
PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3080) TO
PROVIDE FOR IMPROVEMENTS TO THE RIVERS AND
HARBORS OF THE UNITED STATES, TO PROVIDE FOR THE
CONSERVATION AND DEVELOPMENT OF WATER AND
RELATED RESOURCES, AND FOR OTHER PURPOSES

October 22, 2013.—Referred to the House Calendar and ordered to be
printed.

MR. WEBSTER, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. ___]

The Committee on Rules, having had under consideration House
Resolution ___, by a nonrecord vote, report the same to the House with the
recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3080, the Water
Resources Reform and Development Act of 2013, under a structured rule.
The resolution provides one hour of general debate equally divided and
controlled by the chair and ranking minority member of the Committee on
Transportation and Infrastructure. The resolution waives all points of order
against consideration of the bill.

Section 2 of the resolution makes in order as original text for
purpose of amendment an amendment in the nature of a substitute
consisting of the text of Rules Committee Print 113-24 and provides that it
shall be considered as read. The resolution waives all points of order against
that amendment in the nature of a substitute. The resolution makes in
order only those further amendments printed in this report and
amendments en bloc described in section 3 of the resolution. Each
amendment printed in this report may be offered only in the order printed in
this report, may be offered only by a Member designated in this report, shall
be considered as read, shall be debatable for the time specified in this report
equally divided and controlled by the proponent and an opponent, shall not
be subject to amendment, and shall not be subject to a demand for division

of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report or against amendments en bloc as described in section 3 of the resolution.

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

Section 4 of the resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of clause 4(a) of rule XIII, which prohibits consideration of legislation in the House until the third calendar day on which each report of a committee on that measure or matter has been available to Members, Delegates and the Resident Commissioner. The Committee on Transportation and Infrastructure filed its report on October 21, 2013, but the report was not made electronically available in its complete form until October 22, 2013.

Although the resolution waives all points of order against the amendment in the nature of a substitute made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in this report or against amendments en bloc as described in section 3 of the resolution, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 84

Motion by Ms. Slaughter to report an open rule. Defeated: 2-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	Yea
Mr. Bishop of Utah.....	Nay	Mr. McGovern.....	
Mr. Cole.....	Nay	Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay	Mr. Polis.....	
Mr. Nugent.....			
Mr. Webster.....	Nay		
Ms. Ros-Lehtinen.....			
Mr. Burgess.....	Nay		
Mr. Sessions, Chairman.....	Nay		

Rules Committee Record Vote No. 85

Motion by Ms. Slaughter to make in order and provide the appropriate waivers for amendment #24, offered by Rep. Hahn (CA), which takes the receipts and disbursements of the Harbor Maintenance Trust Fund "off budget," and makes the full amount of the Harbor Maintenance tax collected each year available to the Army Corps of Engineers to be spent on ports without further appropriation. Defeated: 2-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	Yea
Mr. Bishop of Utah.....	Nay	Mr. McGovern.....	
Mr. Cole.....	Nay	Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay	Mr. Polis.....	
Mr. Nugent.....			
Mr. Webster.....	Nay		
Ms. Ros- Lehtinen.....			
Mr. Burgess.....	Nay		
Mr. Sessions, Chairman.....	Nay		

Rules Committee Record Vote No. 86

Motion by Ms. Slaughter to make in order and provide the appropriate waivers for amendment #46, offered by Rep. Brown (FL) and Rep. Frankel (FL) and Rep. Wilson (FL) and Rep. Roybal-Allard (CA) and Rep. Hastings (FL) and Rep. Wasserman Schultz (FL) and Rep. Garcia (FL) and Rep. Crenshaw (FL) and Rep. Posey (FL) and Rep. Murphy (FL), which authorizes projects that receive a final Chief of Engineers Report up to one year following enactment of the bill. Defeated: 2-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	Yea
Mr. Bishop of Utah.....	Nay	Mr. McGovern.....	
Mr. Cole.....	Nay	Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay	Mr. Polis.....	
Mr. Nugent.....			
Mr. Webster.....	Nay		
Ms. Ros- Lehtinen.....			
Mr. Burgess.....	Nay		
Mr. Sessions, Chairman.....	Nay		

Rules Committee Record Vote No. 87

Motion by Mr. Hastings of Florida to make in order and provide the appropriate waivers for amendment #69, offered by Rep. Polis (CO), which requires the Government Accountability Office to carry out a study evaluating why the Olmsted Project has exceeded the budget for the project and reasons the project failed to be completed as scheduled, as well as a list of contract recipients, including the number of women and veteran owned businesses. Defeated: 2-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	Yea
Mr. Bishop of Utah.....	Nay	Mr. McGovern.....	
Mr. Cole.....	Nay	Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay	Mr. Polis.....	
Mr. Nugent.....			
Mr. Webster.....	Nay		
Ms. Ros-Lehtinen.....			
Mr. Burgess.....	Nay		
Mr. Sessions, Chairman.....	Nay		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Shuster (PA), Gibbs (OH), Rahall (WV), Bishop, Tim (NY): MANAGERS
Adds a new section that provides for expediting the completion of any on-going feasibility study for a project initiated prior to enactment and clarifies that the Corps of Engineers is authorized to move to preconstruction planning, engineering, and design activities immediately after completing a feasibility study. Amends Section 107 of H.R. 3080 to add a savings clause to ensure work carried out under an existing statute related to navigation that is repealed in H.R. 3080 can continue if initiated prior to enactment. Adds a new section providing non-Federal interests the ability to carry out work at their own expense for a project where a final feasibility report has been completed but has not received authorization from Congress. Requires the non-Federal interest to carry out work subject to any State or Federal permitting requirements and to carry out the project in accordance with the final feasibility report. Amends Section 120 of H.R. 3080 to request the Corps of Engineers to review the uses and economic feasibility of non-structural alternatives in their review of existing authorities for carrying out work after a storm event. Amends Section 102 of H.R. 3080 to add natural gas companies to the entities eligible to contribute funds to Corps of Engineers to expedite the processing of permits within the regulatory program of the Corps of Engineers. Makes other technical and conforming changes to H.R. 3080. (10 minutes)
2. DeFazio (OR), Blumenauer (OR), Jackson Lee (TX), Pingree (ME), Edwards (MD), Bonamici (OR): Delays the application of environmental “streamlining” provisions in the bill until the Secretary certifies that there is sufficient funding to reduce the current backlog of authorized Corps projects to less than \$20 billion; more than \$40 billion in projects have already been authorized using existing environmental review processes, but have yet to receive funding for construction. (10 minutes)
3. Flores (TX): Prohibits programs or actions authorized under this Act from further implementation of coastal and marine spatial planning and ecosystem-based management components under Executive Order 13547. Requires the Secretary of the Army to conduct and submit a study detailing all activities engaged in and resources expended in furtherance of Executive Order 13547. The study also should include any budget requests for fiscal year 2014 for support of implementation of Executive Order 13547, and be submitted to the House Committee on Transportation and Infrastructure and Senate Committee on Commerce, Science, and Transportation. (10 minutes)
4. Mullin, Markwayne (OK): Specifies that due to ongoing drought in many parts of the United States, state agencies are finding it difficult to maintain Federal Energy Regulatory Commission-licensed lake levels. Not later than 180 days after enactment, FERC is to initiate an assessment of the effects of drought conditions on these lakes and report to Congress – specifically looking at existing FERC-licensed lakes with rule curves in areas of drought and the effect long-term licenses have on state agencies being able to meet all their obligations. (10 minutes)

5. Young, Don (AK), Petri (WI): Requires USACE to contract with private sector surveying and mapping firms, wherever practical, in performance of surveying and mapping services and activities for Corps projects. Requires the Secretary to issue agency guidance to encourage use of the private sector for surveying and mapping services, and requires a process to provide oversight of the performance of compliance with the guidance. (10 minutes)
6. Hastings, Alcee (FL): Includes operation and maintenance costs associated with sand transfer plants in the annual operations and maintenance budget of the Corps of Engineers. (10 minutes)
7. Bentivolio, (MI): Seeks to increase the amount of backlogged projects to be de-authorized, beyond what is initially de-authorized in the bill from \$12,000,000,000 to \$35,000,000,000. (10 minutes)
8. Jones (NC): Exempts the disaster restriction on projects which non-federal interests may contribute to. (10 minutes)
9. Jackson Lee (TX): Provides that in making recommendations pursuant to Section 118 of the Act, the Secretary shall consult with key stakeholders, including State, county, and city governments, and, where applicable, State and local water districts, and in the case of recommendations concerning projects that substantially affect underrepresented communities the Secretary shall also consult with historically Black colleges and universities, Tribal Colleges and Universities, and other minority-serving institutions. (10 minutes)
10. Grimm (NY): Modifies Section 118 to require the Secretary of the Army to include project recommendations made in the study for flood and storm damage reduction related to natural disasters under title II of division A of the Disaster Relief Appropriations Act, 2013 within the Secretary's Report to Congress on Future Water Resources Development. (10 minutes)
11. Peters, Scott (CA): Adds a subsection specifying that the Secretary of the Army coordinates with the Administrator of the FEMA to disseminate the emergency communication of risk to the public through widely used and readily available means. (10 minutes)
12. Stutzman (IN): Provides that the Secretary of the Army shall not require the removal of levee vegetation until the Corps of Engineers' policy guidelines on vegetation management for levees have been reviewed and adopted. Provides an exception for vegetation that presents an unacceptable safety risk. (10 minutes)
13. Velázquez (NY): Establishes a national water-based freight policy to improve the movement of freight and cargo over waterways, canals, ports, and harbors (10 minutes)
14. Pierluisi (PR): Adds Puerto Rico to the provision of law that would be updated for inflation by Section 137 and that authorizes the Secretary of the Army to waive local cost-sharing requirements up to a specified dollar amount for studies and projects in certain U.S. territories. (10 minutes)
15. Cotton (AR): Allows non-federal entities (regional authorities or municipalities) and the Army Corps of Engineers (ACE) to collaborate on a proposal to sell any excess water supply in order to address an oversupply of water resulting from the 1958 Water Supply Act. This

would not authorize the Corps to actually sell the water or release the water from storage. (10 minutes)

16. Richmond (LA), Scalise (LA): Directs the Corps to calculate the national benefits of proposed flood protection projects, including benefits from a reduction in national and regional economic losses, as well as the protection of evacuation routes. (10 minutes)
17. Hastings, Doc (WA): Ensures that Congress continue the practice of authorizing project purposes at Corps of Engineers dams or reservoirs. (10 minutes)
18. McCollum (MN), Kelly (PA), Schneider (IL), Lipinski (IL): Establishes a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries by providing technical assistance, coordination, best practices, and support to State and local governments in carrying out such activities. (10 minutes)
19. Thompson, Mike (CA), Benishek (MI), DeFazio (OR), Simpson (ID), Titus (NV): Requires the Government Accountability Office (GAO) to conduct an assessment on the impacts of aquatic invasive species on federal assets and current federal spending on aquatic invasive species prevention. (10 minutes)
20. Brownley (CA): Requires the Army Corps to consider activities of the Secretary of the Navy when assessing the operation and maintenance needs of harbors and the equitable distribution of funds. (10 minutes)
21. Lowenthal (CA): Requires the Secretary to include 'expanded uses' of the Harbor Maintenance Trust Fund in the assessments and prioritization of operations and maintenance reports to Congress. (10 minutes)
22. Brownley (CA): Requires GAO to study and report to Congress on the effectiveness of activities funded by the Harbor Maintenance Trust Fund in maximizing economic growth and job creation in the communities surrounding low- and moderate-use ports; and include recommendations relating to the use of amounts in the Harbor Maintenance Trust Fund to increase the competitiveness of United States ports relative to Canadian and Mexican ports. (10 minutes)
23. Schneider (IL): Expands congressional reporting requirements to include recommendations for mitigating current problems and limiting the construction backlog. (10 minutes)
24. Gardner (CO): Establishes the Office of Water Storage at the Army Corp of Engineers to serve as an initial point of contact for the acquisition or satisfaction of a Federal permit for a water storage facility. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHUSTER OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. SHUSTER OF PENNSYLVANIA**

Page 6, line 14, after “company” insert “or natural gas company”.

Page 33, after line 20, insert the following:

1 **SEC. __. EXPEDITED COMPLETION OF REPORTS.**

2 The Secretary shall—

3 (1) expedite the completion of any on-going fea-
4 sibility study for a project initiated before the date
5 of enactment of this Act; and

6 (2) if the Secretary determines that the project
7 is justified in a completed report, proceed directly to
8 preconstruction planning, engineering, and design of
9 the project in accordance with section 910 of the
10 Water Resources Development Act of 1986 (100
11 Stat. 4189).

Page 42, after line 23, add the following:

12 (g) SAVING PROVISION.—Nothing in this section may
13 be construed to affect any agreement entered into under
14 section 204(f) of the Water Resources Development Act

1 of 1986 (33 U.S.C. 2232(f)) before the date of enactment
2 of this Act.

Page 46, after line 23, insert the following:

3 **SEC. ____.** **CONTRIBUTIONS BY NON-FEDERAL INTERESTS**
4 **PRIOR TO AUTHORIZATION OF FINAL FEASI-**
5 **BILITY REPORTS.**

6 (a) **IN GENERAL.**—Subject to subsection (b), a non-
7 Federal interest may carry out a project for which—

8 (1) a final feasibility report has been completed;
9 and

10 (2) authority for the Secretary to carry out
11 such project has not specifically been authorized by
12 Congress.

13 (b) **CONDITIONS.**—The non-Federal interest—

14 (1) shall, before carrying out the project, obtain
15 any permit, approval, or authorization required pur-
16 suant to Federal or State law; and

17 (2) shall carry out the project in accordance
18 with the plan, and subject to the conditions, de-
19 scribed in the final feasibility report.

20 (c) **CREDIT, REIMBURSEMENT, AND FUTURE MAIN-**
21 **TENANCE.**—

22 (1) **ELIGIBILITY FOR CREDIT OR REIMBURSE-**
23 **MENT.**—Subject to paragraph (4), and in accordance
24 with section 221 of the Flood Control Act of 1970

1 (42 U.S.C. 1962d-5b), a non-Federal interest may
2 be eligible for credit or reimbursement for the Fed-
3 eral share of any work carried out by the non-Fed-
4 eral interest under this section.

5 (2) ELIGIBILITY FOR MAINTENANCE OF NAVI-
6 GATION PROJECTS.—Subject to paragraph (4), and
7 in accordance with section 211(h) of the Water Re-
8 sources Development of Act of 1996 (33 U.S.C.
9 701b-13(h), whenever a non-Federal interest con-
10 structs improvements to a harbor or inland harbor
11 under this section, the Secretary shall be responsible
12 for maintenance of such harbor.

13 (3) LIMITATION.—Any activities carried out
14 under this section are authorized only to the extent
15 specifically provided for in subsequent appropria-
16 tions Acts.

17 (4) IMPLEMENTATION.—Paragraphs (1), (2),
18 and (3) shall not apply unless—

19 (A) all laws and regulations that would
20 apply to the Secretary if the Secretary were
21 carrying out the project were applied by the
22 non-Federal interest during construction of the
23 project; and

24 (B) the project is subsequently specifically
25 authorized by Congress.

1 (5) IN-KIND CONTRIBUTIONS.—Absent a spe-
2 cific subsequent authorization by Congress, the non-
3 Federal interest shall not be reimbursed or receive
4 credit for in-kind contributions.

Page 75, after line 12, insert the following:

5 (3) review and evaluate the historic and poten-
6 tial uses, and economic feasibility for the life of the
7 project, of nonstructural alternatives, including nat-
8 ural features such as dunes, coastal wetlands,
9 floodplains, marshes, and mangroves, to reduce the
10 damage caused by floods, storm surges, winds, and
11 other aspects of extreme weather events, and to in-
12 crease the resiliency and long-term cost-effectiveness
13 of water resources development projects;

Page 128, beginning on line 13, strike “section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(a))” and insert “section 3(a)(6) of the Water Resources Development Act of 1988 (102 Stat. 4013)”.

Page 163, strike lines 1 through 8.



2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DEFAZIO OF OREGON OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. DEFAZIO OF OREGON**

Beginning on page 11, strike line 19 and all that follows through page 12, line 3, and insert the following:

1 “(b) EFFECTIVE DATE.—This section shall be effec-
2 tive on the date on which the Secretary certifies to Con-
3 gress that the cost to construct all water resources devel-
4 opment projects that are authorized for construction by
5 the Chief of Engineers by any Act of Congress, but are
6 not completed, is less than \$20,000,000,000 (adjusted for
7 inflation as of the date on which the certification is
8 made).”.



3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLORES OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. FLORES OF TEXAS**

At the end of title I, add the following:

1 **SEC. ____ . NATIONAL OCEAN POLICY IMPLEMENTATION.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the July 19, 2010, Executive Order 13547
4 that established the “National Policy for the Stew-
5 ardship of the Ocean, Our Coasts, and the Great
6 Lakes” (in this section referred to as the “National
7 Ocean Policy”) among other things requires Federal
8 implementation of “ecosystem-based management”
9 to achieve a “fundamental shift” in how the United
10 States manages ocean, coastal, and Great Lakes re-
11 sources, and the establishment of 9 new govern-
12 mental “Regional Planning Bodies” and “Coastal
13 and Marine Spatial Plans” in every region of the
14 United States;

15 (2) Executive Order 13547 created a 54-mem-
16 ber National Ocean Council led by the White House
17 Council on Environmental Quality and Office of
18 Science and Technology Policy that includes prin-

1 ciproal and deputy-level representatives from Federal
2 entities, including the Department of Defense;

3 (3) Executive Order 13547 requires National
4 Ocean Council members, including the Department
5 of Defense, to take action to implement the National
6 Ocean Policy and participate in Coastal and Marine
7 Spatial Planning to the fullest extent;

8 (4) the Final Recommendations that were
9 adopted by Executive Order 13547 state that “effec-
10 tive” implementation of the National Ocean Policy
11 will “require clear and easily understood require-
12 ments and regulations, where appropriate, that in-
13 clude enforcement as a critical component”;

14 (5) despite repeated congressional requests, the
15 National Ocean Council, which is charged with over-
16 seeing National Ocean Policy implementation, has
17 still not provided a complete accounting of Federal
18 activities taken and resources expended and allo-
19 cated in furtherance of National Ocean Policy imple-
20 mentation;

21 (6) the Corps of Engineers is participating on
22 at least one “Coastal and Marine Spatial Planning
23 Regional Team”; and

1 (6) the Nation's continued economic and budg-
2 etary challenges underscore the necessity for sound,
3 transparent, and practical Federal policies.

4 (b) PROHIBITION.—None of the programs or actions
5 authorized under this Act may be used to further imple-
6 mentation of the coastal and marine spatial planning and
7 ecosystem-based management components of the National
8 Ocean Policy developed under Executive Order 13547.

9 (c) STUDY.—Not later than 90 days after the date
10 of enactment of this Act, the Secretary shall submit to
11 the Committee on Transportation and Infrastructure of
12 the House of Representatives and the Committee on Com-
13 merce, Science, and Transportation of the Senate a report
14 detailing all activities engaged in and resources expended
15 in furtherance of Executive Order 13547 since it was
16 issued on July 19, 2010, as well as any fiscal year 2014
17 budget requests in support of National Ocean Policy im-
18 plementation.



4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MULLIN OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. MULLIN OF OKLAHOMA**

At the end of title I, insert the following:

1 **SEC. ____ . REPORT ON SURFACE ELEVATIONS AT DROUGHT**
2 **EFFECTED LAKES.**

3 (a) FINDINGS.—Congress finds that—

4 (1) due to the ongoing drought in many parts
5 of the United States, State agencies are finding it
6 difficult to maintain Federal Energy Regulatory
7 Commission-licensed lake levels; and

8 (2) local agencies should be able to modify li-
9 censes when drought conditions arise and persist.

10 (b) ASSESSMENT.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of enactment of this Act, the FERC
13 shall initiate an assessment of the effects of drought
14 conditions on FERC-licensed lakes, which shall in-
15 clude an assessment of—

16 (A) existing FERC-licensed lakes with
17 stipulated lake levels and rule curves in areas of
18 previous, current and prolonged drought; and

1 (B) the effect the long-term licenses have
2 on state agencies being able to meet all their
3 obligations, including hydroelectric obligations,
4 water supply downstream, fish and wildlife, and
5 recreation.

6 (2) REPORT.—FERC shall submit to Congress
7 a report on the assessment carried out under para-
8 graph (1).



5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG OF ALASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. YOUNG OF ALASKA**

At the end of title I, add the following:

1 **SEC. __. GEOSPATIAL SURVEYING AND MAPPING.**

2 Section 918 of the Water Resources Development Act
3 of 1986 (33 U.S.C. 2292) is amended to read as follows:

4 **“SEC. 918. GEOSPATIAL SURVEYING AND MAPPING.**

5 **“(a) PROCUREMENT OF SURVEYING AND MAPPING**
6 **SERVICES.—**Any surveying or mapping services to be per-
7 formed in connection with a water resources project which
8 is or has been authorized to be undertaken by the Sec-
9 retary shall be procured in accordance with chapter 11 of
10 title 40, United States Code.

11 **“(b) GEOSPATIAL SURVEYING AND MAPPING ACTIVI-**
12 **TIES.—**In carrying out water resources projects, the Sec-
13 retary shall, wherever practicable, utilize the private sector
14 for commercially available geospatial surveying and map-
15 ping activities. The Secretary shall not start or carry on
16 any activity to provide a commercially available geospatial
17 surveying and mapping service that duplicates, competes
18 with, or can be procured from a commercial source.

19 **“(c) GUIDANCE.—**

1 “(1) ISSUANCE.—The Secretary shall issue
2 guidance to encourage entities in the Corps of Engi-
3 neers to utilize, to the maximum extent practicable,
4 contracting with private sector sources for geospatial
5 surveying and mapping services for water resources
6 projects.

7 “(A) CONTENTS.—In carrying out this sub-
8 section, the Secretary shall—

9 “(i) define appropriate inherently govern-
10 mental roles in geospatial surveying and map-
11 ping activities, which roles shall include—

12 “(I) activities so defined in section 5
13 of the Federal Activities Inventory Reform
14 Act of 1998 (112 Stat. 2384);

15 “(II) preparation of standards and
16 specifications;

17 “(III) research of geospatial surveying
18 and mapping instrumentation and proce-
19 dures that are not commercially available,
20 with prompt technology transfer to the pri-
21 vate sector;

22 “(IV) providing technical guidance,
23 coordination, and administration of
24 geospatial surveying and mapping activi-
25 ties; and

1 “(V) contracting with private sector
2 sources for geospatial surveying and map-
3 ping activities.

4 “(ii) define commercially available
5 geospatial surveying and mapping activities to
6 include activities described in—

7 “(I) section 36.601-4(a)(4)(A) of the
8 Engineer Federal Acquisition Regulation;
9 and

10 “(II) section 467 of title 10, United
11 States Code.

12 “(d) IMPLEMENTATION.—The Secretary shall develop
13 a process for the oversight and monitoring, on an annual
14 basis, of compliance with the guidance issued under sub-
15 section (c).

16 “(e) ASSESSMENT.—Not later than 2 years after the
17 date of enactment of this subsection, the Secretary shall
18 conduct an assessment of all entities in the Corps of Engi-
19 neers, including divisions, districts, laboratories, and tech-
20 nical centers, to determine the extent to which each entity
21 is utilizing governmental and private sector sources for
22 commercially available geospatial surveying and mapping
23 services. In conducting the assessment, the Secretary shall

- 1 consult with organizations of commercial geospatial sur-
- 2 veying and mapping firms.”.



6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

15

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. HASTINGS OF FLORIDA**

At the end of title I, add the following:

- 1 **SEC. 139. ANNUAL OPERATIONS AND MAINTENANCE BUDG-**
- 2 **ET.**
- 3 The Secretary shall include operation and mainte-
- 4 nance costs associated with sand transfer plants in the an-
- 5 nual operations and maintenance budget of the Corps of
- 6 Engineers.



7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BENTIVOLIO OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. BENTIVOLIO OF MICHIGAN**

Page 136, line 12, strike "\$12,000,000,000" and insert "\$35,000,000,000".

Page 137, beginning line 1, strike "AUTHORIZED BEFORE WRDA 2007".

Page 137, line 12, strike "November 8, 2007" and insert "the date of enactment of this Act".

Page 138, line 14, strike "\$12,000,000,000" and insert "\$35,000,000,000".



8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JONES OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

89L

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. JONES OF NORTH CAROLINA**

Page 44, line 3, strike “that has been damaged” and
all that follows before the closing quotation marks on line
7.



9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MS. JACKSON LEE OF TEXAS**

Page 72, line 18, insert “In making recommendations pursuant to this section, the Secretary shall consult with key stakeholders, including State, county, and city governments, and, where applicable, State and local water districts, and in the case of recommendations concerning projects that substantially affect communities served by historically Black colleges and universities, Tribal Colleges and Universities, and other minority-serving institutions, the Secretary shall also consult with such colleges, universities, and institutions.” before “The Secretary”.



10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRIMM OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. GRIMM OF NEW YORK**

Page 72, line 18, strike "may" and insert "shall".



11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
PETERS OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. PETERS OF CALIFORNIA**

Page 76, after line 13, insert the following (and re-designate subsequent subsections accordingly):

1 (b) PUBLIC AVAILABILITY OF INFORMATION.—To
2 the maximum extent practicable, the Secretary, in coordi-
3 nation with the Administrator of the Federal Emergency
4 Management Agency, shall make the information required
5 under subsection (a) available to the public through widely
6 used and readily available means, including on the Inter-
7 net.



12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STUTZMAN OF INDIANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. STUTZMAN OF INDIANA**

Page 86, after line 24, insert the following:

1 (f) INTERIM RULE.—Until the date on which revi-
2 sions to the guidelines are adopted under this section, the
3 Secretary shall not require the removal of existing vegeta-
4 tion as a condition or requirement for any approval or
5 funding of a project, or any other action, unless the spe-
6 cific vegetation has been demonstrated to present an unac-
7 ceptable safety risk.



13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
VELÁZQUEZ OF NEW YORK OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

88 L

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MS. VELÁZQUEZ OF NEW YORK**

Page 95, after line 15, insert the following (and re-designate subsequent sections accordingly):

1 **SEC. 137. NATIONAL WATER-BASED FREIGHT POLICY.**

2 (a) IN GENERAL.—It is the policy of the United
3 States to improve the condition and performance of the
4 national water-based freight network to ensure that such
5 network provides the foundation for the United States to
6 compete in the global economy and achieve each goal de-
7 scribed in subsection (b).

8 (b) GOALS.—The goals of the national water-based
9 freight policy are—

10 (1) to invest in infrastructure improvements
11 and to implement operational improvements that—

12 (A) strengthen the contribution of the na-
13 tional water-based freight network to the eco-
14 nomic competitiveness of the United States;

15 (B) reduce congestion; and

16 (C) increase productivity, particularly for
17 domestic industries and businesses that create
18 high-value jobs;

1 (2) to improve the safety, security, and resil-
2 ience of water-based freight transportation;

3 (3) to improve the state of good repair of the
4 national water-based freight network;

5 (4) to use advanced technology to improve the
6 safety and efficiency of the national water-based
7 freight network;

8 (5) to incorporate concepts of performance, in-
9 novation, competition, and accountability into the
10 operation and maintenance of the national water-
11 based freight network;

12 (6) to improve the economic efficiency of the
13 national water-based freight network; and

14 (7) to reduce the environmental impacts of
15 freight movement on the national water-based
16 freight network.

17 (c) ESTABLISHMENT OF A NATIONAL WATER-BASED
18 FREIGHT NETWORK.—

19 (1) IN GENERAL.—The Secretary shall establish
20 a national water-based freight network in accordance
21 with this section to assist States in strategically di-
22 recting resources toward improved system perform-
23 ance to achieve efficient movement of freight on in-
24 land waterways, canals, ports, and harbors, and re-
25 lated freight intermodal connectors.

1 (2) NETWORK COMPONENTS.—The national
2 water-based freight network shall consist of the pri-
3 mary water-based freight network, as designated by
4 the Secretary under subsection (d) as most critical
5 to the movement of water-based freight.

6 (d) DESIGNATION OF PRIMARY WATER-BASED
7 FREIGHT NETWORK.—

8 (1) INITIAL DESIGNATION.—Not later than 1
9 year after the date of enactment of this section, the
10 Secretary shall designate a primary water-based
11 freight network based on an inventory of national
12 water-based freight volume and in consultation with
13 stakeholders, including system users, transportation
14 providers, and States.

15 (2) FACTORS FOR DESIGNATION.—In desig-
16 nating the primary water-based freight network, the
17 Secretary shall consider—

18 (A) the origins and destinations of water-
19 based freight movement in the United States;

20 (B) the total tonnage and value of water-
21 based freight moved across United States bod-
22 ies of water;

23 (C) the average annual water-based freight
24 traffic on United States bodies of water;

25 (D) maritime ports of entry;

1 (E) access to energy exploration, develop-
2 ment, installation, or production areas;

3 (F) population centers; and

4 (G) network connectivity.

5 (3) REDESIGNATION.—On the date that is 10
6 years after the initial designation of the primary
7 water-based freight network, and every 10 years
8 thereafter, using the factors described in paragraph
9 (2), the Secretary shall redesignate the primary
10 water-based freight network.

11 (e) NATIONAL WATER-BASED FREIGHT STRATEGIC
12 PLAN.—

13 (1) INITIAL DEVELOPMENT.—Not later than 3
14 years after the date of enactment of this section, the
15 Secretary, in consultation with State departments of
16 transportation and other appropriate public and pri-
17 vate transportation stakeholders, shall develop and
18 post on a public Web site a national water-based
19 freight strategic plan that shall include—

20 (A) an assessment of the condition and
21 performance of the national water-based freight
22 network;

23 (B) an identification of bottlenecks on the
24 national water-based freight network that cre-
25 ate significant freight congestion problems,

1 based on a quantitative methodology developed
2 by the Secretary, and, to the maximum extent
3 practicable, an estimate of the cost of address-
4 ing each bottleneck and any operational im-
5 provements that could be implemented;

6 (C) forecasts of water-based freight vol-
7 umes for the 20-year period beginning with the
8 year during which the plan is issued;

9 (D) an identification of major trade gate-
10 ways and national water-based freight corridors
11 that connect major population centers, trade
12 gateways, and other major water-based freight
13 generators for current and forecasted traffic
14 and water-based freight volumes, the identifica-
15 tion of which shall be revised, as appropriate, in
16 subsequent plans;

17 (E) an assessment of statutory, regulatory,
18 technological, institutional, financial, and other
19 barriers to improved water-based freight trans-
20 portation performance (including opportunities
21 for overcoming the barriers);

22 (F) an identification of routes providing
23 access to energy exploration, development, in-
24 stallation, or production areas;

1 (G) an identification of best practices for
2 improving the performance of the national
3 water-based freight network;

4 (H) an identification of best practices for
5 mitigating the impacts of water-based freight
6 movement on communities;

7 (I) an identification of a process for ad-
8 dressing multistate projects and encouraging
9 jurisdictions to collaborate; and

10 (J) an identification of strategies to im-
11 prove freight intermodal connectivity.

12 (2) UPDATES.—Not later than 5 years after the
13 date of completion of the first national water-based
14 freight strategic plan under paragraph (1), and
15 every 5 years thereafter, the Secretary shall update
16 and post on a public Web site a revised national
17 water-based freight strategic plan.

18 (f) WATER-BASED FREIGHT TRANSPORTATION CON-
19 DITIONS AND PERFORMANCE REPORTS.—Not later than
20 2 years after the date of enactment of this section, and
21 biennially thereafter, the Secretary shall prepare a report
22 that contains a description of the conditions and perform-
23 ance of the national water-based freight network in the
24 United States.

1 (g) TRANSPORTATION INVESTMENT DATA AND
2 PLANNING TOOLS.—

3 (1) IN GENERAL.—Not later than 1 year after
4 the date of enactment of this section, the Secretary
5 shall—

6 (A) begin the development of new tools or
7 improve existing tools to support an outcome-
8 oriented, performance-based approach to evalu-
9 ating proposed water-based freight-related
10 projects, including—

11 (i) methodologies for systematic anal-
12 ysis of benefits and costs;

13 (ii) tools for ensuring that the evalua-
14 tion of water-based freight-related projects
15 and other transportation projects considers
16 safety, economic competitiveness, environ-
17 mental sustainability, and system condition
18 in the project selection process; and

19 (iii) other elements to assist in effec-
20 tive transportation planning;

21 (B) identify water-based transportation-re-
22 lated model data elements to support a broad
23 range of evaluation methods and techniques to
24 assist in making water-based transportation in-
25 vestment decisions; and

1 (C) at a minimum, in consultation with
2 other relevant Federal agencies, consider any
3 improvements to existing water-based freight
4 flow data collection efforts that could reduce
5 identified water-based freight data gaps and de-
6 ficiencies and help improve forecasts of water-
7 based freight transportation demand.

8 (2) CONSULTATION.—The Secretary shall con-
9 sult with Federal, State, and other stakeholders to
10 develop, improve, and implement tools and data col-
11 lection under paragraph (1).



14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
PIERLUISI OF PUERTO RICO OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. PIERLUISI OF PUERTO RICO**

Page 95, line 21, strike “and” at the end.

Page 95, after line 21, insert the following:

- 1 (2) in subsection (a), as so designated, by in-
- 2 sserting “Puerto Rico,” before “and the Trust Terri-
- 3 tory of the Pacific Islands”; and

Page 95, line 22, strike “(2)” and insert “(3)”.



15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COTTON OF ARKANSAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

US

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. COTTON OF ARKANSAS**

Page 97, after line 7, insert the following:

1 **SEC. 1__ . FUTURE WATER SUPPLY.**

2 Section 301 of the Water Supply Act of 1958 (43
3 U.S.C. 390b) is amended—

4 (1) by redesignating subsections (c) and (d) as
5 subsections (d) and (e), respectively; and

6 (2) by inserting after subsection (b) the fol-
7 lowing:

8 “(c) ESTABLISHMENT OF 10-YEAR PLANS FOR THE
9 UTILIZATION OF FUTURE STORAGE.—

10 “(1) IN GENERAL.—Beginning 180 days after
11 the date of enactment of this subsection and not
12 later than January 1, 2016, the Secretary may ac-
13 cept from an interested State or local interest a sub-
14 mission of a plan for the utilization of future use
15 water storage under this Act.

16 “(2) CONTENTS.—A plan submitted under
17 paragraph (1) shall include—

18 “(A) a 10-year timetable for conversion of
19 future use storage to present use; and

1 “(B) a schedule of actions that the State
2 or local interest agrees to carry out over a 10-
3 year period, in cooperation with the Corps of
4 Engineers, to seek new and alternative users of
5 future water storage that is contracted to the
6 State or local interest on the date of enactment
7 of this subsection.”.



16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RICHMOND OF LOUISIANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. RICHMOND OF LOUISIANA (FOR
HIMSELF AND MR. SCALISE OF LOUISIANA)**

At the end of title I, add the following:

1 **SEC. __. CALCULATION OF BENEFITS AND COSTS FOR**
2 **FLOOD DAMAGE REDUCTION AND HURRI-**
3 **CANE AND STORM DAMAGE REDUCTION**
4 **PROJECTS.**

5 (a) IN GENERAL.—A feasibility study conducted by
6 the Secretary for a project for flood damage reduction or
7 hurricane and storm damage reduction shall include, as
8 part of the calculation of benefits and costs—

9 (1) a calculation of the anticipated reduction in
10 flood or hurricane damage to public and private
11 property and infrastructure resulting from the com-
12 pletion of the proposed project;

13 (2) a calculation of the anticipated direct and
14 indirect economic benefits resulting from the comple-
15 tion of the proposed project, including such benefits
16 from any potential reductions in national and re-
17 gional economic volatility, disruptions, and losses;
18 and

1 (3) a calculation of the anticipated benefits to
2 public safety, including protection of evacuation
3 routes, resulting from the completion of the pro-
4 posed project.

5 (b) APPLICABILITY.—This section shall apply to any
6 feasibility study for a project for flood damage reduction
7 or hurricane and storm damage reduction that has not
8 been completed before the date of enactment of this Act.



17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HASTINGS OF WASHINGTON OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. HASTINGS OF WASHINGTON**

Page 97, after line 7, insert the following:

1 **SEC. 1___ . CONGRESSIONAL CONSENT FOR NEW PROJECT**
2 **PURPOSES.**

3 Nothing in this Act authorizes the Secretary to carry
4 out, at a Corps of Engineers dam or reservoir, any project
5 for a purpose not otherwise authorized as of the date of
6 enactment of this Act.



18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MCCOLLUM OF MINNESOTA OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MS. MCCOLLUM OF MINNESOTA AND
MR. KELLY OF PENNSYLVANIA**

At the end of title I, add the following:

1 **SEC. 139. MULTIAGENCY EFFORT TO SLOW THE SPREAD OF**
2 **ASIAN CARP IN THE UPPER MISSISSIPPI**
3 **RIVER AND OHIO RIVER BASINS AND TRIBU-**
4 **TARIES.**

5 (a) MULTIAGENCY EFFORT TO SLOW THE SPREAD
6 OF ASIAN CARP IN THE UPPER MISSISSIPPI AND OHIO
7 RIVER BASINS AND TRIBUTARIES.—

8 (1) IN GENERAL.—The Director of the United
9 States Fish and Wildlife Service, in coordination
10 with the Chief of Engineers, the Director of the Na-
11 tional Park Service, and the Director of the United
12 States Geological Survey, shall lead a multiagency
13 effort to slow the spread of Asian carp in the Upper
14 Mississippi and Ohio River basins and tributaries by
15 providing technical assistance, coordination, best
16 practices, and support to State and local govern-
17 ments in carrying out activities designed to slow,

1 and eventually eliminate, the threat posed by Asian
2 carp.

3 (2) BEST PRACTICES.—To the maximum extent
4 practicable, the multiagency effort shall apply les-
5 sons learned and best practices such as those de-
6 scribed in the document prepared by the Asian Carp
7 Working Group entitled “Management and Control
8 Plan for Bighead, Black, Grass, and Silver Carps in
9 the United States” and dated November 2007, and
10 the document prepared by the Asian Carp Regional
11 Coordinating Committee entitled “FY 2012 Asian
12 Carp Control Strategy Framework” and dated Feb-
13 ruary 2012.

14 (b) REPORT TO CONGRESS.—

15 (1) IN GENERAL.—Not later than December 31
16 of each year, the Director of the United States Fish
17 and Wildlife Service, in coordination with the Chief
18 of Engineers, shall submit to the Committee on Ap-
19 propriations, the Committee on Natural Resources,
20 and the Committee on Transportation and Infra-
21 structure of the House of Representatives and the
22 Committee on Appropriations and the Committee on
23 Environment and Public Works of the Senate a re-
24 port describing the coordinated strategies established
25 and progress made toward the goals of controlling

1 and eliminating Asian carp in the Upper Mississippi
2 and Ohio River basins and tributaries.

3 (2) CONTENTS.—Each report submitted under
4 paragraph (1) shall include—

5 (A) any observed changes in the range of
6 Asian carp in the Upper Mississippi and Ohio
7 River basins and tributaries during the 2-year
8 period preceding submission of the report;

9 (B) a summary of Federal agency efforts,
10 including cooperative efforts with non-Federal
11 partners, to control the spread of Asian carp in
12 the Upper Mississippi and Ohio River basins
13 and tributaries;

14 (C) any research that the Director deter-
15 mines could improve the ability to control the
16 spread of Asian carp;

17 (D) any quantitative measures that the Di-
18 rector intends to use to document progress in
19 controlling the spread of Asian carp; and

20 (E) a cross-cut accounting of Federal and
21 non-Federal expenditures to control the spread
22 of Asian carp.



19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
THOMPSON OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

14

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. THOMPSON OF CALIFORNIA**

Page 97, after line 7, insert the following:

1 **SEC. 1 __. AQUATIC INVASIVE SPECIES PREVENTION AND**
2 **CONTROL.**

3 (a) **ASSESSMENT.**—The Comptroller General of the
4 United States shall conduct an assessment of the Federal
5 costs of, and spending on, aquatic invasive species.

6 (b) **CONTENTS.**—The assessment conducted under
7 subsection (a) shall include—

8 (1) identification of current Federal spending
9 on, and projected future Federal costs of, operation
10 and maintenance related to mitigating the impacts
11 of aquatic invasive species on federally owned or op-
12 erated facilities;

13 (2) identification of current Federal spending
14 on aquatic invasive species prevention;

15 (3) analysis of whether spending identified in
16 paragraph (2) is adequate for the maintenance and
17 protection of services provided by federally owned or
18 operated facilities, based on the current spending

1 and projected future costs identified in paragraph
2 (1); and

3 (4) review of any other aspect of aquatic
4 invasive species prevention or mitigation determined
5 appropriate by the Comptroller General.

6 (c) FINDINGS.—Not later than one year after the
7 date of enactment of this Act, the Comptroller General
8 shall submit to the Committee on Environment and Public
9 Works and the Committee on Energy and Natural Re-
10 sources of the Senate and the Committee on Transpor-
11 tation and Infrastructure and the Committee on Natural
12 Resources of the House of Representatives a report con-
13 taining the findings of the assessment conducted under
14 subsection (a).



20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BROWNLEY OF CALIFORNIA OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MS. BROWNLEY OF CALIFORNIA**

Page 102, after line 12, insert the following (and re-designate subsequent subparagraphs accordingly):

- 1 “(H) activities of the Secretary of the
2 Navy;

Page 104, line 18, strike “and”.

Page 104, after line 18, insert the following (and re-designate the subsequent subparagraph accordingly):

- 3 “(C) where appropriate, consider national
4 security and military readiness needs in con-
5 sultation with the Secretary of the Navy; and



21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LOWENTHAL OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. LOWENTHAL OF CALIFORNIA**

Page 103, line 7, insert “and the costs for expanded uses (as such term is defined in section 201(e)(2) of the Water Resources Reform and Development Act of 2013)” after “the harbors”.



22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BROWNLEY OF CALIFORNIA OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MS. BROWNLEY OF CALIFORNIA**

Page 109, after line 23, insert the following:

1 **SEC. 2 __ . HARBOR MAINTENANCE TRUST FUND STUDY.**

2 (a) DEFINITIONS.—In this section:

3 (1) LOW-USE PORT.—The term “low-use port”
4 means a port at which not more than 1,000,000
5 tons of cargo are transported each calendar year.

6 (2) MODERATE-USE PORT.—The term “mod-
7 erate-use port” means a port at which more than
8 1,000,000, but fewer than 10,000,000, tons of cargo
9 are transported each calendar year.

10 (b) STUDY.—Not later than 270 days after the date
11 of enactment of this Act, the Comptroller General of the
12 United States shall carry out a study and submit to Con-
13 gress a report that—

14 (1) evaluates the effectiveness of activities fund-
15 ed by the Harbor Maintenance Trust Fund in maxi-
16 mizing economic growth and job creation in the com-
17 munities surrounding low- and moderate-use ports;
18 and

1 (2) includes recommendations relating to the
2 use of amounts in the Harbor Maintenance Trust
3 Fund to increase the competitiveness of United
4 States ports relative to Canadian and Mexican ports.



23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SCHNEIDER OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

9

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. SCHNEIDER OF ILLINOIS**

Page 142, line 7, strike “and”.

Page 142, line 9, strike the period and insert “;
and”.

Page 142, after line 9, insert the following:

- 1 (4) a 5-year and 10-year projection of construc-
- 2 tion backlog and any recommendations to Congress
- 3 regarding how to mitigate current problems and the
- 4 backlog.



24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARDNER OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

29R

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3080
OFFERED BY MR. GARDNER OF COLORADO**

At the end of title I, add the following:

1 **SEC. ___. OFFICE OF WATER STORAGE.**

2 (a) DESIGNATION.—The Secretary, acting through
3 the Chief of Engineers, shall designate a team to serve
4 as the Office of Water Storage (in this section referred
5 to as the “Office”) which shall serve as the principal point
6 of contact for any person carrying out a project to con-
7 struct a water storage facility that requires the acquisition
8 of a Federal permit or the satisfaction of other Federal
9 requirements.

10 (b) ADMINISTRATOR.—The Secretary, acting through
11 the Chief of Engineers, shall designate an individual to
12 serve as the head of the Office.

13 (c) PURPOSE.—The Office shall—

14 (1) serve as an initial point of contact for any
15 person carrying out a project to construct a water
16 storage facility that requires the acquisition of a
17 Federal permit or the satisfaction of other Federal
18 requirements;

1 (2) act as a liaison between such persons and
2 appropriate Federal departments and agencies, in-
3 cluding the Environmental Protection Agency and
4 the Department of the Interior, with respect to such
5 projects to facilitate the acquisition of necessary per-
6 mits and the satisfaction of all other requirements;

7 (3) ensure that, with respect to such projects,
8 necessary Federal permits are acquired and all other
9 Federal requirements are satisfied before construc-
10 tion begins; and

11 (4) coordinate with appropriate Federal depart-
12 ments and agencies to streamline the Federal ap-
13 proval process with respect to such projects, includ-
14 ing by limiting the duration of such process to not
15 more than 365 days in each case in which each Gov-
16 ernor of a State associated with the project has pro-
17 vided notice to the Office of that Governor's ap-
18 proval of the project.

19 (d) **TIMING REQUIREMENT.**—Notwithstanding any
20 other provision of law, with respect to a project to con-
21 struct a water storage facility, any Federal permit or other
22 Federal requirement necessary to be acquired or satisfied
23 for purposes of such project shall be deemed to be ac-
24 quired or satisfied if—

1 (1) each Governor of a State associated with
2 the project has provided notice to the Office of that
3 Governor's approval of the project; and

4 (2) a determination with respect to approval of
5 the permit or satisfaction of the requirement was
6 not made during the 365-day period beginning on
7 the date on which an application for the permit or
8 an inquiry regarding the satisfaction of the require-
9 ment was submitted to the relevant Federal depart-
10 ment or agency.

11 (e) NOTICE OF PERMIT APPLICATIONS.—The Admin-
12 istrator of the Environmental Protection Agency and the
13 Secretary of the Interior shall each provide notice to the
14 Administrator of the Office upon the receipt of an applica-
15 tion for a permit relating to a water storage facility.

16 (f) WATER STORAGE FACILITY DEFINED.—In this
17 section, the term “water storage facility” means any facil-
18 ity constructed by a person that is equipped to store at
19 least 5,000 acre-feet of water for later use for any pur-
20 pose, including dams, tanks, covered and uncovered res-
21 ervoirs, water towers, and artificial water bodies.

