

strengthening community and home-based social and nutrition services for adults age 60 and older, their families and their caregivers. OAA services like Meals on Wheels, transportation, caregiver assistance, senior employment and training and elder rights protection are just some of the vital functions the OAA delivers to more than 11 million seniors annually.

As you and many of your colleagues know firsthand, OAA services and supports, including the three nutrition programs authorized under Title III of the Act, help keep our nation's most vulnerable, isolated and food insecure seniors healthier and in their own homes and communities longer. This in turn delays and/or prevents altogether the need for more expensive institutional care often paid for through Medicare or Medicaid. OAA programs are not only extremely cost-effective, but they are longstanding examples of public-private partnerships that help save taxpayers at the local, state and federal levels in reduced healthcare expenditures.

We specifically want to recognize the effort undertaken to increase authorization of appropriations in this legislation. With nearly half of our membership having a documented waiting list for nutrition services, the 7% increase in authorization of funding levels in Fiscal Year 2020—and 6% in subsequent years for all OAA programs over the five-year reauthorization period—will significantly improve the senior nutrition network's ability to address these gaps.

We also applaud the attention to and inclusion of additional research and innovation established through a new National Research, Demonstration, and Evaluation Center for aging services research and development. We already know the difference that OAA services and supports are making in the lives of those served each day, and this additional support will help identify where the greatest needs and opportunities are to produce substantial savings to Medicare and Medicaid and support our nation's most at-risk seniors.

Furthermore, we are grateful for the Dignity in Aging Act's acknowledgement of the components of our network's comprehensive service model, particularly around the areas of social isolation and loneliness; in-home safety; screenings and prevention; and community connections and support. This network has been addressing the social determinants of health (SDOH) for seniors long before it was a common definition used among policymakers, advocates and healthcare entities. Thanks to the foresight of this body in establishing the OAA Nutrition Program and its goals and purposes decades ago, the focus has transcended beyond just the meal to include an emphasis on socialization, overall health, well-being and safety.

As with each reauthorization, we have a new opportunity to evolve the OAA in ways that will help it better meet the inherent changes in our country's aging population and serve more of those in need. We are pleased that H.R. 4334, the Dignity in Aging Act of 2019, helps to address these shifts, and as such, we urge your support and swift passage in the House of Representatives. Meals on Wheels America and the network of senior nutrition programs across the country have appreciated contributing feedback and policy recommendations throughout this reauthorization process and look forward to continuing to work with you to build upon the ongoing successes of the OAA.

Thank you again for your leadership, public service and support for our nation's older adults.

Sincerely,

ELLIE HOLLANDER,  
President and CEO.

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

Ms. STEFANIK. Mr. Speaker, I yield myself the balance of my time.

In closing, I would like to again thank my good friend, the gentlewoman from Oregon (Ms. BONAMICI), and our colleagues and our staff on the Education and Labor Committee for all of their work on this bipartisan bill that will help improve the lives of millions of seniors across the country.

As I said at the beginning of this debate, my district is home to one of the largest constituencies of older Americans, so I could not be prouder to have led the reauthorization of the Older Americans Act, which will directly and tangibly benefit the seniors in New York's 21st District and seniors across the country.

Our Nation's seniors deserve to age with health, dignity, and independence in the communities of their choosing. Again, I urge a "yes" vote. Mr. Speaker, I yield back the balance of my time.

Ms. BONAMICI. Mr. Speaker, I yield myself the balance of my time. I urge all of my colleagues to support the bipartisan Dignity in Aging Act of 2019. We know that the OAA programs—Meals on Wheels, community meal programs, caregiver support, protection against elder abuse—help older Americans live their lives with dignity.

Once again, I thank Representatives STEFANIK, LEE, COMER, WILD, and JOHNSON for joining me in leading this effort. Again, I thank Chairman SCOTT and Ranking Member FOXX for supporting this legislation as it moved through the committee process. The bipartisan engagement and the involvement of many committee members was crucial to achieving this legislation to successfully address many priorities and incorporate the input of numerous stakeholders.

I am sincerely grateful for the contributions of all involved, and I am eager to support the passage of this bill today so we can better empower every older American to age with dignity.

I urge my colleagues to support this legislation, and I yield back the balance of my time.

Mr. LEVIN of Michigan. Mr. Speaker, I urge my colleagues to support the Dignity in Aging Act. As vice chair of the House Education and Labor Committee, I am honored to be a part of this bipartisan effort to respond to the challenges facing a generation of aging Americans.

I'm also proud that this package includes my bill, the Supporting Family Caregivers Act, which will facilitate the assessment of in-home caregivers' needs to determine what resources would help them provide care. I want to thank Congresswoman ELISE STEFANIK for partnering on this bipartisan legislation to support in-home caregivers.

Americans across the country rely on family caregivers, whose contributions range from bathing and dressing their loved ones, to coordinating care across multiple health care providers, to managing the payment of household and medical bills, and more. Each year, this adds up to roughly \$470 billion in unpaid care provided by 40 million family caregivers.

I believe one of the best ways to improve home health care is to protect the health and wellbeing of the caregivers who provide it. The Supporting Family Caregivers Act encourages the use of assessments to identify caregivers' individual needs and challenges, thereby allowing services to be targeted to each person more effectively and efficiently. Although resources are currently available to family caregivers, direct feedback through assessments would improve the quality of the support they receive.

I am so pleased to see this body take a needed step towards more person- and family-centered care. Again, I am grateful to my partner on this bill, Congresswoman STEFANIK, as well as Chairman SCOTT, Ranking Member FOXX and Dignity in Aging Act sponsor BONAMICI for their support.

I urge my colleagues to join me in supporting America's seniors, and to vote for the Dignity in Aging Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Oregon (Ms. BONAMICI) that the House suspend the rules and pass the bill, H.R. 4334, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### FULL UTILIZATION OF THE HARBOR MAINTENANCE TRUST FUND ACT

Mr. DEFAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2440) to provide for the use of funds in the Harbor Maintenance Trust Fund for the purposes for which the funds were collected and to ensure that funds credited to the Harbor Maintenance Trust Fund are used to support navigation, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2440

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Full Utilization of the Harbor Maintenance Trust Fund Act".

#### SEC. 2. USE OF HARBOR MAINTENANCE TRUST FUND TO SUPPORT NAVIGATION.

Section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238) is amended—

(1) in the section heading, by striking "AUTHORIZATION OF APPROPRIATIONS" and inserting "FUNDING FOR NAVIGATION"; and

(2) by adding at the end the following:

"(g) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—Amounts made available from the Harbor Maintenance Trust Fund under this section or section 9505 of the Internal Revenue Code of 1986 shall be made available in accordance with section 251(b)(2)(H) of the Balanced Budget and Emergency Deficit Control Act of 1985."

#### SEC. 3. ANNUAL REPORT TO CONGRESS.

Section 330 of the Water Resources Development Act of 1992 (26 U.S.C. 9505 note; 106 Stat. 4851) is amended—

(1) in subsection (a)—

(A) by striking “and annually thereafter,” and inserting “and annually thereafter concurrent with the submission of the President’s annual budget request to Congress.”;

(B) by striking “Public Works and Transportation” and inserting “Transportation and Infrastructure”; and

(2) in subsection (b)(1) by adding at the end the following:

“(D) A description of the expected expenditures from the trust fund to meet the needs of navigation for the fiscal year of the budget request.”.

**SEC. 4. HARBOR MAINTENANCE TRUST FUND DISCRETIONARY SPENDING LIMIT ADJUSTMENT.**

Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

“(H) HARBOR MAINTENANCE TRUST FUND.—

“(i) IN GENERAL.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies an amount for harbor maintenance activities, then the adjustments for that fiscal year shall be the total of such amount in that Act for such purpose for that fiscal year, but may not exceed the total amount within the Harbor Maintenance Trust Fund under subsection (a) of section 9505 of the Internal Revenue Code of 1986 on the last day of the fiscal year that is two years prior to that fiscal year.

“(ii) LIMITATION.—The adjustment under clause (i) with respect to an amount made available for harbor maintenance activities may only be made if such amount—

“(I) is derived solely from funds in such Trust Fund; and

“(II) is made available for expenditures described under subsection (c) of such section 9505.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Arkansas (Mr. WOMACK) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

**GENERAL LEAVE**

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2440, as amended.

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

There was no objection.

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

Mr. Speaker, this has been a long time coming. Ronald Reagan worked with the Democratic Congress and passed a tax, a tax paid by every American, Americans in Arkansas and every other State. Every time you buy an imported good that came through a container into our country, you pay a minuscule sales tax. Most Americans don’t know that, but Congress is well aware of it. And for decades, Congress has been stealing that money.

The money was intended to maintain our harbors and our ports, critical to a maritime nation, critical to our competitiveness in the world economy. And our ports are in pathetic condition around the Nation.

As we hear so much about our crumbling infrastructure, the surface bill that I am working on—our wastewater, our drinking water—we don’t have any money. Well, here we have the money. We actually have the money. We have taken it from the American people. They have paid that tax, but Congress is stealing it and not applying it to harbors.

This has been a bipartisan problem over the years. It was Republicans and Democrats who created this program, and it has been Democratic administrations and Republican administrations that have been diverting these needed funds.

On a daily basis, our largest ports have only about 38 percent of their authorized capacity. That means longer lines of ships out to sea and more costs in the movement of goods and particularly for our exports.

I will note that this bill is strongly supported by the Senator from Alabama, Senator SHELBY, and Senator SHELBY supports it because of the need to export from his State. And guess what? A bunch of those exports come from the State of Arkansas.

Why would someone from that State where half of their soybean crop is exported, where they have \$3.1 billion in agricultural exports, be opposed to more efficiently moving their goods out of the country and adding costs to their farmers? I don’t understand.

But there are some people inland who think ports don’t affect them. Ports affect every single American every day. Goods that are imported cost more when our harbors aren’t dredged properly. And our trade deficit grows when we are not competitive in the world economy.

I started working on this 23 years ago with a guy named Bud Shuster. His son, Bill Shuster, succeeded him as chairman of that committee over the last 6 years before we took back over the House. Twice we moved that bill out of the committee unanimously, including provisions to spend the harbor maintenance tax on harbor maintenance.

Now, that is a radical idea to some people inside the beltway in Washington, D.C., people who just have their focus right here in Washington. They are not focused on the Nation, the needs of the Nation, the needs of their farmers, the needs of others who are exporting and importing goods, about a great maritime Nation that is falling behind, that isn’t going to be ready to accept the largest new ships because we don’t have the money to dredge the harbors.

Well, we have the money. \$10 billion of it is sitting over in the Treasury, but there are those here who do not want to spend that money on its lawful purpose. They will say, oh, my God, it breaks the budget caps. Really? The budget caps?

The deficit this year was \$397 billion higher than when President Obama left office. Now, who has been in charge the

last 2 years? Who wrote those budgets to put us up to nearly \$1 trillion? And now we are going to say we can’t afford to dredge our harbors, that we should just shut them down.

Shut them down. Let them silt in. Let the jetties decay. No, we can’t afford it.

We can afford it. This is one place with bipartisan support where we can meet our infrastructure needs without raising a new tax on the American people.

This administration actually had some concern about the underspending of the tax and the diversion of the money to the Treasury, so the President’s budget proposed to cut the tax instead of dealing with our harbors and saying let’s spend the money. But that was written by Mick Mulvaney, the President’s Chief of Staff, and OMB.

□ 1515

The President himself, when I was in a meeting with him discussing infrastructure and I said, “We have \$10 billion, Mr. President, sitting in the bank ready to be spent on infrastructure needs at our ports,” he turned to Larry Kudlow and he says, “Spend that money.”

That is where the President stands. That is where Senator SHELBY stands. He has been trying to get it into any and every bill moving into the Senate. Every one of these budget deals, he is trying to get it in.

So here today we are going to hear arguments that we can’t afford to spend the taxes that have been taken from the American people on the purpose for which it was intended. I do not agree with that argument.

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

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, June 26, 2019.  
Hon. PETER A. DEFAZIO,  
Chairman, Committee on Transportation and  
Infrastructure, House of Representatives,  
Washington, DC.

DEAR CHAIRMAN DEFAZIO: I write to confirm our mutual understanding regarding H.R. 2440, the *Full Utilization of the Harbor Maintenance Trust Fund Act*. H.R. 2440 contains provisions that fall within the rule X jurisdiction of the Committee on the Budget. However, the committee agrees to waive formal consideration of the bill.

The Committee on the Budget takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. The committee also reserves the right to seek appointment to any House-Senate conference convened on this legislation or similar legislation and requests your support if such a request is made.

In particular, the committee should be involved in any discussions regarding creation of adjustments to discretionary spending limits and how they relate to the appropriate level for overall discretionary spending limits.

Finally, I would appreciate your response to this letter confirming this understanding,

and I ask that a copy of our exchange of letters on this matter be included in the committee report on H.R. 2440 and in the Congressional Record during floor consideration of H.R. 2440.

Thank you for your attention to these matters.

Sincerely,

JOHN YARMUTH,  
*Chairman.*

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,  
*Washington, DC, July 12, 2019.*

Hon. JOHN YARMUTH,  
*Chairman, Committee on the Budget,  
House of Representatives, Washington, DC.*

DEAR MR. YARMUTH: Thank you for your letter regarding H.R. 2440, the Full Utilization of the Harbor Maintenance Trust Fund Act. I appreciate your decision to waive formal consideration of the bill.

I agree that the Committee on the Budget has valid jurisdictional claims to certain provisions in this important legislation, and I further agree that by forgoing formal consideration of the bill, the Committee on the Budget is not waiving any jurisdiction over any relevant subject matter. Additionally, I will support the appointment of conferees from the Committee on the Budget should a House-Senate conference be convened on this legislation. Finally, this exchange of letters will be included in the Congressional Record should the bill be considered on the floor.

Thank you again and I look forward to continuing to work collaboratively with the Committee on the Budget on this important issue.

Sincerely,

PETER A. DEFAZIO,  
*Chair.*

Mr. WOMACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the bill, to no surprise of my friend from Oregon. Let me help him a little bit with how I give opposition in context.

As the ranking member of the Budget Committee, Mr. Speaker, it is not possible for me just to consider how we are going to get soybeans out of Arkansas as the sole limiting factor on how we budget. It is important, it is important to my producers, but at the end of the day, we are \$23 trillion in debt. The deficit this year, to add to that \$23 trillion, is expected to approach \$1 trillion. H.R. 2440 would disrupt the recently enacted budget agreement.

Now, Mr. Speaker, you know that we did months of negotiation on some agreement to keep the government open and operating. This body established discretionary spending caps for the next 2 years with the passage of the bipartisan Budget Act of 2019. The bill before us today breaches that law; it increases that deficit.

So my question is: What was the point of us going through that arduous process of negotiating a bipartisan, bicameral agreement with the President so that, just 3 months later, we could shoot a \$10 billion hole in it?

This bill would increase the deficit by up to \$10 billion, which I believe is unacceptable, given our fiscal condition.

According to the Congressional Budget Office, the annual deficit this year

will be \$1 trillion, adding to the already \$23 trillion in debt.

Now, let me be clear. I acknowledge that there are structural budgetary challenges associated with the harbor maintenance trust fund. They need to be fixed. I think everyone agrees that this is not fair that our shippers are required to pay a tax for harbor maintenance but then the funds can't be spent on the very service they are supposed to provide. That, we can agree on.

The work that is done on our ports is critical to both American jobs and the economy. We need to fix the flaws in the maintenance trust fund to ensure this essential work can be done; however, this bill is not the answer. It is just a quick fix.

I would like to work with Members on both sides of the aisle to assess not only the harbor maintenance trust fund, but also all government trust funds to evaluate their funding mechanisms to ensure they make sense and operate as intended.

H.R. 2440 is merely an effort to spend more money without offsets, bust the caps, resulting in an increase to the deficit of about \$10 billion.

There is also a determined opposition in the United States Senate. Senate Budget Committee Chairman ENZI and I have released the following joint statement in opposition to H.R. 2440. It reads:

The bipartisan Budget Act of 2019, which increased spending caps for fiscal years 2020 and 2021, was enacted less than 3 months ago. Instead of prioritizing additional funding for harbor maintenance activities under this agreement, H.R. 2440 would further increase spending by as much as \$10 billion over the next 2 years. This approach is irresponsible. It would not provide a lasting solution. With annual deficits in excess of \$1 trillion for the foreseeable future, Congress should be focused on reducing the deficit rather than increasing it.

Mr. Speaker, I believe H.R. 2440 is fiscally irresponsible, and I urge my colleagues to vote "no."

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

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

Mr. Speaker, "So we can't do it now. We would like to do it another time."

I have heard that on the floor for the last 6 years when we did the Water Resources Development Act that came bipartisan and unanimous out of the Transportation Committee when the Republicans chaired it and this year when I chaired it, bipartisan out of the committee. "We will fix it later, because the technical Budget Act is going to be violated and the caps are going to be violated."

Well, I would observe that I believe the gentleman was here and the gentleman voted for the tax cuts. And in that, when Obama left office, we had a deficit of \$587 billion. This year, it is \$984 billion due to, principally, the tax cuts.

So waive all the rules when it comes to cutting taxes, but when it comes to

taking a tax—and it isn't just collected from the shippers. Every American pays more for every imported good that comes through a port, with the intention, in a bill signed by Ronald Reagan, that that money would be spent to maintain those harbors.

As I pointed out, this has been a bipartisan problem: Clinton, Bush, Obama, all of them. And even the budgets proposed by Mick Mulvaney in the name of the President would further cut harbor maintenance. So we would continue to collect the tax from the American people for harbor maintenance and continue to divert it over here.

How can you increase the deficit in any rational world when you are spending taxes that have already been collected, that are deposited in the Treasury of the United States and can only be spent on harbor maintenance, and you are not spending them? That is increasing the deficit? Seriously? Oh, come on.

Now, I would note that, in a rare moment, we have a list here of 70 organizations who support this legislation, including the Association of General Contractors of America, who are going to key-vote this issue. They realize how critical this is for the future of the American economy, a great maritime nation. The Association of General Contractors will key-vote this issue.

We also have the National Grain and Feed Association and a long list of others on here who support this.

Mr. Speaker, I include in the RECORD a list of supporters of H.R. 2440.

SUPPORTERS OF H.R. 2440, THE "FULL UTILIZATION OF THE HARBOR MAINTENANCE TRUST FUND ACT"

(Updated: October 28, 2019)

American Association of Port Authorities, American Association of State Highway, Transportation Officials, American Great Lakes Ports Association, American Petroleum Institute, American Society of Civil Engineers, Associated General Contractors of America, Association of Equipment Manufacturers, Big River Coalition, Boat U.S., Cedar Bayou (Texas) Navigation District, Columbia River Bar Pilots, Columbia River Pilots, Columbia River Steamship Operators Association, Dredging Contractors of America, Florida Ports Council, Great Lakes Small Harbors Coalition, Gulf Ports Association.

High Line Grain Growers, International Liquid Terminals Association, Lake Carriers' Association, National Association of Manufacturers, National Association of Waterfront Employers, National Conference of State Legislatures, National Grain and Feed Association, National Marine Manufacturers Association, New York Shipping Association, The Northwest Seaport Alliance (NWSA), Oregon Coastal Caucus, Oregon Public Ports Association, Pacific Northwest Waterways Association, Port of Alsea, OR; Port of Arlington, OR; Port of Astoria, OR; Port of Bandon, OR; Port of Brookings Harbor, OR.

Port of Cascade Locks, OR; Port of Chinook, OR; Port of Cleveland, OH; Port of Columbia County, OR; Port of Coos Bay, OR; Port of Corpus Christi, TX; Port of Depot Bay, OR; Port of Garibaldi, OR; Port of Gold Beach, OR; Port of Hood River, OR; Port of Ilwaco, OR; Port Isabel-San Benito Navigation District, TX; Port of Kalama, WA; Port

of Long Beach, CA; Port of Los Angeles, CA; Port of Morgan City, LA; Port of Morrow, OR; Port of Nehalem, OR.

Port of Newport, OR; Port of Oakland, CA; Port of Portland, OR; Port of Port Orford, OR; Port of Seattle, WA; Port of Skagit, WA; Port of Siuslaw, OR; Port of The Dalles, OR; Port of Toledo, OR; Port of Umatilla, OR; Port of Umpqua, OR; Port of Whitman County, WA; Portland Cement Association; Texas Ports Association; Transportation Trades Department, AFL-CIO, United Grain Co., WA; United States Maritime Alliance.

Mr. DEFAZIO. So, we can talk a lot about making a major investment in infrastructure. We have been hung up on how are we going to pay for service, transportation; 47,000 bridges need repair or replacement; 40 percent of the National Highway System is deteriorated to the point we have to rebuild it, not just recoat it; and there is a \$100 billion backlog in transit just to bring it up to a state of good repair.

Those are just the needs in surface. Then you go to wastewater. Then you go to airports. Then you go to drinking water.

But guess what? For every single one of those things, we are going to have to raise revenues one way or another.

But this one thing, the need to invest in our harbors, we have the money. It is sitting in the bank, and we are being told, because of the budget caps, it can't be spent. Seriously?

The President himself said, when I was there, "Spend that money." So if we get the bill through the House, if they don't derail it and it gets through the Senate, the President will sign it, plain and simple.

This is common sense outside the beltway, but just budget weirdness inside.

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

Mr. WOMACK. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, in our process, it is not as simple as "just spend the money." It has to go through a process. We call it the appropriations process, Mr. Speaker. You are well aware of it, having served on the Appropriations Committee.

Here is the deal: The budget agreement is indifferent as to the source of that money, whether it is a harbor maintenance trust fund issue or whether it is spending that is borrowed from China or from the international bond market. It is indifferent to it. It goes through the same process.

This blows a \$10 billion hole in the deficit that is just 3 months away from the agreement that we had 3 months ago.

Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. STEWART), my friend and my colleague on the Appropriations Committee.

Mr. STEWART. Mr. Speaker, I am proud to rise with my friend, Mr. WOMACK, to speak in opposition to H.R. 2440, the Full Utilization of the Harbor Maintenance Trust Fund Act.

And why? Because that is a fair thing to say. If you are going to impose

something, tell us why, because this bill would break the spending caps that this body agreed to just a few months ago.

Now, this is laughably unacceptable.

I also need to point out, and I know this is going to shock many people, that the budget caps we agreed to were hardly a model of fiscal discipline. Quite the contrary, they were very liberal, very generous.

Now, look, I have no problem with this particular funding. I want to be clear on that. I have no problem with this particular funding. It may be a very wise use of taxpayers' money, but if it is true, then have the courage to stand up and say: "This is how we are going to fund it. This is how we are going to pay for it."

Adjustments to the agreed spending caps adversely impact our ability to monitor discretionary spending by allowing funding to come outside of the caps rather than within the base budget.

Again, while it may be true that this trust fund needs to be fixed, this is not the way to address the issue, by adding nearly \$10 billion to what is a \$22.5 trillion deficit. For our children and our grandchildren, this is not the way to move forward.

Now, I want to mention one other final and, experience would show, certainly, a reasonable fear, and that is this: H.R. 2440 sets a dangerous precedent for other programs looking to operate also outside of the spending caps. If we bust the caps for this, then what other reasonable programs must we fund outside of the budget caps?

Everyone has a special program they want to fund. Everyone has got a sacred cow that they want to fund. Sadly, there are no more cows in Heaven, because all the sacred cows are down here in Congress trying to find a way to be funded.

We must remain defiant toward adding onto our already existing and, as it has been pointed out, including by our friend in the opposition, existential threat from runaway spending. I stand in opposition to that.

Mr. DEFAZIO. Mr. Speaker, if the gentleman from Utah (Mr. STEWART) would just stand there for a moment, I will yield him some time for a colloquy.

Name another program with a dedicated tax where we are diverting the money over to the Treasury instead of spending it on a well-documented need. Just name another program where we do that.

Mr. STEWART. Mr. Speaker, I would be happy to research that for the gentleman. There may be some.

Mr. DEFAZIO. Mr. Speaker, I reclaim my time.

Mr. Speaker, if the gentleman would research that. He can't name one.

Mr. Speaker, we are taking this money. It is a sales tax. The American people are paying it. It is like some of you live in sales tax States. I don't live in a sales tax State, but my people are

still paying this sales tax on imported goods, and they expect the money, as Ronald Reagan signed that bill, to be spent on maintaining our harbors. And I can list the needs in my harbors that aren't being met today because the Corps of Engineers are underfunded. But we are hearing, "We can't do this." And the other argument here is: This busts the caps and it breaks the agreement.

No. All of this money which has been taken from the American people and deposited in the Treasury is subject to appropriation. So it gives discretion to the appropriators to determine whether or not we will finally honor our compact with the American people and spend the harbor maintenance tax on harbor maintenance, not on illusory deficit reduction.

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

Mr. WOMACK. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Speaker, I will be glad to address the gentleman's question.

There are a number of different areas where we actually collect money. The LWCF is one of those. \$900 million a year comes from oil producers. It is supposed to be spent on something, but it goes back to the Treasury.

So if we went into a colloquy back and forth, I will be glad to do that with the gentleman from Oregon (Mr. DEFAZIO).

That being said, Mr. Speaker, we have had this debate. The ranking member is exactly right. This is the only place you can exceed an unlimited budget by \$10 billion.

We have agreed to something, and all of a sudden what happens is now they start to push back. They start to push back because you know what? This priority wasn't included in the budget caps deal.

It is amazing that my colleague opposite now is, all of a sudden, becoming a fiscal conservative. So I will give him an honorary invitation to join the Freedom Caucus.

□ 1530

It is amazing how fiscally conservative some of the Members opposite get when it comes to some special project that they want to overlook.

Mr. Speaker, I would just say, the truth here today is that not only do we need to be fiscally responsible for the American taxpayer, but we need to start showing some fiscal restraints here in this body. Eventually, you run out of other people's money, and I think that day is now.

Mr. DEFAZIO. Mr. Speaker, I always enjoy hearing from the gentleman. He is right that we are underspending the Land and Water Conservation Fund, but it is not a tax assessed individually on the American people as a sales tax. It is fees paid by the oil and gas industry, which you can say: Oh, they are having to pay a fee to use Federal land,

to take and extract a resource. Therefore, it is not quite the same thing.

Mr. MEADOWS. Will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from North Carolina.

Mr. MEADOWS. Mr. Speaker, if the gentleman from Oregon is suggesting that we do not pay for that fee in the ultimate gas tax that we—you know, he is the chairman of the Transportation Committee. As anybody knows, he would know that it is embedded in part of that.

Mr. DEFAZIO. Mr. Speaker, reclaiming my time, the Federal gas and diesel tax hasn't changed since 1993, so the American people are not paying for that. The price of oil goes up and down according to speculation and wars and conflicts and all sorts of other things. But the fact is that is a fee paid by the oil companies that might or might not come out of their profits and goes into a fund, which is being underspent.

To be consistent, I fully support and have supported fully expending the Land and Water Conservation Fund on a permanent program, on its intended and legislated purpose, and that is the same thing here.

But this is, again, a little different. Anybody, today, who bought a good that came into a port in the United States of America in a container is paying a very small sales tax increment on that good on a bill signed by Ronald Reagan. That money is supposed to be spent to maintain our harbors.

Our harbors are silting in. Jetties are falling apart. We can't accommodate, in some harbors that want to accommodate them, the new largest class of ships in the world.

The most efficient way to move goods is on water. The least carbon-intensive way is to move goods on water. But we are impeding that by not spending this tax for the purpose for which it was intended and which is legislated in law. That is all we are asking to do here today.

Mr. Speaker, I reserve the balance of my time, and I reserve the right to close.

Mr. WOMACK. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, listening to this debate, it is not hard to understand why things in this body don't ever get done.

Here is the deal. There are a lot of truths that are being spoken here. We do have a debt that is completely out of control. There is no question about it.

The gentleman from Arkansas, the gentleman from North Carolina, and the gentleman from Utah are exactly right: \$23 trillion we are leaving to our children and our grandchildren. It is outrageous.

But my friend from Oregon is also accurate in that we are charging a fee for a purpose that is being diverted. It is not right.

Mr. Speaker, if I ran a not-for-profit and decided that I was going to collect funds from the public, and I said I was collecting them for the purpose of providing healthcare to someone who needed it, and I decided to take those funds and spend them somewhere else, there is a word for that in the private sector. It is called embezzling, and people go to jail for it. In Congress, we call it budgeting, and it is wrong.

Let me go back and just summarize this. Absolutely, we need to have a balanced budget. I would support it every single day. I support Members of Congress not being paid until we have one. This needs to be in the budget caps. But this has been a discussion that has been going on for years and years and years.

As my friend from Oregon indicated, having a paper balance of \$9 billion or \$10 billion—and it is not like we don't have a need. We have channels that are shoaling up that we put draft restrictions on. We are not at the depths we need to be at to meet the new trends in shipping.

So, yes, I am concerned about the debt, and I want to make sure we address this. But this has been going on for far too long, that these dollars have been diverted or embezzled.

Mr. Speaker, I urge adoption of this bill because we have to figure this out and figure out how to get it up under the budget cap where it belongs.

Mr. DEFAZIO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WOMACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, with the numbers we are facing—trillion-dollar deficits and \$23 trillion in debt—what is another \$10 billion?

Mr. Speaker, it is obvious that Congress needs to start making the tough decisions. The responsibility is at our feet. It is in Article I of the Constitution, that same Constitution we all took an oath to in January. And I am not talking about tough decisions regarding the harbor maintenance trust fund by itself. I am talking about a lot of programs, all programs, mandatory spending programs.

And an inconvenient truth, Mr. Speaker, is this: As a percentage of our economy, mandatory spending is going higher. Discretionary spending, the money we are talking about today, is getting lower.

I wish my friend from Oregon would bring the same passion to the floor that he brings on the harbor maintenance trust fund to actually righting the ship on spending in the country as a whole to include solutions to the mandatory spending programs that continue to skyrocket totally unchecked by the Congress.

I want more money for education. I want more money for science and healthcare. And I want more money for harbor maintenance. I have backlog in my own district. But it needs to be prioritized.

This discussion should have taken place 3 months ago. In fact, it did. There were other issues addressed in the negotiation for the budget caps that we operate under today.

May I remind my friend from Oregon that we had a long talk about the Census. It made it in. We discussed harbor maintenance. We discussed VA MISSION, Mr. Speaker, and that was in excess of \$20 billion. But, somehow, we were able to get it beneath the caps.

At the end of the day, only one of those negotiating topics actually made it into the discussion. So now here we are, expected to relitigate the other cap adjustments.

What other types of spending will folks want to give special privilege to? Proponents are saying we don't get what we want so let's just bust the caps. That is a dangerous precedent. It should never be considered in the same context as overseas contingency and disaster spending, which we all know operate above the caps.

It would behoove us to take note of organizations that have expertise in the state of our Nation's fiscal well-being and their opinion.

Mr. Speaker, I include in the RECORD a statement by the National Taxpayers Union that says, among other things, in urging a "no" vote on the Full Utilization of the Harbor Maintenance Trust Fund Act, the Congress of the United States should be asking for healthier trust funds, not weakening those trust funds.

NATIONAL TAXPAYERS UNION,  
Washington, DC, October 28, 2019.

NTU urges all Representatives to vote "NO" on H.R. 2440, the Full Utilization of the Harbor Maintenance Trust Fund Act. This legislation would lead to higher federal spending, exempt the Harbor Maintenance Trust Fund (HMTF) from discretionary caps, and potentially draw down the \$9 billion surplus in the HMTF. Lawmakers should oppose this proposal, and pursue legislation that strengthens caps on discretionary spending rather than weakening them.

H.R. 2440 would add the HMTF to a special, narrow group of spending categories that are exempt from Budget Control Act (BCA) caps. Currently, that list is limited to emergency and overseas contingency operations (OCO) spending, disaster relief, continuing disability reviews and redeterminations, health care fraud and abuse control, reemployment services and eligibility assessments, and wildfire suppression. Despite the pending expiration of BCA caps on discretionary spending, the bill's supporters have failed to make the case that HMTF belongs in the same category of exempt spending as disaster relief and OCO.

CBO has scored H.R. 2440 as having no impact on direct spending, revenues, or the deficit, but this is a misleading analysis. As NTU Foundation pointed out in June, the sponsors of the legislation "wrote that it would provide for an additional \$34 billion in funds for harbors. Despite the obvious motivation to use HMTF as a vehicle for spending hikes, CBO's zero score reflects a myopic reading of the bill." This intention is also made clear in the House Transportation and Infrastructure Committee report on H.R. 2440, which states, "[t]his change would enable the investment of approximately \$34 billion over the next decade from the HMTF for the intended purpose of maintaining Federally-authorized harbors."

Policymakers should want strong surpluses in taxpayer-backed trust funds. At a time when the Social Security and Medicare Part A trust funds are facing insolvency, Congress should not be passing legislation that strains one of America's healthier trust funds. If lawmakers want to spend a higher portion of HMTF's annual revenues, they should do so by having harbor maintenance needs compete with other priorities considered by Congress each year, rather than carving out a caps exemption for HMTF. Passing this legislation will only encourage special interests to seek additional exemptions for their priorities.

NTU strongly urges Representatives to oppose H.R. 2440 in its current form.

Roll call votes on H.R. 2440 will be included in our annual Rating of Congress and a "NO" vote will be considered the pro-taxpayer position.

MR. WOMACK. Mr. Speaker, I am reminded of an old saying, and my dad, who grew up on a Yellow County, Arkansas, farm says it to me often. He says: Son, when you find yourself in a hole, quit digging.

Mr. Speaker, if we pass H.R. 2440, we will have added yet another shovel full of deficit to our Nation's fiscal situation. I urge a "no" vote, and I yield back the balance of my time.

MR. DEFAZIO. Mr. Speaker, may I inquire as to how much time is remaining.

THE SPEAKER pro tempore. The gentleman from Oregon has 7 minutes remaining.

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

Mr. Speaker, the gentleman said he wants healthy trust funds. Well, we got a heck of a healthful trust fund when it comes to harbor maintenance, but we also have a massive deficit in harbor maintenance.

We are projecting that we are going to need an extra \$15.8 billion between now and just 2020 to meet the demands of larger and heavier ships that are going to come through the Panama Canal and come here. How are we going to meet that? Well, we could spend the harbor maintenance trust fund on harbor maintenance, but, no, it wasn't part of the budget caps.

Go out and tell that to people who are dependent upon getting their goods in and out of the Nation's ports and say: Oh, well. Sorry. We can't do that jetty. We can't dredge that harbor because we can't spend the money that we took from you and put in the bank, even though the need is not being met.

I don't think that is a real winning subject outside the beltway. But inside the beltway, it resonates with certain people.

Again, I am pleased to hear from the National Taxpayers Union. The Association of General Contractors will key vote this issue.

This is a program created during the Reagan administration, signed by Ronald Reagan. The money has been diverted by both Democratic Presidents and Republican Presidents for years. It is time to stop doing that.

This President expressed personally to me, in a meeting, that he wants to

stop diverting that money. Mick Mulvaney, following the line of arguing we are having here, keeps trying to cut the spending on harbor maintenance so they can divert more of the tax paid by the American people to create illusory deficit reduction by putting the money in the bank.

How does that reduce the deficit? It doesn't reduce the deficit. It doesn't.

In the real world, it is the Budget Act and its definitions that we are talking about here, not the real needs of the American people, not the real needs of the American ports, not the real needs of our shippers, and not the real needs of our exporters. That is what we are talking about here today.

We can hear tomorrow and tomorrow and tomorrow and tomorrow. "We will get to it some other time." Twenty-three years ago, I started working on this with Republican Chairman Bud Shuster—23 years, a quarter of a century.

This is something we can do for the American people. The President ran on providing trillions of dollars of infrastructure investment. So far, all the budgets written by Mick Mulvaney and that hench-person he has over at OMB now actually have proposed reductions in transportation spending and have proposed reductions in harbor maintenance, even though we have a dedicated tax that can pay for it.

In any sensible world, we would take the dedicated tax and spend it on its lawful purpose, and the only lawful purpose is to get into our ports and rebuild the jetties and dredge for the larger ships that are coming to America so we can be more competitive as a maritime nation and maybe reduce the trade deficit.

There was a lot of discussion about the deficit. Again, I would just recall that the deficit is up almost \$400 billion in 2 years—2 years during which the Republicans controlled the House, the Senate, and the White House.

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I think it had something to do with a tax cut, \$3 trillion. Didn't hear much about budget caps or deficit concerns.

Oh, wait a minute. It is going to pay for itself. It was going to raise revenues. It didn't raise revenues. Revenues didn't get raised. And, oh, by the way, it didn't pay for itself.

So I would hope that Members here will realize that the vast number of Americans—I bet if you went out and polled them, saying, "You are paying a little tax here for harbor maintenance, and it is being deposited in the Treasury to make the deficit look smaller; do you think that is a good idea?" I think that would be one thing that people on both sides of the aisle, all across America would say, no, spend the money on our ports.

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

MRS. NAPOLITANO. Mr. Speaker, I rise today in strong support of H.R. 2440, the Full Utilization of the Harbor Maintenance Trust Fund Act.

First, I want to recognize the leadership of my Chairman, the gentleman from Oregon (Mr. DEFAZIO) for his leadership on this issue and shepherding H.R. 2440 through the legislative process. His tenacity on this issue is one of the main reasons why we are here today, and will, hopefully be successful in moving this bill through the House.

I also want to thank the Ranking Member of the Full Committee, the gentleman from Missouri (Mr. GRAVES); the Subcommittee Ranking Member, the gentleman from Arkansas (Mr. WESTERMAN); and the gentleman from Pennsylvania, (Mr. KELLY) for their support of this legislation as original cosponsors.

H.R. 2440 authorizes a discretionary cap adjustment for the full-utilization of the Harbor Maintenance Trust Fund by the U.S. Army Corps of Engineers (Corps). This change would enable the investment of approximately \$34 billion over the next decade from the Harbor Maintenance Trust Fund for the intended purpose of maintaining Federally-authorized harbors. This will allow the Corps to dredge all Federal harbors to their constructed widths and depths.

In 1986, Congress enacted the Harbor Maintenance Trust Fund as a user fee by taxing importers and domestic shippers at our harbors in order to pay for the maintenance of our harbors. The problem is that the trust fund collects more revenue than the President's Budget requests and Congress has appropriated to maintain our harbors.

According to the Congressional Budget Office (CBO), the Harbor Maintenance Trust Fund will collect an additional \$24.5 billion in new revenue over the next decade but federal appropriations from the trust fund will only be \$19.4 billion. This discrepancy is in addition to the estimated \$9.3 billion in previously collected but unspent revenue.

During the Subcommittee's hearing on April 10th, representatives from ports both big and small all agreed that Congress must fully spend the trust fund on harbor needs. H.R. 2440 would provide this authority to spend the \$24.5 billion in new revenue as intended on harbor maintenance.

As we pass this responsible budgeting bill today, I also look forward to working with my colleagues as we move forward with a Water Resources Development Act this Congress to address inequities in how these funds are spent.

THE SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. DEFAZIO) that the House suspend the rules and pass the bill, H.R. 2440, as amended.

The question was taken.

THE SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

MR. WOMACK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

THE SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### FEDERAL DISASTER ASSISTANCE COORDINATION ACT

MR. DEFAZIO. Mr. Speaker, I move to suspend the rules and pass the bill