying out the project for flood risk management, Brays Bayou, Texas, authorized by item 6 in section 211(f) of the Water Resources Development Act of 1996 (Public Law 104-303).

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Texas (Mr. CULBERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, this simple amendment that I am offering today with my colleague and good friend, Congressman AL GREEN of Houston, would direct the Secretary to expedite a project that we both share in Houston, the Brays Bayou flood mitigation project.

□ 1545

It was authorized back in 1996. We have experienced massive flooding in southeast Texas, and tremendous damage to homes and businesses throughout the area that Congressman GREEN and I represent.

It is vital that this project be completed as soon as possible. Expediting this project will remove 29,000 homes and businesses from a 100-year flood plain. The project is essential to reduce the devastation and suffering the people of Houston and Harris County have experienced in recent years.

I am proud to offer the amendment today with my colleague, Mr. AL GREEN of Houston. I want to thank the Rules Committee for making the amendment in order. I especially want to thank Chairman SHUSTER and his very capable committee staff for their assistance with this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Chairman, I thank the chairperson of the committee, as well as the ranking member. I am so honored to be associated with this amendment.

In Houston, Texas, we have floods that total \$1 billion in damages, and it is not unusual for this to occur within a 1-year period of time. We had the tax day flood and the Memorial Day flood.

I also would call to your attention that we have lost a total of 17 lives in the last two floods. So this amendment is going to go a long way toward preventing flooding. It won't end it all, but it will help us greatly, and it may save some lives.

Mr. CULBERSON. Mr. Chairman, this amendment is very straightforward. We are simply expediting the funding that has already been appropriated, already been authorized, and already set aside for this project to ensure that the Corps gives the Brays Bayou project the same priority and the same urgency that it has, for example, with other projects in the area like Buffalo.

Mr. Chairman, I am proud to work with my colleague, Congressman AL GREEN. I move passage of the amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition, although I am not in opposition to the amendment.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

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

I congratulate the two gentlemen on a very sensitive and positive bipartisan amendment which expedites a critical authorized and appropriated project.

Mr. AL GREEN of Texas. Will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, I neglected to thank Mr. CULBERSON.

It really has been a pleasure working with Congressman CULBERSON on this project. This has been something, as the gentleman knows, that our constituents have demanded that we pay some attention to. I hope that this will help to satisfy some of the concerns that have been raised that the gentleman and I have tried to address. So I thank the gentleman.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CULBERSON).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. FARENTHOLD

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-794.

Mr. FARENTHOLD. 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. ____ . INITIATING WORK ON SEPARABLE ELEMENTS.

With respect to a water resources development project that has received construction funds in the previous 6-year period, for purposes of initiating work on a separable element of the project—

- (1) no new start or new investment decision shall be required; and
- (2) the work shall be treated as ongoing work.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Texas (Mr. FARENTHOLD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FARENTHOLD. Mr. Chairman, the Office of Management and Budget has imposed the need for a new start or a new investment determination for projects that have been previously fully authorized and have actually begun work despite a lack of written policy or standards.

Many of these critical projects, like one in the district I represent, the Port of Corpus Christi Channel Improvement Project, which was fully authorized in WRDA 2007 and reauthorized in WRRDA 2014, have been halted even though parts of the project have been completed.

The purpose of my amendment simply states that separate elements of a previously authorized project do not constitute a new start but are, in fact, a continuation and ongoing work. The new start determination and advancing separable elements of the entire project slows things down as we have to get a new start finding on every element. Slowing it down deprives the communities of much-needed improvements and actually raises the entire cost of the project. This amendment considers separable elements to be continuations of the fully authorized project.

The approach taken by the OMB, with respect to considering separable elements as a new start, is counterproductive to the work we have been doing on the Transportation and Infrastructure Committee in streamlining the review process, improving project delivery efforts, facilitating accelerated funding of projects, and reestablishing the Nation's trade and economic prowess with major port infrastructure projects like the Port of Corpus Christi.

Mr. Chairman, I urge members to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FARENTHOLD).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. SAM JOHNSON OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-794.

Mr. SAM JOHNSON of Texas. 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. 153. LOWER BOIS D'ARC CREEK RESERVOIR PROJECT, FANNIN COUNTY, TEXAS.

(a) FINALIZATION REQUIRED.—Not later than September 30, 2017, the Secretary shall finalize all permit decisions and publish all decision documents related to the construction of, impoundment of water in, and operation of, the Lower Bois d'Arc Creek Reservoir Project, including any associated water transmission facilities, by the North Texas Municipal Water District in Fannin County, Texas.

(b) INTERIM REPORT.—Not later than June 30, 2017, the Secretary shall report to Congress on the status of the permit decisions and related documents described in subsection (a) and whether or not the Secretary anticipates being able to meet the deadline established in such subsection, including, if applicable, a justification of why the Secretary may fail to meet such deadline.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Texas (Mr. SAM JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I rise today, along with my fellow Texans, PETE SESSIONS, JOHN RATCLIFFE, and EDDIE BERNICE JOHNSON, with an amendment that is absolutely vital for north Texas.

Mr. Chairman, north Texas is no stranger to drought. And with our area booming, the need for water is as great as ever. That is why for years the North Texas Municipal Water District has been working hard to get State and Federal approval to construct the Lower Bois d'Arc Creek Reservoir in Fannin County. In fact, they have been working at it for 10 years.

The good news is that the Texas Commission on Environmental Quality has already issued the State permit for this locally funded project. But here is the bad news: Federal bureaucrats have been holding up the permit for the project, specifically the EPA and Army Corps of Engineers.

There is no end in sight to the delay which will lead to a manmade water crisis. The bottom line is there won't be enough water to meet demand in north Texas without this new reservoir in as few as 4 years.

This isn't simply water for our lawns. It is about having the water to support our fast growing regional economy. Earlier this summer, The Dallas Morning News ran an editorial with the title: "EPA's delay of Fannin County reservoir could threaten North Texas economy," which I include in the RECORD.

[The Dallas Morning News, June 10, 2016]
EPA'S DELAY OF FANNIN COUNTY RESERVOIR COULD THREATEN NORTH TEXAS ECONOMY

For nearly a decade, the North Texas Municipal Water District has tried to build the Lower Bois d'Arc Reservoir in Fannin County to support the rapid growth in cities like Frisco, Plano and other municipalities north and east of Dallas.

The project was moving forward until last year, when the Army Corps of Engineers and

the Environmental Protection Agency abruptly shifted course at the last minute to require a more detailed analysis of the environmental impact to forested wetlands near the proposed reservoir. Completion of the \$1 billion, 16,526-acre project has been delayed from 2020 to possibly 2022.

Federal environmental reviews are complicated matters, but what makes this particularly disturbing is that the EPA appears to be changing the rules in the middle of the process without much regard to real-world consequences for North Texas. The project received its state water rights approval last summer and had expected to secure the necessary federal permits by the end of last year. Those permits would have kept the project on schedule, allowing the reservoir to open in 2020 with enough capacity to provide the region with water through at least 2040.

EPA and Army Corp officials say they are only following the law, but they're also making a high-stakes gamble with the region's economic well-being. Even with normal North Texas temperatures and rainfall, Collin County is on pace to face water supply issues by 2020 unless this reservoir is constructed. A major drought would be even more problematic.

Rest assured, this issue is more serious than brown lawns and restrictive watering schedules. Water rates would soar. Construction would slow, and there could be tense moments for sanitation and fire fighting, too. Emergency water supplies would be difficult to obtain. Dallas and other neighboring water districts would have their own challenges, and water from outside Texas couldn't be tapped without more regulatory battles and technical complications that would make supplies prohibitively expensive.

Dozens of mayors and members of Congress have pressed for faster action only to be told the review will be completed on the regulators' schedule. Frustrated, U.S. Rep. Sam Johnson recently introduced a bill to exempt the project from the Federal Water Pollution Control Act and speed up construction. We don't back this bill, but, like the congressman and various other elected officials, we agree that it is time for this project to move forward at a faster pace.

North Texas' population is expected to mushroom in the next quarter-century. The Army Corps and EPA need to find a way to allow this vital water project to be completed without further delay.

Mr. SAM JOHNSON of Texas. That is why I am offering this amendment which would require the EPA and Army Corps to issue a final permit for the construction of the reservoir no later than September 30, 2017.

North Texans want, need, and deserve this reservoir, a reservoir already approved by the State. I am absolutely committed to getting this done, and I ask all the Members to support this amendment.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I would like to express my strong support for this bipartisan amendment which would help the north Texas region meet its future water needs.

The North Texas Municipal Water District has long endeavored to develop a reservoir project in Fannin County, Texas. This project would help address the growing population within the water district which is expected to double to 3.7 million residents within the next 50 years. The project would also support millions of dollars in regional economic growth while helping us to meet the projected north Texas water supply needs through 2040 and beyond.

To date, the North Texas Municipal Water District has faced tremendous obstacles during the permitting process, which has hindered progress on this crucial project. This amendment would simply compel the Environmental Protection Agency and the U.S. Army Corps of Engineers to issue a final permit for the construction of the reservoir no later than September 30 of next year.

The Texas delegation has a long history of coming together and reaching across the aisle to accomplish great things for our State. The process behind this amendment was no different, and I am proud to work with my colleagues to offer this amendment.

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

Mr. SAM JOHNSON of Texas. Mr. Chairman, I thank my friend from Texas, Congresswoman EDDIE BERNICE JOHNSON. She and I have been friends forever.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. SESSIONS), my good friend.

Mr. SESSIONS. Mr. Chairman, I want to stand before this body and thank the gentleman, SAM JOHNSON, and the gentlewoman, EDDIE BERNICE JOHNSON, for their support in this important effort.

Mr. Chairman, what we are doing here today is most important. We are trying to prepare for future generations of people who will be living in Texas who want and need to make sure that we have water reservoirs that are available and prepared for that growth that will occur. This is not a partisan issue, and it is not a political issue. It is a regional issue. It is something that we have worked on very diligently.

Congressman SAM JOHNSON and Congresswoman EDDIE BERNICE JOHNSON have gathered together, and we have worked to make sure that as we talk about this project we have worked with the EPA, we have worked with the Corps of Engineers, we have worked with the North Texas Municipal Water District, and we have made sure that during this process that we have all stuck to our word.

This opportunity that we have today is to make sure that we stick to our word, that all of the organizations who have worked with us know that we have set a date by which this must be done. There are lots of ways for people to slip out, find problems, and ignore the things which are team oriented.

I think that what SAM JOHNSON is doing here today makes real sense, and

that is why last night at the Rules Committee I made sure that we not only made this in order today, but that we can do this together.

I want to thank the gentlewoman from Dallas, Texas (Ms. EDDIE BERNICE JOHNSON), and the gentleman from Plano, Texas (Mr. SAM JOHNSON), for the work that they have done. I thank the gentleman for the time that he has yielded me.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have no further comments. I just wish to request support for this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I thank both of you all and all our Dallas delegation, the Texas delegation really, for this interest.

My commonsense amendment is intended to prevent a real water crisis—which we are getting close to—by getting the Federal Government to finally issue the needed permit for this vital local reservoir project. I ask all my colleagues to support this amendment. Please pass this amendment. Let's get the water north Texas needs.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SAM JOHNSON). The amendment was agreed to.

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AMENDMENT NO. 6 OFFERED BY MR. RIBBLE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-794.

Mr. RIBBLE. 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. 1. CONSIDERATION OF USE OF NATURAL AND NATURE-BASED FEATURE.

In carrying out the design, construction, maintenance, repair, and rehabilitation of development projects, including flood risk reduction, coastal resiliency, and ecosystem restoration projects, the Secretary shall ensure that appropriate consideration is given to the use of natural and nature-based features.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Wisconsin (Mr. RIBBLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

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

My amendment is very simple. It is a 40-word technical correction from my perspective. This amendment simply states that the Secretary of the U.S. Corps of Engineers needs to consider—it doesn't mandate anything—it just says they should consider the use of natural and nature-based products when they are looking at various scopes of work.

Let me give you an example, Mr. Chairman. I serve the Eighth Congress-

sional District of Wisconsin and Green Bay is in my district. The waters of Green Bay have been affected by overflows of phosphorus and various nutrients. In this case, as part of the mitigation of trying to retain that phosphorus on the ground rather than in the bay, the Corps of Engineers could use natural berms. They could use weeds and grasses and different landscaping methods that are both aesthetically and technically better in this case.

So my amendment simply says that in this case the Secretary should allow consideration of these products. Not recommend them, not push them, not advocate for them, but simply have them in their consideration as they carry out the design, construction, maintenance, repair, and rehabilitation of water resources in this country.

This amendment is supported by the American Council of Engineering Companies, the American Shore and Beach Preservation Association, the American Society of Civil Engineers, the American Society of Landscape Architects, and about ten others or so.

Mr. Chairman, that is the scope of the amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition, though I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

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

I want to congratulate the gentleman on his persistence. This is a very commonsense amendment and it could have tremendous benefits nationwide. It is great policy. I congratulate him for his persistence because this amendment was rejected in committee, but things seem different on the floor, and that is great.

I urge our colleagues to support this fully.

I yield back the balance of my time.

Mr. RIBBLE. Mr. Chairman, I also thank the ranking member for his words. I want to thank Chairman SHUSTER as well for recognizing that this amendment has merit.

I recommend that my colleagues support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RIBBLE).

The amendment was agreed to.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. WOODALL) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment a bill of the House of the following title: