McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—165

Adams
Aguilar
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

Burgess
Butterfield
Hinojosa
Kirkpatrick
Poe (TX)
Rush
Sanchez, Loretta
Westmoreland

□ 1645

Messrs. CUELLAR, PETERS, and LYNCH changed their vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WATER RESOURCES DEVELOPMENT ACT OF 2016

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 5303.

The SPEAKER pro tempore (Mr. STUTZMAN). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 892 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5303.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1648

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5303) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

Mr. Chairman, I rise today in support of H.R. 5303, the Water Resources Development Act of 2016. Subcommittee Chairman GIBBS and I worked closely with Ranking Members DEFAZIO and NAPOLITANO on this vital water infrastructure bill. Thanks to their hard work, the Committee on Transportation and Infrastructure unanimously approved H.R. 5303 in May.

We tailored WRDA 2016 to address specific Federal responsibilities, strengthening our infrastructure through the activities of the Army Corps of Engineers to maintain competitiveness, create jobs, and grow the economy. This legislation follows important reforms Congress put in place in 2014 with the Water Resources Reform and Development Act. Without those reforms, we wouldn't be here today to consider another WRDA bill.

The 2014 bill and today's legislation restore regular order and the 2-year cycle of Congress considering these essential bills. This has been one of my highest priorities as chairman, and I am pleased today that in this Congress, as in last Congress, we have a WRDA bill on the floor. WRDA 2016 maintains Congress' constitutional authority and oversight in ensuring that we have a safe, effective infrastructure system.

Following our authorization process reforms, every Corps activity in this bill is locally driven; reviewed by the Corps according to strict, congressionally established criteria; and presented to Congress for consideration in the form of chief's reports and the Corps' new annual report. Only proposals that followed this process were eligible for inclusion in this bill.

If the manager's amendment is adopted, WRDA will authorize 31 chief's reports and 29 feasibility studies. Each chief's report was reviewed by the committee in a public hearing. These are critical regional priorities that provide significant national economic and environmental benefits.

For example, WRDA authorizes the long-delayed upgrades to the Upper Ohio River's Emsworth, Dashields, and Montgomery, the EDM, locks and dams. The EDM facilities provide critical access to the Port of Pittsburgh, one of the Nation's busiest inland ports. This will provide enormous benefits to the region and make our entire Nation more competitive.

The same can be said for authorizations for the Port of Charleston, Port Everglades, which has been under review by the Corps for 18 years—and it is finally going to be approved—and the Everglades ecosystem, flood control along the Missouri River and around Sacramento, and more.

The bill also increases flexibility and removes barriers for State, local, and non-Federal interests to invest in their infrastructure. Factoring in the manager's amendment, WRDA will authorize over $9 billion to cover the Federal share of these improvements to our ports, channels, locks, dams, and other infrastructure. These investments are fully offset—I repeat they are fully offset—with deauthorizations, and the bill sunsets new authorizations to help prevent future project backlogs.

WRDA has no earmarks and abides by all House rules. However, in order to comply with House rules and call up this bill today, one section of the bill, as reported by the committee, was removed. I want to say that I agree with Ranking Member DEFAZIO that the user fees paid into the harbor maintenance trust fund should be used to improve our transportation system. It should be fundamental: When you pay a user fee into a system, it should go to its intended purposes.

However, we found ourselves in a position where section 108 conflicted with House rules. We worked to find another resolution to this one issue but were unable to do so within the rules of the House. I appreciate the ranking member's passion for this provision and thank him for his tireless efforts in support of infrastructure investment.

I want to continue working with him and others to find a solution as we work with the Senate. However, we cannot lose sight of the larger, more important issue. Don't let the perfect be the enemy of the good. This bill is not perfect, but it is a good bill.

Only three WRDA bills were enacted between 2000 and 2014, and that record is really unacceptable. Each delay placed America another step behind our competitors. We simply cannot afford more delays. We must pass this jobs and infrastructure bill and return to the regular 2-year WRDA cycle to keep the Army Corps focused on these much-needed investments. We cannot sacrifice these critical infrastructure improvements because of one issue.

We have a wide range of stakeholder interests in this bill, and 75 letters of support for WRDA 2016, including: National Association of Manufacturers, the U.S. Chamber of Commerce, National Retail Federation, National Conference of State Legislatures, and many other local and regional groups.

WRDA 2016 is good public policy. This bill advances critical water resources infrastructure improvements, restores regular order, and gets Congress back on that 2-year WRDA cycle. I urge my colleagues to support this bill.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, September 22, 2016.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: I write regarding H.R. 5303, the Water Resources Development Act of 2016. This bill contains provisions under the jurisdiction of the Committee on Natural Resources.

I recognize and appreciate your desire to bring this bill before the House of Representatives in an expeditious manner, and accordingly, I will agree that the Committee on Natural Resources be discharged from further consideration of the bill. I do so with the understanding that this action does not affect the jurisdiction of the Committee on Natural Resources, and that the Committee expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask that you support any such request.

I also ask that a copy of this letter and your response be included in the Congressional Record during consideration of H.R. 5303 bill on the House floor.

Thank you for your work on this Important issue, and I look forward to its enactment soon.

Sincerely,

ROB BISHOP,
Chairman,
Committee on Natural Resources.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, September 22, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, Washington, DC.

DEAR CHAIRMAN BISHOP: Thank you for your letter regarding H.R. 5303, the Water Resources Development Act of 2016. I appreciate your willingness to support expediting the consideration of this legislation on the House floor.

I acknowledge that by waiving consideration of this bill, the Committee on Natural Resources does not waive any future jurisdictional claim to provisions in this or similar legislation. In addition, should a conference on the bill be necessary, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving any provision within this legislation on which the Committee on Natural Resources has a valid jurisdictional claim.

I will include our letters on H.R. 5303 in the bill report filed by the Committee on Transportation and Infrastructure, as well as in the Congressional Record during House floor consideration of the bill. I appreciate your cooperation regarding this legislation, and I look forward to working with the Committee on Natural Resources as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

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

The committee does have a great tradition of bipartisanship. It is hard to get partisan about our crumbling infrastructure and the needs for enhanced investment, but one of the keys toward enhancing the investment and dealing with the $68 billion—B, billion—backlog of authorized Corps projects—$68 billion—is to use a tax which is collected from shippers and passed on to the American people. Every day you buy a good from a foreign country, you are paying a little bit more for that under an agreement that the money collected will be used to maintain our harbors, our ports, keep them from silting in, and construct critical infrastructure.

Unfortunately, for years Congress has been diverting part of that money every year. Today there is a theoretical balance of over $9 billion in the nonexistent harbor maintenance trust fund. Look through the entire budget of the United States. You won't find that money anywhere on deposit. But they are saying: oh, don't worry, don't worry, we will get around to spending it some day.

I have been working on this issue for 20 years, starting with Bud Shuster in 1996. It was in the bill, and it passed out of committee unanimously with a number of Republicans and Democrats supporting it, obviously a majority of Republicans on the bill. The chairman and I had an agreement that would bring this bill forward under a suspension of the rules. His leadership objected to that. And then instead, they dictated there should be a rule so that they could strip out the harbor maintenance trust fund.

Now, what kind of rule is it that says we passed a law, we are collecting money from the American people, every day they are paying a little bit more for stuff, but the rules say we can't spend that money for its lawful purpose, we are going to spend it on some other part of government or disappear it into a lose-or-eat deficit reduction. We need that money. We need those investments.

If this continues—right now it is about $400 million a year that is being collected that isn't being spent, yet we have harbors shoaled in, we have jetties that are failing all across America—it will grow up to $20 billion in 10 years. Now tomorrow and tomorrow and tomorrow and tomorrow we are going to fix this problem. No, this was the time to fix it. It was in the bill. It was bipartisan. It was unanimous, and it was stripped out. That is very, very unfortunate.

There are many good things in this bill. There are many projects that are essential. But, again, the Corps of Engineers has a $68 billion backlog. So all we are doing is putting people in an endless line—$68 billion backlog. We are collecting about $1.6 billion a year to make those projects a reality except that $400-, $500 million of it is being diverted over into other parts of the government. That is not a good way to run the government like a business.

I have a letter from the Chamber of Commerce of the United States of America concerned that this money is revenue from American business that is not being used for its intended purpose in a timely manner, and they will continue to advocate for this provision, among others. I am very, very saddened that this was removed from the bill. It is not in the Senate bill, so it becomes nonconferenceable, which means it will be at least 2 years. That is another $800 million or $1 billion that won't be spent, but taxes will still be collected from the American people.

Secondly, we have made a big deal around here about not having any earmarks. Big deal. Well, there are some ancient earmarks out there still lingering in the darkness. One was for a $220 million project which was earmarked in 2004 by the Committee on Appropriations, and that would have required the Federal Government to spend $110 million. This bill authorizes that project at a price of $526.5 million to the U.S. taxpayers. It has gone from $220 million earmarked, $110 million to the Feds, to a total project cost of $800 million.

Now, associated with that—and I am being told: don't worry, this isn't Federal money. Well, whenever you enter into a project, you have to have a local cost share. And they are saying: well, it will only be local money. Except it is included in the project, meaning the local entity isn't meeting its cost share for the authorized project which is in this bill. In fact, they are diverting money locally from their cost share into recreation projects.

Now, we have harbors silting in and jetties that are falling apart all across the country. We are diverting money from the trust fund, and yet somehow we are going to find $500 million for this project up from a price tag of $110 million when it was first earmarked. It isn't earmarked by any other name except that it is covered by the rule, and it is in this bill.

I regret that this bill does not meet the high standards of the committee and the historical standards of the committee.

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

□ 1700

Mr. SHUSTER. Mr. Chair, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Chair, I thank the distinguished chairman from Pennsylvania for yielding me the time and for his continued leadership on restoring the normal biennial cycle for the Water Resource Development Act.

Today I rise in strong support of H.R. 5303, the Water Resources Development Act of 2016. By considering WRDA 2016 today, we are returning to regular order and restoring the 2-year cycle for improving water infrastructure projects critical to our economy.

Transportation and infrastructure is one of Congress' most important responsibilities. This bill authorizes the construction of key water infrastructure projects throughout the United States, creating jobs here at home and directly contributing to our economic and national security.

As chairman of the Subcommittee on Water Resources and Environment, our jurisdiction includes these water infrastructure projects carried out by the U.S. Army Corps of Engineers. H.R. 5303 contains vitally important Corps project authorizations for navigation, flood control, shoreline protection, hydroelectric power, recreation, water supply, environmental protection, restoration and enhancement, and fish and wildlife management.

Each project authorization was proposed by local non-Federal sponsors and underwent a rigorous planning process before congressional review. Each Chief's Report was recommended to Congress by the Corps' Chief of Engineers. In short, this was a bottom-up, grassroots-driven process.

In WRRDA 2014, we accelerated the delivery schedule for Corps of Engineers projects. H.R. 5303 strengthens the numerous reforms made in WRRDA 2014 by streamlining permitting for infrastructure projects.

The committee-passed version of H.R. 5303 contains 27 specific project authorizations. My subcommittee held hearings to discuss the Chief's Reports in depth and provide strong congressional oversight of the proposed projects.

This bill further expedites nine feasibility studies to help locally developed needs and contains study authorizations for future potential Corps projects. More often than not, projects are delayed by study after study, and sometimes literally studied to death. Because of the reforms in WRRDA 2014, the 29 feasibility studies this bill is authorizing are not intended to exceed 3 years in duration or exceed $3 million in Federal costs. We have reformed the process to save taxpayers time and money.

The CHAIR. The time of the gentleman has expired.

Mr. SHUSTER. Mr. Chair, I yield an additional 10 seconds to the gentleman from Ohio.

Mr. GIBBS. Mr. Chair, this bill is fiscally responsible. The new project authorizations are fully offset by de-authorizations of projects that are outdated or no longer viable. H.R. 5303 contains no earmarks, strengthens our water transportation networks, and increases transparency for non-Federal sponsors and the public. This is a good, commonsense bill, and I urge support of this bill.

Mr. DEFAZIO. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Mrs. NAPOLITANO), the ranking member of the subcommittee of jurisdiction.

Mrs. NAPOLITANO. Mr. Chair, I am very concerned that, after many months of bipartisan work on this bill, we are bringing it to the floor today under a partisan procedure where it stripped out in rules a very important section. Also, it does not address the ongoing crisis in Flint.

We have 100,000 people in Flint living without clean drinking water. One million people in California live without clean drinking water. We should be doing much more to address the drinking water crisis in this country—we should not have problems with it—and investing in our outdated infrastructure. I am glad that the Senate does include provisions to address this crisis. I had hoped that the House would do so as well.

I do appreciate the work that has been done to add many important provisions to the bill. First, this bill includes 31 Army Corps of Engineers' feasibility studies for projects to study water resource projects across the country for a diverse array of purposes, including flood damage reduction, ecosystem restoration, hurricane and storm damage reduction, and navigation. This is really important, especially in drought-prone areas like California.

Second, H.R. 5303 authorizes 29 Chief's Reports currently pending before Congress. These reports include several of great importance to my home State of California, including the Los Angeles River Ecosystem Restoration and Recreation project, the West Sacramento flood risk management project, the American River Common Features flood risk management project, and the San Diego County hurricane and storm damage risk reduction project. This is critical because storms are eroding our beaches.

I am also pleased to see the inclusion of several provisions that will assist communities experiencing drought and water supply shortages. They include:

Promoting non-Federal efforts to remove sediment behind Army Corps' dams and increase water supply. This has been one project that we have been pushing for a long time in order to get the Corps to reduce that sediment.

Also, authorizing the Secretary of the Army to evaluate and implement water supply conservation measures of projects owned or managed by the Corps in states with drought emergencies. In 17 Western States, this is critical.

Further, encouraging the Corps to share the data the Corps collects on operations and maintenance of its facilities and to improve coordination with local stakeholders. My understanding is that they are going to get the Library of Congress to do that.

Also, allowing environmental infrastructure and water supply projects to be eligible for the 7001 process that authorizes Corps projects.

Lastly, creating a pilot program to encourage the beneficial use of dredged material for shoreline restoration and environmental use.

I am very confident these provisions, if enacted, will provide drought-ridden regions like mine with the tools necessary to increase water supply and water conservation matters and be better prepared for future storm events.

The CHAIR. The time of the gentlewoman has expired.

Mr. DEFAZIO. Mr. Chair, I yield an additional 15 seconds to the gentlewoman from California.

Mrs. NAPOLITANO. Mr. Chair, I want to thank my constituent water agencies for their input through the process, including the Upper San Gabriel Valley Municipal Water District, the Three Valleys Municipal Water District, the San Gabriel Valley Municipal Water District, the San Gabriel Valley Watermaster, the Los Angeles County Department of Public Works, and my local Corps people, Colonel Gibbs and David Van Dorpe.

I ask for a ''no'' vote since the Flint provision was not included in this bill.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN), the vice chairman of the full committee.

Mr. DUNCAN of Tennessee. Mr. Chair, I thank the chairman for yielding.

I, first of all, want to commend Chairman SHUSTER and Chairman GIBBS for their outstanding leadership on this legislation.

I rise in support of this jobs and infrastructure legislation. It will help create thousands of jobs and help improve our infrastructure.

I have the privilege of serving as the Republican chair of the Clean Water Caucus in this Congress and I had the privilege of serving for 6 years as chairman of the Water Resources and Environment Subcommittee, starting in

2001. So I know full well how important this bill is.

This bill provides the authorizations needed to improve water transportation all across this Nation. Every day, many tons of goods are transported across our waterways. Without basic water infrastructure in good shape, most of these goods would be transported on our already congested highways. According to the Inland Waterways Foundation, a 15-barge tow can transport the same amount of goods as 1,050 tractor-trailers. Moving goods on the water is also the most fuel-efficient and environmentally sound method of transportation.

This bill is, as others have said, a fiscally responsible one. It de-authorizes $10 billion worth of inactive projects that are no longer needed or feasible, which offsets the new authorizations made in this legislation.

This bill also authorizes important flood control projects that we need to help prevent natural disasters. We saw what can happen when Katrina hit Louisiana and Mississippi a few years ago. That disaster caused an estimated $150 billion in damage. Now we have new flooding in Louisiana and Texas. We need to make smart investments today so that we are not foolishly spending billions of dollars after a disaster strikes.

I also want to thank Chairman SHUSTER for including language on floating homes that was requested by Representative MEADOWS and myself. I want to especially commend Representative MEADOWS, who led the way on this issue. The TVA board had voted to remove privately owned homes, or floating houses, from its reservoirs. This would have been essentially a taking without any compensation being offered to the homeowners.

The language in this bill mirrors that included in the Senate-passed bill that would allow these homeowners to keep their houses as long as certain safety and health standards are met.

I urge passage of this very, very important legislation.

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

I have worked closely with the gentleman from Tennessee, and he does great work. In fact, he did great work in chairing a special committee of the House Committee on Transportation and Infrastructure on improving the Nation's freight transportation system.

One of the key recommendations in that report was: draw down the $7 billion balance of the harbor maintenance trust fund without adversely affecting appropriations for other programs, projects, and activities carried out by the Corps of Engineers for other authorized purposes.

Well, it is a little dated because this is 2 years ago. So now there is $9.8 billion in the so-called harbor maintenance trust fund, which doesn't exist. There is no line item, no account at the Treasury. The money is poof, gone, unless we authorize the establishment of a trust fund and begin to better invest in our harbors.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in opposition to H.R. 5303, the Water Resource Development Act.

WRDA is usually a vehicle for bipartisan cooperation, but, unfortunately, that is not the case this year. This is the only time in my 23 years in Congress that I am unable to support WRDA.

In my area in Houston, we need WRDA. We need flood assistance. But my particular issue with this is that I represent a large part of the Port of Houston. As one of many Members that represents a major port, I know firsthand that ports are enormous economic engines for growth. The jobs and economic growth, including refining and manufacturing on the banks of the Houston Ship Channel, supported by the Port of Houston, has allowed Houston and Harris County to become the energy capital of the world.

But this is about more than just the Port of Houston. This is about all of America's ports, from LA-Long Beach to Miami and New Orleans. This is $3 trillion in shipments in these ports.

The harbor maintenance tax is meant to fund critical projects to keep our ports running at full capacity. Yet, only a fraction of that money is appropriated each year, leaving billions of dollars sitting unused while maintenance costs climb in the Port of Houston and around the country.

Every day, ships are forced to idly wait for high tides or deeper channels because we do not put enough of this money to work for them. We need to ensure that we are investing for the future by investing in vital infrastructure projects.

I urge my colleagues to join me in opposing this legislation until the bipartisan harbor maintenance trust fund provision is included.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG), the former chairman of the full committee.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, first, I would like to thank Mr. SHUSTER, Mr. GIBBS, and Mr. DEFAZIO for their work on this bill. This bill is a good bill.

I just say to all of you: We are getting close to the end of this session—and a lameduck, too. This isn't perfect for everyone. It is not perfect for me in some cases, but let's get a piece of legislation done without nitpicking it and saying: Well, I didn't get what I wanted.

I don't disagree with Mr. DEFAZIO about the funding. That is something we have to work on with the appropriators. They don't like the idea there is a set-aside fund for repairing the harbors, but let's address that battle at a later date.

This is a good piece of legislation. It will create a better system of infrastructure for water, harbors, ports, and drinking water, too. It is a legislative package that has been put together with a lot of hard work with staff.

As we get in this battle, Well, I don't want it, it is a Democrat bill, it is a Republican bill, we ought to think this is a House bill, a bill that can do the job. It will come out of this House, it will go over to the Senate, and we will have a conference. We have another chance to finish this project for the people of America.

So I am asking us not to get into this little bit of nitpicking and get good piece of legislation such as this done.

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

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. Mr. Chairman, I rise today in strong support of the Water Resources Development Act containing the Central Everglades Planning Project that is of critical importance to the ecological health of the State of Florida.

This project will increase freshwater flows from Lake Okeechobee through the Everglades and down into Florida Bay, providing critical relief to our water reservoirs and to a stressed ecosystem in Florida Bay.

□ 1715

The health of Florida Bay, Mr. Chairman, is a moral issue, and it is also vital to south Florida's multibillion-dollar tourism industry, making Everglades restoration an important local issue as well as a major national priority. Long-term restoration will be achieved primarily by constructing projects for conveyance, treatment, and storage of water and, ultimately, restoration of freshwater flow from north to south. CEPP contributes to all of these goals.

I want to thank Chairman SHUSTER for working with me to include $1.9 billion for the Everglades Restoration program in the Water Resources Development Act being considered today. This comprehensive bill provides the U.S. Army Corps of Engineers with authority to carry out water projects through cost-sharing partnerships with non-Federal sponsors. I am proud that, through bipartisan efforts, we were able to include this much-needed funding for Everglades restoration, and I look forward to getting this bill signed into law.

Mr. DEFAZIO. Mr. Chairman, could I ask how much time remains on both sides.

The CHAIR. The gentleman from Oregon has 18½ minutes remaining. The gentleman from Pennsylvania has 19¼ minutes remaining.

Mr. DEFAZIO. Mr. Chairman, I am waiting for more speakers, so I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), a member of the committee.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I rise in support of this bill. I am very proud to be here today because this bill represents a commitment our committee has made under the leadership of Chairman SHUSTER to pass critical water resources legislation every 2 years.

One of my top priorities as a member of this committee and the Water Resources and Environment Subcommittee is maintaining and improving our navigation infrastructure on the upper Mississippi and Illinois waterways. Most of the locks and dams on this system were built in the 1920s and 1930s and have far outlived their life expectancy.

Sixty percent of the grain exported from the United States goes through these locks and dams before hitting the global marketplace. But today, delays at navigation locks are frequent and are only getting worse, lasting as long as 12 hours at a time.

In WRDA 2007, Congress authorized construction of seven new 1,200-foot locks along the upper Mississippi and Illinois waterway system; yet here we are, 9 years later, and the Corps still hasn't completed preconstruction engineering and design for these projects because this administration refuses to invest any money in the Navigation and Ecosystem Sustainability Program, or NESP. That means that construction for these projects may not be ready to begin when they are next on the schedule.

When these projects are delayed, it costs farmers in my district money; it costs the shippers who move commodities up and down the rivers money; and it ultimately means increased grocery prices for everyone. It also costs good-paying construction jobs.

During our committee's markup of this legislation in May, I offered an amendment that requires a study analyzing alternative models of managing the inland waterway trust fund. I appreciate Chairman SHUSTER working with me to ensure its adoption.

This study, to be completed by the Comptroller General, will provide some important options to address these longstanding issues with the Corps. Maybe this will finally show the Corps that waiting 10 or even 20 years for movement on a project that is authorized by Congress is completely unacceptable.

Mr. Chairman, I am proud to support this underlying bill, and I want to thank Chairman SHUSTER and the committee for their leadership on this.

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

The last few speakers have made a great point—how critical this bill is—and they have listed projects that are important to their districts and the Nation. The gentleman from Alaska said we shouldn't quibble over details.

Well, the bottom line is we have assessed a tax on all imported goods. That tax is collected every day. It is essentially a sales tax. It is added into the price of the goods that Americans buy. That tax comes in at about $1.6 billion a year; and yet Congress sees fit to spend somewhere around $1.1 billion a year, even though the Corps of Engineers has a $64 billion backlog. So I guess, at some point, 100 years from now—well, no, because things will keep deteriorating. I guess we will never catch up.

So taking out the creation of the harbor maintenance trust fund, something I have been working on for 20 years—started with the previous chairman, Bud Shuster, and now BILL SHUSTER supports the concept—we keep hearing tomorrow and tomorrow and tomorrow. Tomorrow came. It came out of committee. But because some appropriators and the chair of the Budget Committee object to using the taxes collected from the American people for the only lawfully intended purpose and, instead, disappearing it into the maw of the Federal Government, it got stripped out of the bill—very, very unfortunate. That means these critical projects you are talking about are going to the back of a very, very, very long line. $64 billion today, pass the bill, another $10 billion, $74 billion tomorrow; and we will chip away at it, and very, very slowly if we continue to divert the trust funds.

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

Mr. SHUSTER. Mr. Chairman, I yield 1½ minutes to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. Mr. Chairman, we have an opportunity to do a great service for the country by passing H.R. 5303, the Water Resources Development Act of 2016, otherwise known as WRDA. By building off reforms made in the 2014 bill, WRDA 2016 reasserts congressional authority and oversight on critical infrastructure issues.

I commend Chairman SHUSTER for his commitment to passing a WRDA bill each Congress. It helps to ensure that America's water infrastructure needs are continually addressed and reaffirms the will of the people on these very important infrastructure matters.

Substantively, this legislation addresses the needs of America's harbors, locks, dams, coastlines, and other water resource infrastructure projects by authorizing U.S. Army Corps of Engineers activities. Passage of WRDA is vital to our Nation's economy and will help ensure continued flow of commerce through our Nation's ports and channels. Moreover, this bill also includes preventative measures that will help serve and protect our infrastructure.

Along with these obvious benefits, WRDA 2016 is also fiscally responsible and fully offset. In fact, failing to pass this critical piece of legislation will cost the Treasury that much more.

Mr. Chairman, the time to pass this bill is now, and I urge my colleagues to support this very important legislation.

Mr. DEFAZIO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the fine ranking member, Mr. DEFAZIO, for yielding time, and I rise to discuss the important role of the Great Lakes-Saint Lawrence Seaway as our Nation's freshwater superhighway, a vital economic and security passageway for our Nation.

When the WRDA bill was considered by the Senate, an important reference was included in that bill recognizing the role of the Seaway in U.S.-Canadian maritime trade, as well as global commerce from the heartland. That language authorizes a GAO study of the Seaway's potential to expand economic activity envisioning increased exports, expanded tourism, and a modernized transportation network in a secure operational system.

As the bill moves forward, I would urge the House to incorporate, in any final measure, the directive provisions relating to the Saint Lawrence Seaway's unmet economic potential.

I thank my colleagues on the Great Lakes Task Force, particularly Cochair MIKE KELLY, who was down here earlier, and DAVID JOYCE for their continued hard work and commitment to our region of the country. I thank Ranking Member DEFAZIO for his support of this effort. And I thank Chairman SHUSTER for his leadership.

Mr. DEFAZIO. Mr. Chairman, I thank the gentlewoman and the other advocates for this provision, in addition to, of course, the Senate. The gentlewoman has worked tirelessly on this issue, approached me many, many times about the fact that we have sort of neglected the potential of the Seaway.

I think that this provision would be extraordinarily meritorious, and I certainly intend to support it in conference and hope to garner support from the chairman and others so that it can stay in the bill as it finally goes to the President's desk.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. GRAVES), one of the hardest working members on the committee.

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank Chairman SHUSTER, Ranking Member DEFAZIO, and so many of the other Members who worked on this bill. I think it is important that we get the Water Resources Development Act back on a 2-year cycle. We got off to where there were 7 years that passed on, in many cases, critical projects that needed authorization that needed to move forward to construction.

I also want to echo a couple of things that the ranking member said.

Number one, on the harbor maintenance trust fund, I couldn't agree more. We need to come up with a solution here. I think it is disingenuous

that we are charging users the tax under the auspices of using it for dredging, yet diverting those resources. I will say it again. I think it is disingenuous, and I look forward to working together with Congressman DEFAZIO in addressing this.

Number two, my friend from Oregon also noted the backlog in Corps of Engineers projects. The reason we have a backlog in projects is because this project delivery mechanism, development and delivery mechanism used by the U.S. Army Corps of Engineers, you can look at it, project after project; it takes 40 years to get a project delivered. These are projects for flood protection, for ecological restoration, for hurricane protection. We don't have time to wait 40 years for this project, and this bill moves in a direction of streamlining that process.

We have a project, the West Shore project, that has been in the study phase for over 40 years and is finally moving to authorization.

My friend from Louisiana, Congressman BOUSTANY, was able to work to get the Southwest project included in here to finally begin to bring some protection to the Southwest communities that were so devastated by Hurricane Rita and Hurricane Ike in previous years.

Importantly, Mr. Chairman, we are bringing forward an amendment to further expedite the Comite project, Amite project, and other projects that are critical to the areas that were just flooded in south Louisiana.

I don't know how long we are going to continue this backwards policy in the Federal Government of spending billions after a disaster rather than spending millions before, making our communities and making our ecosystems more resilient.

Again, I want to thank the chairman and ranking member.

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

Back to the harbor maintenance trust fund issues and the allocations to the Corps, the bill sets targets, which I fully agree with, that a higher percentage of the harbor maintenance tax should be allocated every year to O&M programs.

As I mentioned earlier, there is already a $2.5 billion backlog for operations and maintenance, so we are dealing with that by mandating that a higher percentage be spent every year. Unfortunately, if we don't free up the harbor maintenance trust fund, there is only one place that money can come from: new construction.

So I am all for the O&M, and I am all for these increases. But by stripping the harbor maintenance trust fund provision out of the bill and continuing to divert $400 to $500 million a year of the tax to the maw of the Federal Government, they are creating an untenable position for the Corps.

They are already saddled with a $64 billion backlog on construction. They are saddled with a $2.5 billion backlog on operations and maintenance. We are telling them you have to spend more on operations and maintenance. Well, with the discretionary budget caps, that can come out of only one place, and that is the construction projects. Whether it is going to come out of Port Everglades or Charleston Harbor or Brazos Island Harbor, I don't know; but the Corps is going to have to make those decisions because they aren't going to be getting these additional funds that they would have gotten had we freed up this money and created a real trust fund.

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

Mr. SHUSTER. Mr. Chairman, may I inquire as to how much time both sides have left in debate.

The CHAIR. The gentleman from Pennsylvania has 14 minutes remaining. The gentleman from Oregon has 13½ minutes remaining.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, I rise today in strong support of the water infrastructure bill, and I thank Chairman SHUSTER for his hard work and dedication in getting us to this point.

As part of our Better Way agenda, House Republicans are putting transparency and accountability front and center, especially when it comes to how we spend the taxpayers' dollars.

Chairman SHUSTER approached this legislation the same way, increasing congressional oversight and transparency to ensure that our tax dollars are invested in the most pressing projects.

I also applaud Chairman SHUSTER's dedication for ensuring that the long-delayed Upper Ohio Navigation project gets underway.

In the 21st century, we should have a state-of-the-art infrastructure to build a thriving 21st century economy; yet the Emsworth, Dashields, and Montgomery locks and dams along the upper Ohio River are aging and in serious disrepair.

I often like to say that western Pennsylvania built this country. This would not have been possible without the infrastructure that turned our rivers into highways of commerce.

□ 1730

This allowed Pennsylvania steel, machinery, petroleum projects, and agricultural goods to travel to market efficiently and affordably along the Ohio River and beyond. Completing much-needed renovations to the upper Ohio locks and dams will allow us to continue to generate billions of dollars in economic activity benefiting generations of western Pennsylvania families, workers, and businesses in our region and across the country.

Mr. Chairman, I encourage my colleagues to support this bipartisan legislation. I again commend Chairman SHUSTER and thank him for his great work on this legislation.

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, let me thank the gentleman, the ranking member from the great State of Oregon, and the chairman, the gentleman from Pennsylvania.

I would hope that as we look at these issues we really look at the name of this bill, the Water Resources Development Act of 2016, and know that we have, over the years, had common ground on infrastructure issues that are so important to our respective communities.

Mr. Chairman, in April of 2016, we had the tax day flood. Shortly thereafter, we had a flood on Memorial Day in Houston, Harris County. It seems to me to be a constant refrain in our community and in my congressional district. We are a community of bayous and, frankly, need strong structures for the Army Corps of Engineers and a strong Federal partnership on dealing with massive flooding and the loss of life.

Water takes on many other aspects. Just a few miles up the road, Austin, Texas, and the surrounding areas are living in a constant drought. They face a constant interaction and conflict with those who are in the agriculture business.

It is concerning to me that programs in this bill have been deauthorized. It is concerning to me that a very important issue of pure water has been ignored, and that is funding for Flint. I should think this would be a bipartisan issue. Many of us went to Flint. We spoke to citizens in Flint. We listened to the Representatives from Flint, in particular, DAN KILDEE and others, Congresswoman LAWRENCE, and we listened to stories about sores and the ability to have children who have cognitive impact, and yet we come here today and that has not been done.

So I want to raise a concern to find a way in which this can be a bipartisan bill and not have projects that are deauthorized to make sure the harbor maintenance trust fund is where it needs to be.

The CHAIR. The time of the gentlewoman has expired.

Mr. DEFAZIO. Mr. Chairman, I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. I thank the gentleman.

Mr. Chairman, we need to make sure that the harbor maintenance trust fund ensures that revenues are collected from shippers that are used to maintain U.S. coastal and Great Lakes harbors.

Right now, the State of Texas is dealing with their coastal area. This very bill could have a great impact, but it cannot do so if the moneys are undermined and the fees are used for something else. So I would suggest to my colleagues if there is one place that we can be bipartisan, it is on clean water, and it is on saving lives. I hope that we

can do that going down the road in this legislation. I thank the gentleman, Mr. DEFAZIO.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Chairman, I rise today in support of the Water Resources Development Act of 2016. I want to thank Chairman SHUSTER for bringing this bill to the floor.

The bill will authorize critically important projects for my home State of Louisiana, including the Southwest Coastal Study.

Over this past weekend, we remembered the 11th anniversary of Hurricane Rita making landfall. This storm, and subsequently Hurricane Ike, demonstrated the dire need to implement greater measures to protect our coastal communities, many of which were destroyed back then.

Congressional authorization of the Southwest Coastal Study will open the door for necessary hurricane and storm damage risk reduction and coastal restoration projects for southwest Louisiana for the first time.

Authorization language for this project was included in the manager's amendment, and I want to thank Chairman SHUSTER for doing so.

Additionally, the bill includes vital funding for the Calcasieu Lock project, which is the 10th busiest lock in the Nation, a vital feature of the Gulf Intracoastal Waterway system. The lock facilitates navigation, controls flooding, and prevents saltwater intrusion from the Calcasieu River into the Mermentau River basin, a major agricultural area.

The bill also includes construction authorization for the West Shore Lake Pontchartrain project, which will provide critical storm surge protection for Louisiana's river parishes, something that has been in the works for over 40 years; and additionally, the Comite diversion project, which would have prevented a lot of the flooding we just saw in Louisiana.

These and other reasons are really why we should support this very important legislation, and I urge final passage.

To my friend from Oregon, I would say this: I have worked extremely hard since I got here to fix the problem with the harbor maintenance trust fund. We have made significant strides with last year's water bill and the cooperation of our friends on the appropriations committee to up the level of funding. But I agree that we should have included this language, and I am committed to working in a bipartisan fashion to ensure that we take those fees that are collected specifically for operations and maintenance dredging and use them for that, period.

We will have more work to do there, but I urge adoption of this bill, and I thank the chairman for his bringing it forward.

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

Mr. Chairman, it was mentioned earlier, and it will be mentioned again later, that there is no funding for Flint in this bill. Now, the simple answer would be, well, that is not jurisdictional, it is Energy and Commerce Committee. The Senate, by a near unanimous vote, put funding to help Flint and other cities which have serious health problems with their water systems with a partnership with the Federal Government like we used to do.

Historically, in these bills, the committee has included water infrastructure projects. But during the committee consideration, EDDIE BERNICE JOHNSON from Texas attempted to put in language that would help with Flint, and it was ruled to not be germane to the bill, although historically this is under section 219, Corps has authorization for projects such as this. DONNA EDWARDS from Maryland brought forward an amendment again on clean water.

The crisis in Flint is beyond belief. But there are many, many other systems around the country that are far from meeting Federal water quality standards, and many of these are communities that lack the resources themselves to deal with it. The Federal Government used to partner significantly on water and wastewater projects. The Federal Government has pretty much walked away from that responsibility.

There is an amendment right now, right up there, over there in the powerful Rules Committee. The Rules Committee is meeting. It is a committee that enforces the rules or waives the rules, whatever they are in the mood to do. They could allow an amendment to this bill. They could be debating it right now that would provide some assistance to Flint and other communities.

The gentleman from Michigan (Mr. KILDEE) has offered an amendment that is fully offset so it doesn't increase the budget deficit, and we will see how that comes out. But many on this side are reluctant to move forward.

Last week, I was pleased to hear Speaker RYAN say that Flint should be taken care of in the Water Resources Development bill. The majority leader has said the same thing. The question is: Will they do that in the bill coming out of the House so that we don't have to be wondering whether or not it is going to come out of a conference committee?

So that is yet to be seen. But I think a lot of votes on this side, in addition to the concerns I have raised earlier, are pending upon the resolution of whether or not funding for Flint is included in this bill.

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

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Chairman, I rise in strong support of H.R. 5303, the Water Resources Development Act. I commend Chairman SHUSTER for his work as Transportation and Infrastructure chairman.

As a former mayor, I can personally attest to how vital investing in and maintaining our water infrastructure and flood control is. Over the past year, we have seen devastating floods throughout our country. It is more important than ever that we authorize critical flood control projects to protect our communities. Chairman SHUSTER's bill builds on the reforms established in the Water Resources bill 2 years ago.

I represent Fort Worth, Texas, a city that has had devastating floods in its past. Fort Worth needs help to bring our river area up to standards to prevent flooding and prepare for development. We are asking for funding authorization from the Corps of Engineers. The Corps has been working on this project along with the city and the water district for over 5 years.

In this project, the city will have the opportunity to add amenities for recreation paid for by the city, the water district, and private developers. By law, the Corps of Engineers cannot pay for amenities like basketball or soccer fields or water parks. Therefore, of course, they have never been asked to. It is against the law for them to pay for it. I repeat: it is against the law. The cooperation from the city, private developers, and the water district will pay for those.

I thank the chairman for his time, and I appreciate his work.

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

Mr. Chairman, I appreciate the advocacy of the gentlewoman. She has been incredibly persistent since she earmarked this project back in 2004 before the Republicans banned earmarks. Of course, then it was a $220 million project. Now it is an $810 million project. The Federal share has gone from $110 million to over $500 million, and included in the total cost are the basketball courts, the splash pool, and all that, but it is coming out of the local share. No, that is not the way this is supposed to work.

If this is a Corps project, the only things which the Corps is authorized to do would be in the calculated total cost, and then a percentage of that goes to the local jurisdiction. In this case, they are counting the contributions of the local developers as part of the local cost share. So, essentially, it is coming out of the taxpayers' pockets.

I include in the RECORD a letter from the Taxpayers for Common Sense and the National Taxpayers Union.

SEPTEMBER 27, 2016.

DEAR REPRESENTATIVE: While less expensive and problematic than the Senate version of the Water Resources Development Act (S. 2848), we urge you to oppose H.R. 5303, the ''Water Resources Development Act of 2016.'' Instead of much needed reform, this legislation piles billions of dollars in additional water projects on the U.S. Army Corps of Engineers' plate. The legislation also makes

policy changes that will be costly to taxpayers.

The largest challenge facing the Corps of Engineers water resources program is the lack of a prioritization system for allocating the limited available tax dollars. The legislation directs the executive branch to better explain its budgeting decisions, but this should not serve as an abdication of congressional authority. Congress should develop the criteria and metrics to prioritize Corps projects in the three primary mission areas (navigation, flood/storm damage reduction, and environmental restoration). The executive branch should be required to allocate funds in the budget request in a transparent manner through merit, competitive, or formula systems developed by Congress. Lawmakers could then conduct oversight, hold the administration accountable, and adjust the systems, criteria, and metrics as needed.

H.R. 5303 fails to include such a prioritization system. It does many other things, however. Between committee consideration and the floor, the bill grew by over $6 billion. A provision from the Water Resources Reform and Development Act of 2014 dedicating maintenance dredging funds to emerging ports is made permanent. It doesn't make sense to invest in a port that is continually ''emerging.'' It also extends set-asides for ''donor'' and ''energy'' ports without reforming the massive cross-subsidies in the existing maintenance dredging program. The legislation authorizes funding for a project in Fort Worth, Texas, costing more than $800 million. The Upper Trinity River project is portrayed as a flood damage reduction effort, but is really a massive economic development initiative that would divert precious Corps resources to construct soccer and baseball fields, basketball courts, and even a splash park. Money spent on a splash park in Fort Worth is money that cannot be spent to further the Corps' core mission areas. At the least we urge you to remove or limit the funds for this project.

Again, we urge you to oppose H.R. 5303 the ''Water Resources Development Act of 2016.''

Sincerely,

RYAN ALEXANDER,
Taxpayers for Common Sense.
PETE SEPP,
National Taxpayers Union.

Mr. DEFAZIO. Mr. Chairman, I will just read briefly: ''The legislation authorizes funding for a project in Fort Worth, Texas, costing more than $800 million. The Upper Trinity River project is portrayed as a flood damage reduction effort, but is really a massive economic development initiative that would divert precious Corps resources to construct soccer and baseball fields, basketball courts, and even a splash park. Money spent on a splash park in Fort Worth is money that cannot be spent to further the Corps' core mission areas. At the least, we urge you to remove or limit the funds for this project.''

That is from Taxpayers for Common Sense and the National Taxpayers Union.

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

Mr. SHUSTER. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Chairman, I rise today in strong support of the Water Resources Development Act of 2016.

I thank Chairman SHUSTER for his championing this legislation and for including authorization language for the Rahway River Basin Flood Risk Management Feasibility Study in the bill.

The Rahway River Basin Flood Risk Management Feasibility Study will create a lasting solution to protect the New Jersey municipalities that include Cranford, Kenilworth, Maplewood, Millburn, Rahway, Springfield, Union, and the surrounding areas from severe flooding.

For years, these municipalities have pursued this project based on its great merits, and I have tried to be their champion at the Federal level. This is a critical role for Federal representatives: effectively helping municipal, county, and State officials to work with the Federal Government to ensure efficient services to the areas we represent.

Throughout this entire process, local leaders have kept the focus on consensus and collaboration, and they have united around a solution that has strong public support. They deserve the completion of the study and the implementation of a plan that will protect life and property. I thank the Mayors' Council and local leaders for continuing to advocate on behalf of their communities. I certainly reiterate my thanks to Chairman SHUSTER.

Mr. Chairman, I urge support of the Water Resources Development Act of 2016.

Mr. DEFAZIO. Mr. Chairman, I have no further speakers, and I am prepared to close.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the chairman for yielding.

Mr. Chairman, first, I want to applaud Chairman SHUSTER and the members of the Transportation and Infrastructure Committee for bringing the Water Resources Development Act of 2016 to the floor.

WRDA is a crucial piece of legislation which authorizes our Nation's locks, dams, harbors, and many other water resources vital to our Nation's economic competitiveness.

However, today, I rise to speak of an issue that is very close to home. The Army Corps of Engineers' New Savannah Bluff Lock and Dam is only 13 miles south of my hometown of Augusta, Georgia, and is essential to the towns of Augusta and North Augusta, South Carolina.

Authorization for the lock and dam has been changed numerous times over the past few decades, and the Senate version of WRDA includes broad language for additional needed changes. I understand the complexities of changing authorizations or even deauthorizing projects on a river as vital as the Savannah River.

□ 1745

Mr. Chairman, I look forward to the opportunity to work with Chairman SHUSTER and the Transportation and Infrastructure Committee on language to correct this process, working with the Senate to better serve our community and our country.

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

First off, the provision to create a harbor maintenance trust fund to begin to actually spend the tax, which we collect from the American people for harbor maintenance, on harbor maintenance—it is shocking, shocking, in Washington that we would do something like that.

There are those on the Appropriations Committee guarding their fiefdoms, or the Budget Committee, who are opposed to this; but I heard a number of my colleagues on the Republican side say tonight they supported that concept. It came out of committee unanimously with Republican support; yet the Republican leadership reached into this bill and pulled out that provision because, I believe, they were afraid if that provision came to the floor for a vote that it would pass, that we would actually begin to spend the tax that we are collecting from the American people for harbor maintenance on harbor maintenance and begin to catch up with the backlog by spending another $400 million or $500 million a year, which today is being spent on God knows what. It is being just thrown into the air.

Someone said earlier, oh, that money hasn't been spent. Okay. Show me what account that $9.8 billion is in. There is no account. There is no account. The money has been collected and it has disappeared.

Now, we can keep that up, and we are going to keep it up now for another 2 years. That will be another billion dollars that won't be spent on harbor maintenance. So everybody waiting in line to get dredged—and there are a lot of ports waiting in line to get dredged. Everybody waiting in that really long line of now $74 billion of backlogged authorized projects is just going to have to wait a little longer. In fact, most of them will be dead before they get around to their project.

So it is really a very sad day for the House of Representatives when the House is not being allowed to work its will. We are not being allowed to vote on something because a couple of chairmen of a couple of committees that don't know much about this subject—they aren't the authorizers; they don't understand the details; apparently, they don't understand the massive need in backlog—don't want to spend the tax that is collected for the purpose for which it is collected, which is harbor maintenance and/or construction. It is a very sad day for the House of Representatives.

I urge my colleagues to vote in opposition to the legislation.

I yield back the balance of my time.

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

Mr. Chairman, we are here today on the floor with the WRDA bill. We are

back in regular order. This bill reasserts congressional authority, making sure that Congress has its say on these matters. This bill addresses specific Federal responsibilities that strengthen our infrastructure and it is fiscally responsible.

If we pass the manager's amendment, there are 31 Chief's Reports and 29 feasibility studies which touch all corners of the United States. I know Members on both sides of the aisle have projects in there that are extremely important to their district, to their State, and, of course, to the Nation.

It certainly was my goal for this to come to the floor in a bipartisan manner just the way it came out of committee. Unfortunately, it did violate a House rule, and we had to strip a part of that bill out.

But I just want to say again, as I opened, I agree with Mr. DEFAZIO—and you heard, as he just pointed out, there are many Members on our side of the aisle that agree—we have got to figure out a way to move this forward so that Congress continues to have a say, and that those dollars that people pay to use the ports, they pay that fee, and when it goes into that trust fund, it is spent on its intended purpose. It is just wrong—it is absolutely wrong—that we don't do that.

We are going to pass this bill on the floor here tomorrow. I will continue to work with the ranking member to find a solution, because it is my goal to be here next Congress and to have another WRDA bill on the floor and address this problem and continue to pass good legislation that strengthens our infrastructure and strengthens America's competitiveness in the world.

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

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–65. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 5303

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 2016''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Secretary defined.

TITLE I—GENERAL PROVISIONS

Sec. 101. Sense of Congress regarding Water Resources Development Acts.
Sec. 102. Training and employment for veterans and members of Armed Forces in curation and historic preservation.
Sec. 103. Youth service and conservation corps organizations.
Sec. 104. Navigation safety.
Sec. 105. Emerging harbors.
Sec. 106. Federal breakwaters and jetties.
Sec. 107. Donor ports and energy transfer ports.
Sec. 108. Remote and subsistence harbors.
Sec. 109. Beneficial use of dredged material.
Sec. 110. Reservoir sediment.
Sec. 111. Contributed funds for reservoir operations.
Sec. 112. Water supply conservation.
Sec. 113. Interstate compacts.
Sec. 114. Nonstructural alternatives.
Sec. 115. Operation and maintenance of environmental protection and restoration and aquatic ecosystem restoration projects.
Sec. 116. Estuary restoration.
Sec. 117. Great Lakes fishery and ecosystem restoration.
Sec. 118. Agreements.
Sec. 119. Corps of Engineers operation of unmanned aircraft systems.
Sec. 120. Federal dredge fleet.
Sec. 121. Corps of Engineers assets.
Sec. 122. Funding to process permits.
Sec. 123. Credit in lieu of reimbursement.
Sec. 124. Clarification of contributions during emergency events.
Sec. 125. Study of water resources development projects by non-Federal interests.
Sec. 126. Non-Federal construction of authorized flood damage reduction projects.
Sec. 127. Multistate activities.
Sec. 128. Regional participation assurance for levee safety activities.
Sec. 129. Participation of non-Federal interests.
Sec. 130. Indian tribes.
Sec. 131. Dissemination of information on the annual report process.
Sec. 132. Scope of projects.
Sec. 133. Preliminary feasibility study activities.
Sec. 134. Post-authorization change reports.
Sec. 135. Maintenance dredging data.
Sec. 136. Electronic submission and tracking of permit applications.
Sec. 137. Data transparency.
Sec. 138. Backlog prevention.
Sec. 139. Quality control.
Sec. 140. Budget development and prioritization.
Sec. 141. Use of natural and nature-based features.
Sec. 142. Annual report on purchase of foreign manufactured articles.
Sec. 143. Integrated water resources planning.
Sec. 144. Evaluation of project partnership agreements.
Sec. 145. Additional measures at donor ports and energy transfer ports.
Sec. 146. Arctic deep draft port development partnerships.
Sec. 147. International outreach program.
Sec. 148. Comprehensive study.
Sec. 149. Alternative models for managing Inland Waterways Trust Fund.
Sec. 150. Alternative projects to maintenance dredging.
Sec. 151. Fish hatcheries.
Sec. 152. Environmental banks.

TITLE II—STUDIES

Sec. 201. Authorization of proposed feasibility studies.
Sec. 202. Expedited completion of reports for certain projects.

TITLE III—DEAUTHORIZATIONS AND RELATED PROVISIONS

Sec. 301. Deauthorization of inactive projects.
Sec. 302. Valdez, Alaska.
Sec. 303. Los Angeles County Drainage Area, Los Angeles County, California.
Sec. 304. Sutter Basin, California.
Sec. 305. Essex River, Massachusetts.
Sec. 306. Port of Cascade Locks, Oregon.
Sec. 307. Central Delaware River, Philadelphia, Pennsylvania.
Sec. 308. Huntingdon County, Pennsylvania.
Sec. 309. Rivercenter, Philadelphia, Pennsylvania.
Sec. 310. Joe Pool Lake, Texas.
Sec. 311. Salt Creek, Graham, Texas.
Sec. 312. Texas City Ship Channel, Texas City, Texas.

TITLE IV—WATER RESOURCES INFRASTRUCTURE

Sec. 401. Project authorizations.

SEC. 2. SECRETARY DEFINED.

In this Act, the term ''Secretary'' means the Secretary of the Army.

TITLE I—GENERAL PROVISIONS

SEC. 101. SENSE OF CONGRESS REGARDING WATER RESOURCES DEVELOPMENT ACTS.

(a) FINDINGS.—Congress finds the following:

(1) The Corps of Engineers constructs projects for the purposes of navigation, flood control, beach erosion control and shoreline protection, hydroelectric power, recreation, water supply, environmental protection, restoration, and enhancement, and fish and wildlife mitigation.

(2) The Corps of Engineers is the primary Federal provider of outdoor recreation in the United States.

(3) The Corps of Engineers owns and operates more than 600 dams.

(4) The Corps of Engineers operates and maintains 12,000 miles of commercial inland navigation channels.

(5) The Corps of Engineers manages the dredging of more than 200,000,000 cubic yards of construction and maintenance dredge material annually.

(6) The Corps of Engineers maintains 926 coastal, Great Lakes, and inland harbors.

(7) The Corps of Engineers restores, creates, enhances, or preserves tens of thousands of acres of wetlands annually under the Corps' Regulatory Program.

(8) The Corps of Engineers provides a total water supply storage capacity of 329,200,000 acre-feet in major Corps lakes.

(9) The Corps of Engineers owns and operates 24 percent of United States hydropower capacity or 3 percent of the total electric capacity of the United States.

(10) The Corps of Engineers supports Army and Air Force installations.

(11) The Corps of Engineers provides technical and construction support to more than 100 countries.

(12) The Corps of Engineers manages an Army military construction program that carried out approximately $44,600,000,000 in construction projects (the largest construction effort since World War II) between 2006 and 2013.

(13) The Corps of Engineers researches and develops technologies to protect the environment and enhance quality of life in the United States.

(14) The legislation for authorizing Corps of Engineers projects is the Water Resources Development Act and, between 1986 and 2000, Congress typically enacted an authorization bill every 2 years.

(15) Since 2000, only 3 Water Resources Development Acts have been enacted.

(16) In 2014, the Water Resources Reform and Development Act of 2014 was enacted, which accelerated the infrastructure project delivery process, fostered fiscal responsibility, and strengthened water transportation networks to promote the competitiveness, prosperity, and economic growth of the United States.

(17) Section 1001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c) requires typical Corps of Engineers project feasibility studies to be completed in 3 years.

(18) Section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C.

2282d) requires the Corps of Engineers to submit annually a Report to Congress on Future Water Resources Development, which ensures projects and activities proposed at the local, regional, and State levels are considered for authorization.

(19) Passing Water Resources Development Acts on a routine basis enables Congress to exercise oversight, ensures the Corps of Engineers maintains an appropriately sized portfolio, prevents project backlog, and keeps United States infrastructure competitive.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the missions and authorities of the Corps of Engineers are a unique function that benefits all Americans;

(2) water resources development projects are critical to maintaining economic prosperity, national security, and environmental protection;

(3) Congress has required timely delivery of project and study authorization proposals from non-Federal project sponsors and the Corps of Engineers; and

(4) Congress should consider a Water Resources Development Act at least once every Congress.

SEC. 102. TRAINING AND EMPLOYMENT FOR VETERANS AND MEMBERS OF ARMED FORCES IN CURATION AND HISTORIC PRESERVATION.

Using available funds, the Secretary, acting through the Chief of Engineers, shall carry out a Veterans' Curation Program to train and hire veterans and members of the Armed Forces to assist the Secretary in carrying out curation and historic preservation activities.

SEC. 103. YOUTH SERVICE AND CONSERVATION CORPS ORGANIZATIONS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) YOUTH SERVICE AND CONSERVATION CORPS ORGANIZATIONS.—The Secretary shall, to the maximum extent practicable, enter into cooperative agreements with qualified youth service and conservation corps organizations for services relating to projects under the jurisdiction of the Secretary and shall do so in a manner that ensures the maximum participation and opportunities for such organizations.''.

SEC. 104. NAVIGATION SAFETY.

The Secretary shall use section 5 of the Act of March 4, 1915 (38 Stat. 1053, chapter 142; 33 U.S.C. 562), to carry out navigation safety activities at those projects eligible for operation and maintenance under section 204(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2232(f)).

SEC. 105. EMERGING HARBORS.

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

(1) in subsection (c)(3) by striking ''for each of fiscal years 2015 through 2022'' and inserting ''for each fiscal year''; and

(2) in subsection (d)(1)(A)—

(A) in the matter preceding clause (i) by striking ''For each of fiscal years 2015 through 2024'' and inserting ''For each fiscal year'';

(B) in clause (i) by striking ''90'' and inserting ''Not more than 90''; and

(C) in clause (ii) by striking ''10'' and inserting ''At least 10''.

SEC. 106. FEDERAL BREAKWATERS AND JETTIES.

(a) IN GENERAL.—The Secretary shall, at Federal expense, establish an inventory and conduct an assessment of the general structural condition of all Federal breakwaters and jetties protecting harbors and inland harbors within the United States.

(b) CONTENTS.—The inventory and assessment carried out under subsection (a) shall include—

(1) compiling location information for all Federal breakwaters and jetties protecting harbors and inland harbors within the United States;

(2) determining the general structural condition of each breakwater and jetty;

(3) analyzing the potential risks to navigational safety, and the impact on the periodic maintenance dredging needs of protected harbors and inland harbors, resulting from the general structural condition of each breakwater and jetty; and

(4) estimating the costs, for each breakwater and jetty, to restore or maintain the breakwater or jetty to authorized levels and the total of all such costs.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of the inventory and assessment carried out under subsection (a).

SEC. 107. DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106(a)(2)(B) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c(a)(2)(B)) is amended by striking ''$15,000,000'' and inserting ''$5,000,000''.

SEC. 108. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3) by inserting ''in which the project is located, or the long-term viability of a community that is located in the region that is served by the project and that will rely on the project,'' after ''community''; and

(2) in subsection (b)—

(A) in paragraph (1) by inserting ''and communities that are located in the region to be served by the project and that will rely on the project'' after ''community'';

(B) in paragraph (4) by striking ''local population'' and inserting ''regional population to be served by the project''; and

(C) in paragraph (5) by striking ''community'' and inserting ''local community and communities that are located in the region to be served by the project and that will rely on the project''.

SEC. 109. BENEFICIAL USE OF DREDGED MATERIAL.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a pilot program to carry out projects for the beneficial use of dredged material, including projects for the purposes of—

(1) reducing storm damage to property and infrastructure;

(2) promoting public safety;

(3) protecting, restoring, and creating aquatic ecosystem habitats;

(4) stabilizing stream systems and enhancing shorelines;

(5) promoting recreation; and

(6) supporting risk management adaptation strategies.

(b) PROJECT SELECTION.—In carrying out the pilot program, the Secretary shall—

(1) identify for inclusion in the pilot program and carry out 10 projects for the beneficial use of dredged material;

(2) consult with relevant State agencies in selecting projects; and

(3) select projects solely on the basis of—

(A) the environmental, economic, and social benefits of the projects, including monetary and nonmonetary benefits; and

(B) the need for a diversity of project types and geographical project locations.

(c) REGIONAL BENEFICIAL USE TEAMS.—

(1) IN GENERAL.—In carrying out the pilot program, the Secretary shall establish regional beneficial use teams to identify and assist in the implementation of projects under the pilot program.

(2) COMPOSITION.—

(A) LEADERSHIP.—For each regional beneficial use team established under paragraph (1), the Secretary shall appoint the Commander of the relevant division of the Corps of Engineers to serve as the head of the team.

(B) MEMBERSHIP.—The membership of each regional beneficial use team shall include—

(i) representatives of relevant Corps of Engineers districts and divisions;

(ii) representatives of relevant State and local agencies; and

(iii) representatives of Federal agencies and such other entities as the Secretary determines appropriate, consistent with the purposes of this section.

(d) CONSIDERATIONS.—The Secretary shall carry out the pilot program in a manner that—

(1) maximizes the beneficial placement of dredged material from Federal and non-Federal navigation channels;

(2) incorporates, to the maximum extent practicable, 2 or more Federal navigation, flood control, storm damage reduction, or environmental restoration projects;

(3) coordinates the mobilization of dredges and related equipment, including through the use of such efficiencies in contracting and environmental permitting as can be implemented under existing laws and regulations;

(4) fosters Federal, State, and local collaboration;

(5) implements best practices to maximize the beneficial use of dredged sand and other sediments; and

(6) ensures that the use of dredged material is consistent with all applicable environmental laws.

(e) COST SHARING.—Projects carried out under this section shall be subject to the cost-sharing requirements applicable to projects carried out under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326).

(f) REPORT.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) a description of the projects selected to be carried out under the pilot program;

(2) documentation supporting each of the projects selected;

(3) the findings of regional beneficial use teams regarding project selection; and

(4) any recommendations of the Secretary or regional beneficial use teams with respect to the pilot program.

(g) TERMINATION.—The pilot program shall terminate after completion of the 10 projects carried out pursuant to subsection (b)(1).

(h) EXEMPTION FROM OTHER STANDARDS.—The projects carried out under this section shall be carried out notwithstanding the definition of the term ''Federal standard'' in section 335.7 of title 33, Code of Federal Regulations.

(i) CLARIFICATION.—Section 156(e) of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f(e)) is amended by striking ''3'' and inserting ''6''.

SEC. 110. RESERVOIR SEDIMENT.

(a) IN GENERAL.—Section 215 of the Water Resources Development Act of 2000 (33 U.S.C. 2326c) is amended to read as follows:

''SEC. 215. RESERVOIR SEDIMENT.

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016 and after providing public notice, the Secretary shall establish, using available funds, a pilot program to accept services provided by a non-Federal interest or commercial entity for removal of sediment captured behind a dam owned or operated by the United States and under the jurisdiction of the Secretary for the purpose of restoring the authorized storage capacity of the project concerned.

''(b) REQUIREMENTS.—In carrying out this section, the Secretary shall—

''(1) review the services of the non-Federal interest or commercial entity to ensure that the services are consistent with the authorized purposes of the project concerned;

''(2) ensure that the non-Federal interest or commercial entity will indemnify the United

States for, or has entered into an agreement approved by the Secretary to address, any adverse impact to the dam as a result of such services;

''(3) require the non-Federal interest or commercial entity, prior to initiating the services and upon completion of the services, to conduct sediment surveys to determine the pre- and post-services sediment profile and sediment quality; and

''(4) limit the number of dams for which services are accepted to 10.

''(c) LIMITATION.—

''(1) IN GENERAL.—The Secretary may not accept services under subsection (a) if the Secretary, after consultation with the Chief of Engineers, determines that accepting the services is not advantageous to the United States.

''(2) REPORT TO CONGRESS.—If the Secretary makes a determination under paragraph (1), the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate written notice describing the reasoning for the determination.

''(d) DISPOSITION OF REMOVED SEDIMENT.—In exchange for providing services under subsection (a), a non-Federal interest or commercial entity is authorized to retain, use, recycle, sell, or otherwise dispose of any sediment removed in connection with the services and the Corps of Engineers may not seek any compensation for the value of the sediment.

''(e) CONGRESSIONAL NOTIFICATION.—Prior to accepting services provided by a non-Federal interest or commercial entity under this section, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate written notice of the acceptance of the services.

''(f) REPORT TO CONGRESS.—Upon completion of services at the 10 dams allowed under subsection (b)(4), the Secretary shall make publicly available and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report documenting the results of the services.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Water Resources Development Act of 2000 is amended by striking the item relating to section 215 and inserting the following:

''Sec. 215. Reservoir sediment.''.

SEC. 111. CONTRIBUTED FUNDS FOR RESERVOIR OPERATIONS.

Section 5 of the Act of June 22, 1936 (49 Stat. 1572, chapter 688; 33 U.S.C. 701h), is amended by inserting after ''authorized purposes of the project:'' the following: ''Provided further, That the Secretary is authorized to receive and expend funds from a State or a political subdivision thereof, and other non-Federal interests, to formulate, review, or revise operational documents for any reservoir for which the Secretary is authorized to prescribe regulations for the use of storage allocated for flood risk management or navigation pursuant to section 7 of the Act of December 22, 1944 (58 Stat. 890, chapter 665; 33 U.S.C. 709):''.

SEC. 112. WATER SUPPLY CONSERVATION.

(a) IN GENERAL.—In a State in which a drought emergency has been declared or was in effect during the 1-year period ending on the date of enactment of this Act, the Secretary is authorized—

(1) to conduct an evaluation for purposes of approving water supply conservation measures that are consistent with the authorized purposes of water resources development projects under the jurisdiction of the Secretary; and

(2) to enter into written agreements pursuant to section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) with non-Federal interests to carry out the conservation measures approved by such evaluations.

(b) ELIGIBILITY.—Water supply conservation measures evaluated under subsection (a) may include the following:

(1) Storm water capture.

(2) Releases for ground water replenishment or aquifer storage and recovery.

(3) Releases to augment water supply at another Federal or non-Federal storage facility.

(4) Other conservation measures that enhance usage of a Corps of Engineers project for water supply.

(c) COSTS.—A non-Federal interest shall pay only the separable costs associated with the evaluation, implementation, operation, and maintenance of an approved water supply conservation measure, which payments may be accepted and expended by the Corps of Engineers to cover such costs.

(d) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to modify or alter the obligations of a non-Federal interest under existing or future agreements for—

(1) water supply storage pursuant to section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); or

(2) surplus water use pursuant to section 6 of the Act of December 22, 1944 (58 Stat. 890, chapter 665; 33 U.S.C. 708).

(e) LIMITATIONS.—Nothing in this section—

(1) affects, modifies, or changes the authorized purposes of a Corps of Engineers project;

(2) affects existing Corps of Engineers authorities, including its authorities with respect to navigation, flood damage reduction, and environmental protection and restoration;

(3) affects the Corps of Engineers ability to provide for temporary deviations;

(4) affects the application of a cost-share requirement under section 101, 102, or 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2212, and 2213);

(5) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act;

(6) supersedes or modifies any amendment to an existing multistate water control plan, including those water control plans along the Missouri River and those water control plans in the Apalachicola-Chattahoochee-Flint and Alabama-Coosa-Tallapoosa basins;

(7) affects any water right in existence on the date of enactment of this Act; or

(8) preempts or affects any State water law or interstate compact governing water.

SEC. 113. INTERSTATE COMPACTS.

Section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) is amended by striking subsection (f).

SEC. 114. NONSTRUCTURAL ALTERNATIVES.

Section 5(a)(1) of the Act of August 18, 1941 (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)(1)), is amended by striking ''if requested'' each place it appears and inserting ''after consultation with the non-Federal sponsor and if requested and agreed to''.

SEC. 115. OPERATION AND MAINTENANCE OF ENVIRONMENTAL PROTECTION AND RESTORATION AND AQUATIC ECOSYSTEM RESTORATION PROJECTS.

(a) NON-FEDERAL OBLIGATIONS.—Notwithstanding section 103(j) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(j)), a non-Federal interest is released from any obligation to operate and maintain the nonstructural and nonmechanical components of a water resources development project carried out for the purposes of environmental protection and restoration or aquatic ecosystem restoration, including a project carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) or section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), if the Secretary determines that—

(1) the 50-year period that began on the date on which project construction was completed has concluded; or

(2) the criteria identified in the guidance issued under subsection (c) have been met with respect to the project.

(b) FEDERAL OBLIGATIONS.—The Secretary is not responsible for the operation or maintenance of any components of a project with respect to which a non-Federal interest is released from obligations under subsection (a).

(c) GUIDANCE.—In consultation with non-Federal interests, and not later than 1 year after the date of enactment of this Act, the Secretary shall issue guidance that identifies criteria for determining, using the best available science, when the purpose of a project for environmental protection and restoration or aquatic ecosystem restoration has been achieved, including criteria for determining when a project has resulted in the return of the project location to a condition where natural hydrologic and ecological functions are the predominant factors in the condition, functionality, and durability of the location.

SEC. 116. ESTUARY RESTORATION.

(a) PARTICIPATION OF NON-FEDERAL INTERESTS.—Section 104(f) of the Estuary Restoration Act of 2000 (33 U.S.C. 2903(f)) is amended by adding at the end the following:

''(3) PROJECT AGREEMENTS.—For a project carried out under this title, the requirements of section 103(j)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(j)(1)) may be fulfilled by a nongovernmental organization serving as the non-Federal interest for the project pursuant to paragraph (2).''.

(b) EXTENSION.—Section 109(a) of the Estuary Restoration Act of 2000 (33 U.S.C. 2908(a)) is amended by striking ''2012'' each place it appears and inserting ''2021''.

SEC. 117. GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION.

Section 506(g) of the Water Resources Development Act of 2000 (42 U.S.C. 1962d–22(g)) is repealed.

SEC. 118. AGREEMENTS.

Section 2036(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2317b) is repealed.

SEC. 119. CORPS OF ENGINEERS OPERATION OF UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—The Secretary shall designate an individual, within the headquarters office of the Corps of Engineers, who shall serve as the coordinator and principal approving official for developing the process and procedures by which the Corps of Engineers—

(1) operates and maintains small unmanned aircraft (as defined in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)) systems in support of civil works and emergency response missions of the Corps of Engineers; and

(2) acquires, applies for, and receives any necessary Federal Aviation Administration authorizations for such operations and systems.

(b) REQUIREMENTS.—A small unmanned aircraft system acquired, operated, or maintained for carrying out the missions specified in subsection (a) shall be operated in accordance with regulations of the Federal Aviation Administration as a civil aircraft or public aircraft, at the discretion of the Secretary, and shall be exempt from regulations of the Department of Defense, including the Department of the Army, governing such system.

(c) LIMITATION.—A small unmanned aircraft system acquired, operated, or maintained by the Corps of Engineers is excluded from use by the Department of Defense, including the Department of the Army, for any mission of the Department of Defense other than a mission specified in subsection (a).

SEC. 120. FEDERAL DREDGE FLEET.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the costs and benefits of expanding, reducing, or maintaining the current configuration with respect to the size and makeup of the federally owned hopper dredge fleet.

(b) FACTORS.—In carrying out the study, the Comptroller General shall evaluate—

(1) the current and anticipated configuration and capacity of the Federal and private hopper dredge fleet;

(2) the current and anticipated trends for the volume and type of dredge work required over the next 10 years, and the alignment of the size of the existing Federal and private hopper dredge fleet with future dredging needs;

(3) available historic data on the costs, efficiency, and time required to initiate and complete dredging work carried out by Federal and private hopper dredge fleets, respectively;

(4) whether the requirements of section 3 of the Act of August 11, 1888 (25 Stat. 423, chapter 860; 33 U.S.C. 622), have any demonstrable impacts on the factors identified in paragraphs (1) through (3), and whether such requirements are most economical and advantageous to the United States; and

(5) other factors that the Comptroller General determines are necessary to evaluate whether it is economical and advantageous to the United States to expand, reduce, or maintain the current configuration of the federally owned hopper dredge fleet.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study.

SEC. 121. CORPS OF ENGINEERS ASSETS.

Section 6002 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1349) is amended—

(1) in subsection (a) by striking ''the date of enactment of this Act'' and inserting ''the date of enactment of the Water Resources Development Act of 2016''; and

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

''(6) The extent to which the property has economic, cultural, historic, or recreational significance, or impacts at the national, State, or local level.''.

SEC. 122. FUNDING TO PROCESS PERMITS.

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

(1) in paragraph (1) by adding at the end the following:

''(C) RAILROAD CARRIER.—The term 'railroad carrier' has the meaning given the term in section 20102 of title 49, United States Code.'';

(2) in paragraph (2)—

(A) by striking ''or natural gas company'' and inserting '', natural gas company, or railroad carrier''; and

(B) by striking ''or company'' and inserting '', company, or carrier'';

(3) by striking paragraph (3);

(4) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(5) in paragraph (4) (as so redesignated) by striking ''and natural gas companies'' and inserting '', natural gas companies, and railroad carriers''.

SEC. 123. CREDIT IN LIEU OF REIMBURSEMENT.

Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a) by striking ''that has been constructed by a non-Federal interest under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) before the date of enactment of this Act'' and inserting ''for which a written agreement with the Corps of Engineers for construction was finalized on or before December 31, 2014, under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13)''; and

(2) in subsection (b) by striking ''share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies'' and inserting ''non-Federal share of the cost of carrying out other water resources development projects or studies of the non-Federal interest''.

SEC. 124. CLARIFICATION OF CONTRIBUTIONS DURING EMERGENCY EVENTS.

Section 1024(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a(a)) is amended by inserting after ''emergency'' the following: '', or that has had or may have an equipment failure (including a failure caused by a lack of or deferred maintenance),''.

SEC. 125. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended by adding at the end the following:

''(e) TECHNICAL ASSISTANCE.—At the request of a non-Federal interest, the Secretary may provide to the non-Federal interest technical assistance relating to any aspect of a feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing such technical assistance.''.

SEC. 126. NON-FEDERAL CONSTRUCTION OF AUTHORIZED FLOOD DAMAGE REDUCTION PROJECTS.

Section 204(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2232(d)) is amended by adding at the end the following:

''(5) DISCRETE SEGMENTS.—

''(A) IN GENERAL.—The Secretary may authorize credit or reimbursement under this subsection for a discrete segment of a flood damage reduction project, or separable element thereof, before final completion of the project or separable element if—

''(i) except as provided in clause (ii), the Secretary determines that the discrete segment satisfies the requirements of paragraphs (1) through (4) in the same manner as the project or separable element; and

''(ii) notwithstanding paragraph (1)(A)(ii), the Secretary determines, before the approval of the plans under paragraph (1)(A)(i), that the discrete segment is technically feasible and environmentally acceptable.

''(B) DETERMINATION.—Credit or reimbursement may not be made available to a non-Federal interest pursuant to this paragraph until the Secretary determines that—

''(i) the construction of the discrete segment for which credit or reimbursement is requested is complete; and

''(ii) the construction is consistent with the authorization of the applicable flood damage reduction project, or separable element thereof, and the plans approved under paragraph (1)(A)(i).

''(C) WRITTEN AGREEMENT.—

''(i) IN GENERAL.—As part of the written agreement required under paragraph (1)(A)(iii), a non-Federal interest to be eligible for credit or reimbursement under this paragraph shall—

''(I) identify any discrete segment that the non-Federal interest may carry out; and

''(II) agree to the completion of the flood damage reduction project, or separable element thereof, with respect to which the discrete segment is a part and establish a timeframe for such completion.

''(ii) REMITTANCE.—If a non-Federal interest fails to complete a flood damage reduction project, or separable element thereof, that it agreed to complete under clause (i)(II), the non-Federal interest shall remit any reimbursements received under this paragraph for a discrete segment of such project or separable element.

''(D) DISCRETE SEGMENT DEFINED.—In this paragraph, the term 'discrete segment' means a physical portion of a flood damage reduction project, or separable element thereof—

''(i) described by a non-Federal interest in a written agreement required under paragraph (1)(A)(iii); and

''(ii) that the non-Federal interest can operate and maintain, independently and without creating a hazard, in advance of final completion of the flood damage reduction project, or separable element thereof.''.

SEC. 127. MULTISTATE ACTIVITIES.

Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16) is amended—

(1) in subsection (a)(1)—

(A) by striking ''or other non-Federal interest'' and inserting '', group of States, or non-Federal interest'';

(B) by inserting ''or group of States'' after ''working with a State''; and

(C) by inserting ''or group of States'' after ''boundaries of such State''; and

(2) in subsection (c)(1) by adding at the end the following: ''The Secretary may allow 2 or more States to combine all or a portion of the funds that the Secretary makes available to the States in carrying out subsection (a)(1).''.

SEC. 128. REGIONAL PARTICIPATION ASSURANCE FOR LEVEE SAFETY ACTIVITIES.

(a) NATIONAL LEVEE SAFETY PROGRAM.—Section 9002 of the Water Resources Development Act of 2007 (33 U.S.C. 3301) is amended—

(1) in paragraph (11) by striking ''State or Indian tribe'' and inserting ''State, regional district, or Indian tribe'';

(2) by redesignating paragraphs (12) through (16) as paragraphs (13) through (17), respectively; and

(3) by inserting after paragraph (11) the following:

''(12) REGIONAL DISTRICT.—The term 'regional district' means a subdivision of a State government, or a subdivision of multiple State governments, that is authorized to acquire, construct, operate, and maintain projects for the purpose of flood damage reduction.''.

(b) INVENTORY AND INSPECTION OF LEVEES.—Section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303) is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''one year after the date of enactment of this Act'' and inserting ''1 year after the date of enactment of the Water Resources Development Act of 2016'';

(B) in paragraph (2)(A) by striking ''States, Indian tribes, Federal agencies, and other entities'' and inserting ''States, regional districts, Indian tribes, Federal agencies, and other entities''; and

(C) in paragraph (3)—

(i) in the heading for subparagraph (A) by striking ''FEDERAL, STATE, AND LOCAL'' and inserting ''FEDERAL, STATE, REGIONAL, TRIBAL, AND LOCAL''; and

(ii) in subparagraph (A) by striking ''Federal, State, and local'' and inserting ''Federal, State, regional, tribal, and local''; and

(2) in subsection (c)—

(A) in paragraph (4)—

(i) in the paragraph heading by striking ''STATE AND TRIBAL'' and inserting ''STATE, REGIONAL, AND TRIBAL''; and

(ii) by striking ''State or Indian tribe'' each place it appears and inserting ''State, regional district, or Indian tribe''; and

(B) in paragraph (5)—

(i) by striking ''State or Indian tribe'' and inserting ''State, regional district, or Indian tribe''; and

(ii) by striking ''chief executive of the tribal government'' and inserting ''chief executive of the regional district or tribal government''.

(c) LEVEE SAFETY INITIATIVE.—Section 9005 of the Water Resources Development Act of 2007 (33 U.S.C. 3303a) is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''1 year after the date of enactment of this subsection'' and inserting ''1 year after the date of enactment of the Water Resources Development Act of 2016''; and

(II) by striking ''State, local, and tribal governments and organizations'' and inserting ''State, regional, local, and tribal governments and organizations''; and

(ii) in subparagraph (A) by striking ''Federal, State, tribal, and local agencies'' and inserting

''Federal, State, regional, local, and tribal agencies'';

(B) in paragraph (3)—

(i) in subparagraph (A) by striking ''State, local, and tribal governments'' and inserting ''State, regional, local, and tribal governments''; and

(ii) in subparagraph (B) by inserting '', regional, or tribal'' after ''State'' each place it appears; and

(C) in paragraph (5)(A) by striking ''States, non-Federal interests, and other appropriate stakeholders'' and inserting ''States, regional districts, Indian tribes, non-Federal interests, and other appropriate stakeholders'';

(2) in subsection (e)(1) in the matter preceding subparagraph (A) by striking ''States, communities, and levee owners'' and inserting ''States, regional districts, Indian tribes, communities, and levee owners'';

(3) in subsection (g)—

(A) in the subsection heading by striking ''STATE AND TRIBAL'' and inserting ''STATE, REGIONAL, AND TRIBAL'';

(B) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''1 year after the date of enactment of this subsection'' and inserting ''1 year after the date of enactment of the Water Resources Development Act of 2016''; and

(II) by striking ''State or tribal'' and inserting ''State, regional, or tribal''; and

(ii) in subparagraph (B)—

(I) by striking ''State and Indian tribe'' and inserting ''State, regional district, and Indian tribe''; and

(II) by striking ''State or Indian tribe'' and inserting ''State, regional district, or Indian tribe''; and

(C) in paragraph (2)—

(i) in the paragraph heading by striking ''STATES'' and inserting ''STATES, REGIONAL DISTRICTS, AND INDIAN TRIBES'';

(ii) in subparagraph (A) by striking ''States and Indian tribes'' and inserting ''States, regional districts, and Indian tribes'';

(iii) in subparagraph (B)—

(I) in the matter preceding clause (i) by striking ''State or Indian tribe'' and inserting ''State, regional district, or Indian tribe'';

(II) in clause (ii) by striking ''levees within the State'' and inserting ''levees within the State or regional district''; and

(III) in clause (iii) by striking ''State or Indian tribe'' and inserting ''State, regional district, or Indian tribe'';

(iv) in subparagraph (C)(ii) in the matter preceding subclause (I) by striking ''State or tribal'' and inserting ''State, regional, or tribal''; and

(v) in subparagraph (E)—

(I) by striking ''States and Indian tribes'' each place it appears and inserting ''States, regional districts, and Indian tribes'';

(II) in clause (ii)(II)—

(aa) in the matter preceding item (aa) by striking ''State or Indian tribe'' and inserting ''State, regional district, or Indian tribe'';

(bb) in item (aa) by striking ''miles of levees in the State'' and inserting ''miles of levees in the State or regional district''; and

(cc) in item (bb) by striking ''miles of levees in all States'' and inserting ''miles of levees in all States and regional districts''; and

(III) in clause (iii)—

(aa) by striking ''State or Indian tribe'' and inserting ''State, regional district, or Indian tribe''; and

(bb) by striking ''State or tribal'' and inserting ''State, regional, or tribal''; and

(4) in subsection (h)—

(A) in paragraph (1) by striking ''States, Indian tribes, and local governments'' and inserting ''States, regional districts, Indian tribes, and local governments'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A) by striking ''State, Indian tribe, or local government'' and inserting ''State, regional district, Indian tribe, or local government''; and

(ii) in subparagraph (E) in the matter preceding clause (i) by striking ''State or tribal'' and inserting ''State, regional, or tribal'';

(C) in paragraph (3)—

(i) in subparagraph (A) by striking ''State, Indian tribe, or local government'' and inserting ''State, regional district, Indian tribe, or local government''; and

(ii) in subparagraph (D) by striking ''180 days after the date of enactment of this subsection'' and inserting ''180 days after the date of enactment of the Water Resources Development Act of 2016''; and

(D) in paragraph (4)(A)(i) by striking ''State or tribal'' and inserting ''State, regional, or tribal''.

(d) REPORTS.—Section 9006 of the Water Resources Development Act of 2007 (33 U.S.C. 3303b) is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A) by striking ''1 year after the date of enactment of this subsection'' and inserting ''1 year after the date of enactment of the Water Resources Development Act of 2016''; and

(B) in subparagraph (B) by striking ''State and tribal'' and inserting ''State, regional, and tribal'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''2 years after the date of enactment of this subsection'' and inserting ''2 years after the date of enactment of the Water Resources Development Act of 2016''; and

(ii) by striking ''State, tribal, and local'' and inserting ''State, regional, tribal, and local'';

(B) in paragraph (2) by striking ''State and tribal'' and inserting ''State, regional, and tribal''; and

(C) in paragraph (4) by striking ''State and local'' and inserting ''State, regional, tribal, and local''; and

(3) in subsection (d)—

(A) in the matter preceding paragraph (1) by striking ''1 year after the date of enactment of this subsection'' and inserting ''1 year after the date of enactment of the Water Resources Development Act of 2016''; and

(B) in paragraph (2) by striking ''State or tribal'' and inserting ''State, regional, or tribal''.

SEC. 129. PARTICIPATION OF NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting ''and, as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602), a Native village, Regional Corporation, and Village Corporation'' after ''Indian tribe''.

SEC. 130. INDIAN TRIBES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) in the section heading by inserting ''**AND INDIAN TRIBES**'' after ''**TERRITORIES**''; and

(2) in subsection (a)—

(A) by striking ''projects in American'' and inserting ''projects—

''(1) in American'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(2) for a federally recognized Indian tribe.''.

SEC. 131. DISSEMINATION OF INFORMATION ON THE ANNUAL REPORT PROCESS.

(a) FINDINGS.—Congress finds the following:

(1) Congress plays a central role in identifying, prioritizing, and authorizing vital water resources infrastructure activities throughout the United States.

(2) The Water Resources Reform and Development Act of 2014 (Public Law 113–121) established a new and transparent process to review and prioritize the water resources development activities of the Corps of Engineers with strong congressional oversight.

(3) Section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) requires the Secretary to develop and submit to Congress each year a Report to Congress on Future Water Resources Development and, as part of the annual report process, to—

(A) publish a notice in the Federal Register that requests from non-Federal interests proposed feasibility studies and proposed modifications to authorized water resources development projects and feasibility studies for inclusion in the report; and

(B) review the proposals submitted and include in the report those proposed feasibility studies and proposed modifications that meet the criteria for inclusion established under section 7001.

(4) Congress will use the information provided in the annual Report to Congress on Future Water Resources Development to determine authorization needs and priorities for purposes of water resources development legislation.

(5) To ensure that Congress can gain a thorough understanding of the water resources development needs and priorities of the United States, it is important that the Secretary take sufficient steps to ensure that non-Federal interests are made aware of the new annual report process, including the need for non-Federal interests to submit proposals during the Secretary's annual request for proposals in order for such proposals to be eligible for consideration by Congress.

(b) DISSEMINATION OF PROCESS INFORMATION.—The Secretary shall develop, support, and implement education and awareness efforts for non-Federal interests with respect to the annual Report to Congress on Future Water Resources Development required under section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d), including efforts to—

(1) develop and disseminate technical assistance materials, seminars, and guidance on the annual process as it relates to non-Federal interests;

(2) provide written notice to previous and potential non-Federal interests and local elected officials on the annual process and on opportunities to address local water resources challenges through the missions and authorities of the Corps of Engineers;

(3) issue guidance for non-Federal interests to assist such interests in developing proposals for water resources development projects that satisfy the requirements of section 7001; and

(4) provide, at the request of a non-Federal interest, assistance with researching and identifying existing project authorizations and Corps of Engineers decision documents.

SEC. 132. SCOPE OF PROJECTS.

Section 7001(f) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d(f)) is amended by adding at the end the following:

''(5) WATER RESOURCES DEVELOPMENT PROJECT.—The term 'water resources development project' includes a project under an environmental infrastructure assistance program.''.

SEC. 133. PRELIMINARY FEASIBILITY STUDY ACTIVITIES.

At the request of a non-Federal interest with respect to a proposed water resources development project, the Secretary shall meet with the non-Federal interest, prior to initiating a feasibility study relating to the proposed project, to review a preliminary analysis of the Federal interest in the proposed project and the costs, benefits, and environmental impacts of the proposed project, including an estimate of the costs of preparing a feasibility report.

SEC. 134. POST-AUTHORIZATION CHANGE REPORTS.

(a) IN GENERAL.—The completion of a post-authorization change report prepared by the Corps of Engineers for a water resources development project—

(1) may not be delayed as a result of consideration being given to changes in policy or priority with respect to project consideration; and

(2) shall be submitted, upon completion, to—

(A) the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(b) COMPLETION REVIEW.—With respect to a post-authorization change report subject to review by the Secretary, the Secretary shall, not later than 120 days after the date of completion of such report—

(1) review the report; and

(2) provide to Congress any recommendations of the Secretary regarding modification of the applicable water resources development project.

(c) PRIOR REPORTS.—Not later than 120 days after the date of enactment of this Act, with respect to any post-authorization change report that was completed prior to the date of enactment of this Act and is subject to a review by the Secretary that has yet to be completed, the Secretary shall complete review of, and provide recommendations to Congress with respect to, the report.

(d) POST-AUTHORIZATION CHANGE REPORT INCLUSIONS.—In this section, the term ''post-authorization change report'' includes—

(1) a general reevaluation report;

(2) a limited reevaluation report; and

(3) any other report that recommends the modification of an authorized water resources development project.

SEC. 135. MAINTENANCE DREDGING DATA.

(a) IN GENERAL.—The Secretary shall establish, maintain, and make publicly available a database on maintenance dredging carried out by the Secretary, which shall include information on maintenance dredging carried out by Federal and non-Federal vessels.

(b) SCOPE.—The Secretary shall include in the database maintained under subsection (a), for each maintenance dredging project and contract, data on—

(1) the volume of dredged material removed;

(2) the initial cost estimate of the Corps of Engineers;

(3) the total cost;

(4) the party and vessel carrying out the work; and

(5) the number of private contractor bids received and the bid amounts, including bids that did not win the final contract award.

SEC. 136. ELECTRONIC SUBMISSION AND TRACKING OF PERMIT APPLICATIONS.

(a) IN GENERAL.—Section 2040 of the Water Resources Development Act of 2007 (33 U.S.C. 2345) is amended to read as follows:

''SEC. 2040. ELECTRONIC SUBMISSION AND TRACKING OF PERMIT APPLICATIONS.

''(a) DEVELOPMENT OF ELECTRONIC SYSTEM.—

''(1) IN GENERAL.—The Secretary shall research, develop, and implement an electronic system to allow the electronic preparation and submission of applications for permits and requests for jurisdictional determinations under the jurisdiction of the Secretary.

''(2) INCLUSION.—The electronic system required under paragraph (1) shall address—

''(A) applications for standard individual permits;

''(B) applications for letters of permission;

''(C) joint applications with States for State and Federal permits;

''(D) applications for emergency permits;

''(E) applications or requests for jurisdictional determinations; and

''(F) preconstruction notification submissions, when required for a nationwide or other general permit.

''(3) IMPROVING EXISTING DATA SYSTEMS.—The Secretary shall seek to incorporate the electronic system required under paragraph (1) into existing systems and databases of the Corps of Engineers to the maximum extent practicable.

''(4) PROTECTION OF INFORMATION.—The electronic system required under paragraph (1) shall provide for the protection of personal, private, privileged, confidential, and proprietary information, and information the disclosure of which is otherwise prohibited by law.

''(b) SYSTEM REQUIREMENTS.—The electronic system required under subsection (a) shall—

''(1) enable an applicant or requester to prepare electronically an application for a permit or request;

''(2) enable an applicant or requester to submit to the Secretary, by email or other means through the Internet, the completed application form or request;

''(3) enable an applicant or requester to submit to the Secretary, by email or other means through the Internet, data and other information in support of the permit application or request;

''(4) provide an online interactive guide to provide assistance to an applicant or requester at any time while filling out the permit application or request; and

''(5) enable an applicant or requester (or a designated agent) to track the status of a permit application or request in a manner that will—

''(A) allow the applicant or requester to determine whether the application is pending or final and the disposition of the request;

''(B) allow the applicant or requester to research previously submitted permit applications and requests within a given geographic area and the results of such applications or requests; and

''(C) allow identification and display of the location of the activities subject to a permit or request through a map-based interface.

''(c) DOCUMENTATION.—All permit decisions and jurisdictional determinations made by the Secretary shall be in writing and include documentation supporting the basis for the decision or determination. The Secretary shall prescribe means for documenting all decisions or determinations to be made by the Secretary.

''(d) RECORD OF DETERMINATIONS.—

''(1) IN GENERAL.—The Secretary shall maintain, for a minimum of 5 years, a record of all permit decisions and jurisdictional determinations made by the Secretary, including documentation supporting the basis of the decisions and determinations.

''(2) ARCHIVING OF INFORMATION.—The Secretary shall explore and implement an appropriate mechanism for archiving records of permit decisions and jurisdictional determinations, including documentation supporting the basis of the decisions and determinations, after the 5-year maintenance period described in paragraph (1).

''(e) AVAILABILITY OF DETERMINATIONS.—

''(1) IN GENERAL.—The Secretary shall make the records of all permit decisions and jurisdictional determinations made by the Secretary available to the public for review and reproduction.

''(2) PROTECTION OF INFORMATION.—The Secretary shall provide for the protection of personal, private, privileged, confidential, and proprietary information, and information the disclosure of which is prohibited by law, which may be excluded from disclosure.

''(f) DEADLINE FOR ELECTRONIC SYSTEM IMPLEMENTATION.—

''(1) IN GENERAL.—The Secretary shall develop and implement, to the maximum extent practicable, the electronic system required under subsection (a) not later than 2 years after the date of enactment of the Water Resources Development Act of 2016.

''(2) REPORT ON ELECTRONIC SYSTEM IMPLEMENTATION.—Not later than 180 days after the expiration of the deadline under paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the measures implemented and barriers faced in carrying out this section.

''(g) APPLICABILITY.—The requirements described in subsections (c), (d), and (e) shall apply to permit applications and requests for jurisdictional determinations submitted to the Secretary after the date of enactment of the Water Resources Development Act of 2016.

''(h) LIMITATION.—This section shall not preclude the submission to the Secretary, acting through the Chief of Engineers, of a physical copy of a permit application or a request for a jurisdictional determination.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Water Resources Development Act of 2007 is amended by striking the item relating to section 2040 and inserting the following:

''Sec. 2040. Electronic submission and tracking of permit applications.''.

SEC. 137. DATA TRANSPARENCY.

Section 2017 of the Water Resources Development Act of 2007 (33 U.S.C. 2342) is amended to read as follows:

''SEC. 2017. ACCESS TO WATER RESOURCE DATA.

''(a) IN GENERAL.—Using available funds, the Secretary shall make publicly available, including on the Internet, all data in the custody of the Corps of Engineers on—

''(1) the planning, design, construction, operation, and maintenance of water resources development projects; and

''(2) water quality and water management of projects owned, operated, or managed by the Corps of Engineers.

''(b) LIMITATION.—Nothing in this section may be construed to compel or authorize the disclosure of data or other information determined by the Secretary to be confidential information, privileged information, law enforcement information, national security information, infrastructure security information, personal information, or information the disclosure of which is otherwise prohibited by law.

''(c) TIMING.—The Secretary shall ensure that data is made publicly available under subsection (a) as quickly as practicable after the data is generated by the Corps of Engineers.

''(d) PARTNERSHIPS.—In carrying out this section, the Secretary may develop partnerships, including through cooperative agreements, with State, tribal, and local governments and other Federal agencies.''.

SEC. 138. BACKLOG PREVENTION.

(a) PROJECT DEAUTHORIZATION.—

(1) IN GENERAL.—A water resources development project, or separable element of such a project, authorized for construction by this Act shall not be authorized after the last day of the 7-year period beginning on the date of enactment of this Act unless funds have been obligated for construction of such project during that period.

(2) IDENTIFICATION OF PROJECTS.—Not later than 60 days after the expiration of the 7-year period referred to in paragraph (1), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies the projects deauthorized under paragraph (1).

(b) REPORT TO CONGRESS.—Not later than 60 days after the expiration of the 12-year period beginning on the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, and make available to the public, a report that contains—

(1) a list of any water resources development projects authorized by this Act for which construction has not been completed during that period;

(2) a description of the reasons the projects were not completed;

(3) a schedule for the completion of the projects based on expected levels of appropriations; and

(4) a 5-year and 10-year projection of construction backlog and any recommendations to

Congress regarding how to mitigate current problems and the backlog.

SEC. 139. QUALITY CONTROL.

(a) IN GENERAL.—Paragraph (a) of the first section of the Act of December 22, 1944 (58 Stat. 888, chapter 665; 33 U.S.C. 701–1(a)), is amended by inserting ''and shall be made publicly available'' before the period at the end.

(b) PROJECT ADMINISTRATION.—Section 2041(b)(1) of the Water Resources Development Act of 2007 (33 U.S.C. 2346(b)(1)) is amended by inserting ''final post-authorization change report,'' after ''final reevaluation report,''.

SEC. 140. BUDGET DEVELOPMENT AND PRIORITIZATION.

(a) IN GENERAL.—In conjunction with the President's budget submission to Congress with respect to fiscal year 2018 under section 1105(a) of title 31, United States Code, and biennially thereafter in conjunction with the President's budget submission, the Secretary shall submit to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that describes—

(1) the metrics used in developing the civil works budget for the applicable fiscal year;

(2) the metrics used in developing each business line in the civil works budget; and

(3) how projects are prioritized in the applicable budget submission, including how the Secretary determines those projects for which construction initiation is recommended.

(b) NOTIFICATION.—

(1) REQUIREMENT.—If the Secretary proposes a covered revised budget estimate, the Secretary shall notify, in writing, each Member of Congress representing a congressional district affected by the study, project, or activity subject to the revised estimate.

(2) COVERED REVISED BUDGET ESTIMATE DEFINED.—In this subsection, the term ''covered revised budget estimate'' means a budget estimate for a water resources development study, project, or activity that differs from the estimate most recently specified for that study, project, or activity in a budget of the President submitted under section 1105(a) of title 31, United States Code.

SEC. 141. USE OF NATURAL AND NATURE-BASED FEATURES.

(a) REPORT.—Not later than February 1, 2017, and biennially thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the use of natural and nature-based features in water resources development projects, including flood risk reduction, coastal resiliency, and ecosystem restoration projects.

(b) CONTENTS.—The report shall include, at a minimum, the following:

(1) An assessment of the observed and potential impacts of the use of natural and nature-based features on the cost and effectiveness of water resources development projects and any co-benefits resulting from the use of such features.

(2) A description of any statutory, fiscal, or regulatory barrier to the appropriate consideration and use of natural and nature-based features in carrying out water resources development projects.

SEC. 142. ANNUAL REPORT ON PURCHASE OF FOREIGN MANUFACTURED ARTICLES.

Section 213(a) of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4831) is amended by adding at the end the following:

''(4) ANNUAL REPORT ON PURCHASE OF FOREIGN MANUFACTURED ARTICLES.—

''(A) IN GENERAL.—Not later than 90 days after the last day of each fiscal year, the Secretary shall submit to Congress a report on the amount of acquisitions in such fiscal year made by the Corps of Engineers for civil works projects from entities that manufactured the articles, materials, or supplies outside of the United States.

''(B) CONTENTS.—The report required under subparagraph (A) shall indicate, for each acquisition—

''(i) the dollar value of any articles, materials, or supplies purchased that were manufactured outside of the United States; and

''(ii) a summary of the total procurement funds spent on goods manufactured in the United States and the total procurement funds spent on goods manufactured outside of the United States.

''(C) PUBLIC AVAILABILITY.—Not later than 30 days after the submission of a report under subparagraph (A), the Secretary shall make such report publicly available on the agency's Web site.''.

SEC. 143. INTEGRATED WATER RESOURCES PLANNING.

In carrying out a feasibility study for a water resources development project, the Secretary shall coordinate with communities in the watershed covered by such study to determine if a local or regional water management plan exists or is under development for the purposes of stormwater management, water quality improvement, aquifer recharge, or water reuse. If such a local or regional water management plan exists for the watershed, the Secretary shall, in cooperation with the non-Federal sponsor for the plan and affected local public entities, avoid adversely affecting the purposes of the plan and, where feasible, incorporate the purposes of the plan into the Secretary's feasibility study.

SEC. 144. EVALUATION OF PROJECT PARTNERSHIP AGREEMENTS.

To the maximum extent practicable, the Secretary shall prioritize and complete the activities required of the Secretary under section 1013 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1218).

SEC. 145. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is amended—

(1) in subsection (a)(4)(A) by striking ''Code of Federal Regulation'' and inserting ''Code of Federal Regulations''; and

(2) in subsection (f)—

(A) in paragraph (1) by striking ''2018'' and inserting ''2020''; and

(B) in paragraph (3)—

(i) by striking ''2015 through 2018'' and inserting ''2016 through 2020''; and

(ii) by striking ''2019 through 2022'' and inserting ''2021 through 2025''.

SEC. 146. ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.

Section 2105 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2243) is amended—

(1) by striking ''(25 U.S.C. 450b))'' each place it appears and inserting ''(25 U.S.C. 450b)) and Native villages, Regional Corporations, and Village Corporations (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

''(d) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary shall consult with the Secretary of Homeland Security and the Secretary of Defense to identify national security benefits associated with the Arctic deep draft port.''.

SEC. 147. INTERNATIONAL OUTREACH PROGRAM.

Section 401(a) of the Water Resources Development Act of 1992 (33 U.S.C. 2329(a)) is amended to read as follows:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Secretary may engage in activities to inform the United States of technological innovations abroad that could significantly improve water resources development in the United States.

''(2) INCLUSIONS.—Activities under paragraph (1) may include—

''(A) development, monitoring, assessment, and dissemination of information about foreign water resources projects that could significantly improve water resources development in the United States;

''(B) research, development, training, and other forms of technology transfer and exchange; and

''(C) offering technical services that cannot be readily obtained in the private sector to be incorporated into water resources projects if the costs for assistance will be recovered under the terms of each project.''.

SEC. 148. COMPREHENSIVE STUDY.

(a) IN GENERAL.—The Secretary shall conduct a comprehensive study on the flood risks for vulnerable coastal populations in areas within the boundaries of the South Atlantic Division of the Corps of Engineers.

(b) INCLUSIONS.—In carrying out the study, the Secretary shall identify—

(1) activities that warrant additional analysis by the Corps of Engineers; and

(2) institutional and other barriers to providing protection to the vulnerable coastal populations.

(c) COORDINATION.—The Secretary shall conduct the study in coordination with appropriate Federal agencies and State, local, and tribal entities to ensure consistency with related plans.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $6,000,000 to carry out this section.

SEC. 149. ALTERNATIVE MODELS FOR MANAGING INLAND WATERWAYS TRUST FUND.

(a) STUDY.—The Comptroller General of the United States shall conduct a study to analyze alternative models for managing the Inland Waterways Trust Fund, including the management of—

(1) project schedules for projects receiving assistance from the fund; and

(2) expenditures from the fund.

(b) CONTENTS.—In conducting the study, the Comptroller General shall examine, at a minimum, the costs and benefits of transferring management of the fund to a not-for-profit corporation or government-owned corporation.

(c) CONSIDERATIONS.—In assessing costs and benefits under subsection (b), the Comptroller General shall consider, among other factors—

(1) the benefits to the taxpayer;

(2) the impact on project delivery; and

(3) the impact on jobs.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study.

SEC. 150. ALTERNATIVE PROJECTS TO MAINTENANCE DREDGING.

The Secretary may enter into agreements to assume the operation and maintenance costs of an alternative project to maintenance dredging for a channel if the alternative project would lower the overall costs of maintaining the channel.

SEC. 151. FISH HATCHERIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may operate a fish hatchery for the purpose of restoring a population of fish species located in the region surrounding the fish hatchery that is listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or a similar State law.

(b) COSTS.—A non-Federal entity, a Federal agency other than the Department of Defense, or a group of non-Federal entities or such Federal agencies shall be responsible for 100 percent

of the costs associated with managing a fish hatchery for the purpose described in subsection (a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 152. ENVIRONMENTAL BANKS.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Chairperson of the Gulf Coast Ecosystem Restoration Council, with the concurrence of two-thirds of the Council, shall issue such regulations as are necessary for the establishment of procedures and processes for the use, maintenance, and oversight of environmental banks for purposes of mitigating adverse environmental impacts sustained by construction or other activities as required by law or regulation.

(b) REQUIREMENTS.—The regulations issued pursuant to subsection (a) shall—

(1) set forth procedures for certification of environmental banks, including criteria for adoption of an environmental banking instrument;

(2) provide a mechanism for the transfer of environmental credits;

(3) provide for priority certification to environmental banks that enhance the resilience of coastal resources to inundation and coastal erosion, including the restoration of resources within the scope of a project authorized for construction;

(4) ensure certification is given only to banks with secured adequate financial assurance and appropriate legally enforceable protection for restored lands or resources;

(5) stipulate conditions under which cross-crediting of environmental services may occur and provide standards for the conversion of such crediting;

(6) establish performance criteria for environmental banks;

(7) establish criteria for the operation and monitoring of environmental banks; and

(8) establish a framework whereby the purchase of credit from an environmental bank may be used to offset or satisfy past, current, or future adverse environmental impacts or liability under law to wetlands, water, wildlife, or other natural resources.

(c) CONSIDERATION.—In developing the regulations required under subsection (a), the Chairperson shall take into consideration habitat equivalency analysis.

(d) MODIFICATIONS.—The Chairperson may modify or update the regulations issued pursuant to this section, subject to appropriate consultation and public participation, provided that two-thirds of the Gulf Coast Ecosystem Restoration Council approves the modification or update.

(e) DEFINITION OF ENVIRONMENTAL BANK.—In this section, the term ''environmental bank'' means a project, project increment, or projects for purposes of restoring, creating, enhancing, or preserving natural resources in a designated site to provide for credits to offset adverse environmental impacts.

(f) SAVINGS CLAUSE.—Nothing in this section—

(1) affects the requirements of section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283); or

(2) affects the obligations or requirements of any Federal environmental law.

TITLE II—STUDIES

SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY STUDIES.

The Secretary is authorized to conduct a feasibility study for the following projects for water resources development and conservation and other purposes, as identified in the reports titled ''Report to Congress on Future Water Resources Development'' submitted to Congress on January 29, 2015, and January 29, 2016, respectively, pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress:

(1) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—Project for navigation, Ouachita-Black Rivers, Arkansas and Louisiana.

(2) CACHE CREEK SETTLING BASIN, CALIFORNIA.—Project for flood damage reduction and ecosystem restoration, Cache Creek Settling Basin, California.

(3) COYOTE VALLEY DAM, CALIFORNIA.—Project for flood damage reduction, environmental restoration, and water supply, Coyote Valley Dam, California.

(4) DEL ROSA CHANNEL, CITY OF SAN BERNARDINO, CALIFORNIA.—Project for flood damage reduction and ecosystem restoration, Del Rosa Channel, city of San Bernardino, California.

(5) MERCED COUNTY STREAMS, CALIFORNIA.—Project for flood damage reduction, Merced County Streams, California.

(6) MISSION-ZANJA CHANNEL, CITIES OF SAN BERNARDINO AND REDLANDS, CALIFORNIA.—Project for flood damage reduction and ecosystem restoration, Mission-Zanja Channel, cities of San Bernardino and Redlands, California.

(7) SOBOBA INDIAN RESERVATION, CALIFORNIA.—Project for flood damage reduction, Soboba Indian Reservation, California.

(8) INDIAN RIVER INLET, DELAWARE.—Project for hurricane and storm damage reduction, Indian River Inlet, Delaware.

(9) LEWES BEACH, DELAWARE.—Project for hurricane and storm damage reduction, Lewes Beach, Delaware.

(10) MISPILLION COMPLEX, KENT AND SUSSEX COUNTIES, DELAWARE.—Project for hurricane and storm damage reduction, Mispillion Complex, Kent and Sussex Counties, Delaware.

(11) DAYTONA BEACH, FLORIDA.—Project for flood damage reduction, Daytona Beach, Florida.

(12) BRUNSWICK HARBOR, GEORGIA.—Project for navigation, Brunswick Harbor, Georgia.

(13) DUBUQUE, IOWA.—Project for flood damage reduction, Dubuque, Iowa.

(14) ST. TAMMANY PARISH, LOUISIANA.—Project for flood damage reduction and ecosystem restoration, St. Tammany Parish, Louisiana.

(15) CATTARAUGUS CREEK, NEW YORK.—Project for flood damage reduction, Cattaraugus Creek, New York.

(16) CAYUGA INLET, ITHACA, NEW YORK.—Project for navigation and flood damage reduction, Cayuga Inlet, Ithaca, New York.

(17) DELAWARE RIVER BASIN, NEW YORK, NEW JERSEY, PENNSYLVANIA, AND DELAWARE.—Projects for flood control, Delaware River Basin, New York, New Jersey, Pennsylvania, and Delaware, authorized by section 408 of the Act of July 24, 1946 (60 Stat. 644, chapter 596), and section 203 of the Flood Control Act of 1962 (76 Stat. 1182), to review operations of the projects to enhance opportunities for ecosystem restoration and water supply.

(18) SILVER CREEK, HANOVER, NEW YORK.—Project for flood damage reduction and ecosystem restoration, Silver Creek, Hanover, New York.

(19) TULSA AND WEST TULSA LEVEES, TULSA, OKLAHOMA.—Project for flood damage reduction, Tulsa and West Tulsa Levees, Tulsa, Oklahoma.

(20) STONYCREEK AND LITTLE CONEMAUGH RIVERS, PENNSYLVANIA.—Project for flood damage reduction and recreation, Stonycreek and Little Conemaugh Rivers, Pennsylvania.

(21) TIOGA-HAMMOND LAKE, PENNSYLVANIA.—Project for ecosystem restoration, Tioga-Hammond Lake, Pennsylvania.

(22) BRAZOS RIVER, FORT BEND COUNTY, TEXAS.—Project for flood damage reduction in the vicinity of the Brazos River, Fort Bend County, Texas.

(23) CHACON CREEK, CITY OF LAREDO, TEXAS.—Project for flood damage reduction, ecosystem restoration, and recreation, Chacon Creek, city of Laredo, Texas.

(24) CORPUS CHRISTI SHIP CHANNEL, TEXAS.—Project for navigation, Corpus Christi Ship Channel, Texas.

(25) CITY OF EL PASO, TEXAS.—Project for flood damage reduction, city of El Paso, Texas.

(26) GULF INTRACOASTAL WATERWAY, BRAZORIA AND MATAGORDA COUNTIES, TEXAS.—Project for navigation and hurricane and storm damage reduction, Gulf Intracoastal Waterway, Brazoria and Matagorda Counties, Texas.

(27) PORT OF BAY CITY, TEXAS.—Project for navigation, Port of Bay City, Texas.

(28) CHINCOTEAGUE ISLAND, VIRGINIA.—Project for hurricane and storm damage reduction, navigation, and ecosystem restoration, Chincoteague Island, Virginia.

(29) BURLEY CREEK WATERSHED, KITSAP COUNTY, WASHINGTON.—Project for flood damage reduction and ecosystem restoration, Burley Creek Watershed, Kitsap County, Washington.

SEC. 202. EXPEDITED COMPLETION OF REPORTS FOR CERTAIN PROJECTS.

(a) FEASIBILITY REPORTS.—The Secretary shall expedite the completion of a feasibility study for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the project:

(1) Project for flood risk management, Little Colorado River at Winslow, Navajo County, Arizona.

(2) Project for flood risk management, Lower San Joaquin River, California. In carrying out the feasibility study for the project, the Secretary shall include Reclamation District 17 as part of the study.

(3) Project for flood risk management and ecosystem restoration, Sacramento River Flood Control System, California.

(4) Project for hurricane and storm damage risk reduction, Ft. Pierce, Florida.

(5) Project for flood risk management, Des Moines and Raccoon Rivers, Iowa.

(6) Project for navigation, Mississippi River Ship Channel, Louisiana.

(7) Project for flood risk management, North Branch Ecorse Creek, Wayne County, Michigan.

(8) Project for flood risk management, Rahway River Basin (Upper Basin), New Jersey.

(9) Project for navigation, Upper Ohio River, Pennsylvania.

(b) POST-AUTHORIZATION CHANGE REPORTS.—The Secretary shall expedite completion of a post-authorization change report for each of the following projects:

(1) Project for flood risk management, Swope Park Industrial Area, Kansas City, Missouri.

(2) Project for hurricane and storm damage risk reduction, New Hanover County, North Carolina.

TITLE III—DEAUTHORIZATIONS AND RELATED PROVISIONS

SEC. 301. DEAUTHORIZATION OF INACTIVE PROJECTS.

(a) PURPOSES.—The purposes of this section are—

(1) to identify $5,000,000,000 in water resources development projects authorized by Congress that are no longer viable for construction due to—

(A) a lack of local support;

(B) a lack of available Federal or non-Federal resources; or

(C) an authorizing purpose that is no longer relevant or feasible;

(2) to create an expedited and definitive process for Congress to deauthorize water resources development projects that are no longer viable for construction; and

(3) to allow the continued authorization of water resources development projects that are viable for construction.

(b) INTERIM DEAUTHORIZATION LIST.—

(1) IN GENERAL.—The Secretary shall develop an interim deauthorization list that identifies—

(A) each water resources development project, or separable element of a project, authorized for construction before November 8, 2007, for which—

(i) planning, design, or construction was not initiated before the date of enactment of this Act; or

(ii) planning, design, or construction was initiated before the date of enactment of this Act, but for which no funds, Federal or non-Federal, were obligated for planning, design, or construction of the project or separable element of the project during the current fiscal year or any of the 6 preceding fiscal years; and

(B) each project or separable element identified and included on a list to Congress for deauthorization pursuant to section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)).

(2) PUBLIC COMMENT AND CONSULTATION.—

(A) IN GENERAL.—The Secretary shall solicit comments from the public and the Governors of each applicable State on the interim deauthorization list developed under paragraph (1).

(B) COMMENT PERIOD.—The public comment period shall be 90 days.

(3) SUBMISSION TO CONGRESS; PUBLICATION.—Not later than 90 days after the date of the close of the comment period under paragraph (2), the Secretary shall—

(A) submit a revised interim deauthorization list to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) publish the revised interim deauthorization list in the Federal Register.

(c) FINAL DEAUTHORIZATION LIST.—

(1) IN GENERAL.—The Secretary shall develop a final deauthorization list of water resources development projects, or separable elements of projects, from the revised interim deauthorization list described in subsection (b)(3).

(2) DEAUTHORIZATION AMOUNT.—

(A) PROPOSED FINAL LIST.—The Secretary shall prepare a proposed final deauthorization list of projects and separable elements of projects that have, in the aggregate, an estimated Federal cost to complete that is at least $5,000,000,000.

(B) DETERMINATION OF FEDERAL COST TO COMPLETE.—For purposes of subparagraph (A), the Federal cost to complete shall take into account any allowances authorized by section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), as applied to the most recent project schedule and cost estimate.

(3) IDENTIFICATION OF PROJECTS.—

(A) SEQUENCING OF PROJECTS.—

(i) IN GENERAL.—The Secretary shall identify projects and separable elements of projects for inclusion on the proposed final deauthorization list according to the order in which the projects and separable elements of the projects were authorized, beginning with the earliest authorized projects and separable elements of projects and ending with the latest project or separable element of a project necessary to meet the aggregate amount under paragraph (2).

(ii) FACTORS TO CONSIDER.—The Secretary may identify projects and separable elements of projects in an order other than that established by clause (i) if the Secretary determines, on a case-by-case basis, that a project or separable element of a project is critical for interests of the United States, based on the possible impact of the project or separable element of the project on public health and safety, the national economy, or the environment.

(iii) CONSIDERATION OF PUBLIC COMMENTS.—In making determinations under clause (ii), the Secretary shall consider any comments received under subsection (b)(3).

(B) APPENDIX.—The Secretary shall include as part of the proposed final deauthorization list an appendix that—

(i) identifies each project or separable element of a project on the interim deauthorization list developed under subsection (b) that is not included on the proposed final deauthorization list; and

(ii) describes the reasons why the project or separable element is not included on the proposed final list.

(4) PUBLIC COMMENT AND CONSULTATION.—

(A) IN GENERAL.—The Secretary shall solicit comments from the public and the Governor of each applicable State on the proposed final deauthorization list and appendix developed under paragraphs (2) and (3).

(B) COMMENT PERIOD.—The public comment period shall be 90 days.

(5) SUBMISSION OF FINAL LIST TO CONGRESS; PUBLICATION.—Not later than 120 days after the date of the close of the comment period under paragraph (4), the Secretary shall—

(A) submit a final deauthorization list and an appendix to the final deauthorization list in a report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) publish the final deauthorization list and the appendix to the final deauthorization list in the Federal Register.

(d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

(1) IN GENERAL.—After the expiration of the 180-day period beginning on the date of submission of the final deauthorization list and appendix under subsection (c), a project or separable element of a project identified in the final deauthorization list is hereby deauthorized, unless Congress passes a joint resolution disapproving the final deauthorization list prior to the end of such period.

(2) NON-FEDERAL CONTRIBUTIONS.—

(A) IN GENERAL.—A project or separable element of a project identified in the final deauthorization list under subsection (c) shall not be deauthorized under this subsection if, before the expiration of the 180-day period referred to in paragraph (1), the non-Federal interest for the project or separable element of the project provides sufficient funds to complete the project or separable element of the project.

(B) TREATMENT OF PROJECTS.—Notwithstanding subparagraph (A), each project and separable element of a project identified in the final deauthorization list shall be treated as deauthorized for purposes of the aggregate deauthorization amount specified in subsection (c)(2).

(3) PROJECTS IDENTIFIED IN APPENDIX.—A project or separable element of a project identified in the appendix to the final deauthorization list shall remain subject to future deauthorization by Congress.

(e) SPECIAL RULE FOR PROJECTS RECEIVING FUNDS FOR POST-AUTHORIZATION STUDY.—A project or separable element of a project may not be identified on the interim deauthorization list developed under subsection (b), or the final deauthorization list developed under subsection (c), if the project or separable element received funding for a post-authorization study during the current fiscal year or any of the 6 preceding fiscal years.

(f) GENERAL PROVISIONS.—

(1) DEFINITIONS.—In this section, the following definitions apply:

(A) POST-AUTHORIZATION STUDY.—The term ''post-authorization study'' means—

(i) a feasibility report developed under section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282);

(ii) a feasibility study, as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d)); or

(iii) a review conducted under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a), including an initial appraisal that—

(I) demonstrates a Federal interest; and

(II) requires additional analysis for the project or separable element.

(B) WATER RESOURCES DEVELOPMENT PROJECT.—The term ''water resources development project'' includes an environmental infrastructure assistance project or program of the Corps of Engineers.

(2) TREATMENT OF PROJECT MODIFICATIONS.—For purposes of this section, if an authorized water resources development project or separable element of the project has been modified by an Act of Congress, the date of the authorization of the project or separable element shall be deemed to be the date of the most recent such modification.

SEC. 302. VALDEZ, ALASKA.

(a) IN GENERAL.—Subject to subsection (b), the portion of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to navigational servitude beginning on the date of enactment of this Act.

(b) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter upon the property referred to in subsection (a) to carry out any required operation and maintenance of the general navigation features of the project referred to in subsection (a).

SEC. 303. LOS ANGELES COUNTY DRAINAGE AREA, LOS ANGELES COUNTY, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall—

(1) prioritize the updating of the Water Control Manuals for control structures in the Los Angeles County Drainage Area, Los Angeles County, California, authorized by section 101(b) of the Water Resources Development Act of 1990 (Public Law 101–640; 104 Stat. 4611); and

(2) integrate and incorporate into the project seasonal operations for water conservation and water supply.

(b) PARTICIPATION.—The update referred to in subsection (a) shall be done in coordination with all appropriate Federal agencies, elected officials, and members of the public.

SEC. 304. SUTTER BASIN, CALIFORNIA.

(a) IN GENERAL.—The separable element constituting the locally preferred plan increment reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction in item 8 of the table contained in section 7002(2) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(b) SAVINGS PROVISIONS.—The deauthorization under subsection (a) does not affect—

(1) the national economic development plan separable element reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction in item 8 of the table contained in section 7002(2) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1366); or

(2) previous authorizations providing for the Sacramento River and major and minor tributaries project, including—

(A) section 2 of the Act of March 1, 1917 (39 Stat. 949, chapter 144);

(B) section 12 of the Act of December 22, 1944 (58 Stat. 900, chapter 665);

(C) section 204 of the Flood Control Act of 1950 (64 Stat. 177, chapter 188); and

(D) any other Acts relating to the authorization for the Sacramento River and major and minor tributaries project along the Feather River right bank between levee stationing 1483+33 and levee stationing 2368+00.

SEC. 305. ESSEX RIVER, MASSACHUSETTS.

(a) DEAUTHORIZATION.—The portions of the project for navigation, Essex River, Massachusetts, authorized by the Act of July 13, 1892 (27 Stat. 88, chapter 158), and modified by the Act of March 3, 1899 (30 Stat. 1121, chapter 425), and the Act of March 2, 1907 (34 Stat. 1073, chapter 2509), that do not lie within the areas described in subsection (b) are no longer authorized beginning on the date of enactment of this Act.

(b) DESCRIPTION OF PROJECT AREAS.—The areas described in this subsection are as follows: Beginning at a point N3056139.82 E851780.21, thence southwesterly about 156.88 feet to a point N3055997.75 E851713.67; thence southwesterly about 64.59 feet to a point N3055959.37 E851661.72; thence southwesterly about 145.14 feet to a point N3055887.10 E851535.85; thence southwesterly about 204.91 feet to a point N3055855.12 E851333.45; thence northwesterly

about 423.50 feet to a point N3055976.70 E850927.78; thence northwesterly about 58.77 feet to a point N3056002.99 E850875.21; thence northwesterly about 240.57 feet to a point N3056232.82 E850804.14; thence northwesterly about 203.60 feet to a point N3056435.41 E850783.93; thence northwesterly about 78.63 feet to a point N3056499.63 E850738.56; thence northwesterly about 60.00 feet to a point N3056526.30 E850684.81; thence southwesterly about 85.56 feet to a point N3056523.33 E850599.31; thence southwesterly about 36.20 feet to a point N3056512.37 E850564.81; thence southwesterly about 80.10 feet to a point N3056467.08 E850498.74; thence southwesterly about 169.05 feet to a point N3056334.36 E850394.03; thence northwesterly about 48.52 feet to a point N3056354.38 E850349.83; thence northeasterly about 83.71 feet to a point N3056436.35 E850366.84; thence northeasterly about 212.38 feet to a point N3056548.70 E850547.07; thence northeasterly about 47.60 feet to a point N3056563.12 E850592.43; thence northeasterly about 101.16 feet to a point N3056566.62 E850693.53; thence southeasterly about 80.22 feet to a point N3056530.97 E850765.40; thence southeasterly about 99.29 feet to a point N3056449.88 E850822.69; thence southeasterly about 210.12 feet to a point N3056240.79 E850843.54; thence southeasterly about 219.46 feet to a point N3056031.13 E850908.38; thence southeasterly about 38.23 feet to a point N3056014.02 E850942.57; thence southeasterly about 410.93 feet to a point N3055896.06 E851336.21; thence northeasterly about 188.43 feet to a point N3055925.46 E851522.33; thence northeasterly about 135.47 feet to a point N3055992.91 E851639.80; thence northeasterly about 52.15 feet to a point N3056023.90 E851681.75; thence northeasterly about 91.57 feet to a point N3056106.82 E851720.59.

SEC. 306. PORT OF CASCADE LOCKS, OREGON.

(a) EXTINGUISHMENT OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—With respect to the properties described in subsection (b), beginning on the date of enactment of this Act, the flowage easements described in subsection (c) are extinguished above elevation 82.2 feet (NGVD29), the ordinary high water line.

(b) AFFECTED PROPERTIES.—The properties described in this subsection, as recorded in Hood River County, Oregon, are as follows:

(1) Lots 3, 4, 5, and 7 of the ''Port of Cascade Locks Business Park'' subdivision, Instrument Number 2014–00436.

(2) Parcels 1, 2, and 3 of Hood River County Partition, Plat Number 2008–25P.

(c) FLOWAGE EASEMENTS.—The flowage easements described in this subsection are identified as Tracts 302E–1 and 304E–1 on the easement deeds recorded as instruments in Hood River County, Oregon, and described as follows:

(1) A flowage easement dated October 3, 1936, recorded December 1, 1936, book 25, page 531 (Records of Hood River County, Oregon), in favor of the United States (302E–1–Perpetual Flowage Easement from 10/5/37, 10/5/36, and 10/3/36; previously acquired as Tracts OH–36 and OH–41 and a portion of Tract OH–47).

(2) A flowage easement dated October 5, 1936, recorded October 17, 1936, book 25, page 476 (Records of Hood River County, Oregon), in favor of the United States, affecting that portion below the 94-foot contour line above main sea level (304 E1–Perpetual Flowage Easement from 8/10/37 and 10/3/36; previously acquired as Tract OH–042 and a portion of Tract OH–47).

(d) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, AND OTHER REGULATORY REVIEWS.—

(1) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the extinguishment of an easement under this section.

(2) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this section establishes any cultural or environmental regulation relating to the properties described in subsection (b).

(e) EFFECT ON OTHER RIGHTS.—Nothing in this section affects any remaining right or interest of the Corps of Engineers in the properties described in subsection (b).

SEC. 307. CENTRAL DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA.

(a) AREA TO BE DECLARED NONNAVIGABLE.—Subject to subsection (c), unless the Secretary finds, after consultation with local and regional public officials (including local and regional public planning organizations), that there are substantive objections, those portions of the Delaware River, bounded by the former bulkhead and pierhead lines that were established by the Secretary of War and successors and described as follows, are declared to be nonnavigable waters of the United States:

(1) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61–63, 60, 57, 55, 53, 48, 46, 40, and 38.

(2) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: Piers 24, 25, 27–35, 35.5, 36, 37, 38, 39, 49, 51–52, 53–57, 58–65, 66, 67, 69, 70–72, and Rivercenter.

(b) PUBLIC INTEREST DETERMINATION.—The Secretary shall make the public interest determination under subsection (a) separately for each proposed project to be undertaken within the boundaries described in subsection (a), using reasonable discretion, not later than 150 days after the date of submission of appropriate plans for the proposed project.

(c) LIMITS ON APPLICABILITY; REGULATORY REQUIREMENTS.—The declaration under subsection (a) shall apply only to those parts of the areas described in subsection (a) that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina and recreation facilities. All such work is subject to all applicable Federal statutes and regulations, including sections 9 and 10 of the Act of March 3, 1899 (30 Stat. 1151, chapter 425; 33 U.S.C. 401 and 403), section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 308. HUNTINGDON COUNTY, PENNSYLVANIA.

(a) IN GENERAL.—The Secretary shall—

(1) prioritize the updating of the Master Plan for the Juniata River and tributaries project, Huntingdon County, Pennsylvania, authorized by section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1182); and

(2) ensure that alternatives for additional recreation access and development at the project are fully assessed, evaluated, and incorporated as a part of the update.

(b) PARTICIPATION.—The update referred to in subsection (a) shall be done in coordination with all appropriate Federal agencies, elected officials, and members of the public.

SEC. 309. RIVERCENTER, PHILADELPHIA, PENNSYLVANIA.

Section 38(c) of the Water Resources Development Act of 1988 (33 U.S.C. 59j–1(c)) is amended—

(1) by striking ''(except 30 years from such date of enactment, in the case of the area or any part thereof described in subsection (a)(5))''; and

(2) by adding at the end the following: ''Notwithstanding the preceding sentence, the declaration of nonnavigability for the area described in subsection (a)(5), or any part thereof, shall not expire.''.

SEC. 310. JOE POOL LAKE, TEXAS.

The Secretary shall accept from the Trinity River Authority of Texas, if received by September 30, 2016, $31,233,401 as payment in full of amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article 5.a. (relating to project investment costs) of contract number DACW63–76–C–0106, as of the date of enactment of this Act.

SEC. 311. SALT CREEK, GRAHAM, TEXAS.

(a) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 278), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(b) CERTAIN PROJECT-RELATED CLAIMS.—The non-Federal interest for the project shall hold and save the United States harmless from any claim that has arisen, or that may arise, in connection with the project.

(c) TRANSFER.—The Secretary is authorized to transfer any land acquired by the Federal Government for the project on behalf of the non-Federal interest that remains in Federal ownership on or after the date of enactment of this Act to the non-Federal interest.

(d) REVERSION.—If the Secretary determines that land transferred under subsection (c) ceases to be owned by the public, all right, title, and interest in and to the land and improvements thereon shall revert, at the discretion of the Secretary, to the United States.

SEC. 312. TEXAS CITY SHIP CHANNEL, TEXAS CITY, TEXAS.

(a) IN GENERAL.—The portion of the Texas City Ship Channel, Texas City, Texas, described in subsection (b) shall not be subject to navigational servitude beginning on the date of enactment of this Act.

(b) DESCRIPTION.—The portion of the Texas City Ship Channel described in this subsection is a tract or parcel containing 393.53 acres (17,142,111 square feet) of land situated in the City of Texas City Survey, Abstract Number 681, and State of Texas Submerged Lands Tracts 98A and 99A, Galveston County, Texas, said 393.53 acre tract being more particularly described as follows:

(1) Beginning at the intersection of an edge of fill along Galveston Bay with the most northerly east survey line of said City of Texas City Survey, Abstract No. 681, the same being a called 375.75 acre tract patented by the State of Texas to the City of Texas City and recorded in Volume 1941, Page 750 of the Galveston County Deed Records (G.C.D.R.), from which a found U.S. Army Corps of Engineers Brass Cap stamped ''R 4–3'' set in the top of the Texas City Dike along the east side of Bay Street bears North 56° 14′ 32″ West, a distance of 6,045.31 feet and from which a found U.S. Army Corps of Engineers Brass Cap stamped ''R 4–2'' set in the top of the Texas City Dike along the east side of Bay Street bears North 49° 13′ 20″ West, a distance of 6,693.64 feet.

(2) Thence, over and across said State Tracts 98A and 99A and along the edge of fill along said Galveston Bay, the following eight (8) courses and distances:

(A) South 75° 49′ 13″ East, a distance of 298.08 feet to an angle point of the tract herein described.

(B) South 81° 16′ 26″ East, a distance of 170.58 feet to an angle point of the tract herein described.

(C) South 79° 20′ 31″ East, a distance of 802.34 feet to an angle point of the tract herein described.

(D) South 75° 57′ 32″ East, a distance of 869.68 feet to a point for the beginning of a non-tangent curve to the right.

(E) Easterly along said non-tangent curve to the right having a radius of 736.80 feet, a central angle of 24° 55′ 59″, a chord of South 68° 47′

35″ East – 318.10 feet, and an arc length of 320.63 feet to a point for the beginning of a non-tangent curve to the left.

(F) Easterly along said non-tangent curve to the left having a radius of 373.30 feet, a central angle of 31° 57′ 42″, a chord of South 66° 10′ 42″ East – 205.55 feet, and an arc length of 208.24 feet to a point for the beginning of a non-tangent curve to the right.

(G) Easterly along said non-tangent curve to the right having a radius of 15,450.89 feet, a central angle of 02° 04′ 10″, a chord of South 81° 56′ 20″ East – 558.04 feet, and an arc length of 558.07 feet to a point for the beginning of a compound curve to the right and the northeasterly corner of the tract herein described.

(H) Southerly along said compound curve to the right and the easterly line of the tract herein described, having a radius of 1,425.00 feet, a central angle of 133° 08′ 00″, a chord of South 14° 20′ 15″ East – 2,614.94 feet, and an arc length of 3,311.15 feet to a point on a line lying 125.00 feet northerly of and parallel with the centerline of an existing levee for the southeasterly corner of the tract herein described.

(3) Thence, continuing over and across said State Tracts 98A and 99A and along lines lying 125.00 feet northerly of, parallel, and concentric with the centerline of said existing levee, the following twelve (12) courses and distances:

(A) North 78° 01′ 58″ West, a distance of 840.90 feet to an angle point of the tract herein described.

(B) North 76° 58′ 35″ West, a distance of 976.66 feet to an angle point of the tract herein described.

(C) North 76° 44′ 33″ West, a distance of 1,757.03 feet to a point for the beginning of a tangent curve to the left.

(D) Southwesterly, along said tangent curve to the left having a radius of 185.00 feet, a central angle of 82° 27′ 32″, a chord of South 62° 01′ 41″ West – 243.86 feet, and an arc length of 266.25 feet to a point for the beginning of a compound curve to the left.

(E) Southerly, along said compound curve to the left having a radius of 4,535.58 feet, a central angle of 11° 06′ 58″, a chord of South 15° 14′ 26″ West – 878.59 feet, and an arc length of 879.97 feet to an angle point of the tract herein described.

(F) South 64° 37′ 11″ West, a distance of 146.03 feet to an angle point of the tract herein described.

(G) South 67° 08′ 21″ West, a distance of 194.42 feet to an angle point of the tract herein described.

(H) North 34° 48′ 22″ West, a distance of 789.69 feet to an angle point of the tract herein described.

(I) South 42° 47′ 10″ West, a distance of 161.01 feet to an angle point of the tract herein described.

(J) South 42° 47′ 10″ West, a distance of 144.66 feet to a point for the beginning of a tangent curve to the right.

(K) Westerly, along said tangent curve to the right having a radius of 310.00 feet, a central angle of 59° 50′ 28″, a chord of South 72° 42′ 24″ West – 309.26 feet, and an arc length of 323.77 feet to an angle point of the tract herein described.

(L) North 77° 22′ 21″ West, a distance of 591.41 feet to the intersection of said parallel line with the edge of fill adjacent to the easterly edge of the Texas City Turning Basin for the southwesterly corner of the tract herein described, from which a found U.S. Army Corps of Engineers Brass Cap stamped ''SWAN 2'' set in the top of a concrete column set flush in the ground along the north bank of Swan Lake bears South 20° 51′ 58″ West, a distance of 4,862.67 feet.

(4) Thence, over and across said City of Texas City Survey and along the edge of fill adjacent to the easterly edge of said Texas City Turning Basin, the following eighteen (18) courses and distances:

(A) North 01° 34′ 19″ East, a distance of 57.40 feet to an angle point of the tract herein described.

(B) North 05° 02′ 13″ West, a distance of 161.85 feet to an angle point of the tract herein described.

(C) North 06° 01′ 56″ East, a distance of 297.75 feet to an angle point of the tract herein described.

(D) North 06° 18′ 07″ West, a distance of 71.33 feet to an angle point of the tract herein described.

(E) North 07° 21′ 09″ West, a distance of 122.45 feet to an angle point of the tract herein described.

(F) North 26° 41′ 15″ West, a distance of 46.02 feet to an angle point of the tract herein described.

(G) North 01° 31′ 59″ West, a distance of 219.78 feet to an angle point of the tract herein described.

(H) North 15° 54′ 07″ West, a distance of 104.89 feet to an angle point of the tract herein described.

(I) North 04° 00′ 34″ East, a distance of 72.94 feet to an angle point of the tract herein described.

(J) North 06° 46′ 38″ West, a distance of 78.89 feet to an angle point of the tract herein described.

(K) North 12° 07′ 59″ West, a distance of 182.79 feet to an angle point of the tract herein described.

(L) North 20° 50′ 47″ West, a distance of 105.74 feet to an angle point of the tract herein described.

(M) North 02° 02′ 04″ West, a distance of 184.50 feet to an angle point of the tract herein described.

(N) North 08° 07′ 11″ East, a distance of 102.23 feet to an angle point of the tract herein described.

(O) North 08° 16′ 00″ West, a distance of 213.45 feet to an angle point of the tract herein described.

(P) North 03° 15′ 16″ West, a distance of 336.45 feet to a point for the beginning of a non-tangent curve to the left.

(Q) Northerly along said non-tangent curve to the left having a radius of 896.08 feet, a central angle of 14° 00′ 05″, a chord of North 09° 36′ 03″ West – 218.43 feet, and an arc length of 218.97 feet to a point for the beginning of a non-tangent curve to the right.

(R) Northerly along said non-tangent curve to the right having a radius of 483.33 feet, a central angle of 19° 13′ 34″, a chord of North 13° 52′ 03″ East – 161.43 feet, and an arc length of 162.18 feet to a point for the northwesterly corner of the tract herein described.

(5) Thence, continuing over and across said City of Texas City Survey, and along the edge of fill along said Galveston Bay, the following fifteen (15) courses and distances:

(A) North 30° 45′ 02″ East, a distance of 189.03 feet to an angle point of the tract herein described.

(B) North 34° 20′ 49″ East, a distance of 174.16 feet to a point for the beginning of a non-tangent curve to the right.

(C) Northeasterly along said non-tangent curve to the right having a radius of 202.01 feet, a central angle of 25° 53′ 37″, a chord of North 33° 14′ 58″ East – 90.52 feet, and an arc length of 91.29 feet to a point for the beginning of a non-tangent curve to the left.

(D) Northeasterly along said non-tangent curve to the left having a radius of 463.30 feet, a central angle of 23° 23′ 57″, a chord of North 48° 02′ 53″ East – 187.90 feet, and an arc length of 189.21 feet to a point for the beginning of a non-tangent curve to the right.

(E) Northeasterly along said non-tangent curve to the right having a radius of 768.99 feet, a central angle of 16° 24′ 19″, a chord of North 43° 01′ 40″ East – 219.43 feet, and an arc length of 220.18 feet to an angle point of the tract herein described.

(F) North 38° 56′ 50″ East, a distance of 126.41 feet to an angle point of the tract herein described.

(G) North 42° 59′ 50″ East, a distance of 128.28 feet to a point for the beginning of a non-tangent curve to the right.

(H) Northerly along said non-tangent curve to the right having a radius of 151.96 feet, a central angle of 68° 36′ 31″, a chord of North 57° 59′ 42″ East – 171.29 feet, and an arc length of 181.96 feet to a point for the most northerly corner of the tract herein described.

(I) South 77° 14′ 49″ East, a distance of 131.60 feet to an angle point of the tract herein described.

(J) South 84° 44′ 18″ East, a distance of 86.58 feet to an angle point of the tract herein described.

(K) South 58° 14′ 45″ East, a distance of 69.62 feet to an angle point of the tract herein described.

(L) South 49° 44′ 51″ East, a distance of 149.00 feet to an angle point of the tract herein described.

(M) South 44° 47′ 21″ East, a distance of 353.77 feet to a point for the beginning of a non-tangent curve to the left.

(N) Easterly along said non-tangent curve to the left having a radius of 253.99 feet, a central angle of 98° 53′ 23″, a chord of South 83° 28′ 51″ East – 385.96 feet, and an arc length of 438.38 feet to an angle point of the tract herein described.

(O) South 75° 49′ 13″ East, a distance of 321.52 feet to the point of beginning and containing 393.53 acres (17,142,111 square feet) of land.

TITLE IV—WATER RESOURCES INFRASTRUCTURE

SEC. 401. PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes, as identified in the reports titled ''Report to Congress on Future Water Resources Development'' submitted to Congress on January 29, 2015, and January 29, 2016, respectively, pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress, are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	Nov. 3, 2014	Federal: $116,116,000 Non-Federal: $88,471,000 Total: $204,587,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
2. LA	Calcasieu Lock	Dec. 2, 2014	Total: $16,700,000 (to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund)
3. NH, ME	Portsmouth Harbor and Piscataqua River	Feb. 8, 2015	Federal: $15,580,000 Non-Federal: $5,190,000 Total: $20,770,000
4. FL	Port Everglades	Jun. 25, 2015	Federal: $220,200,000 Non-Federal: $102,500,000 Total: $322,700,000
5. AK	Little Diomede Harbor	Aug. 10, 2015	Federal: $26,015,000 Non-Federal: $2,945,000 Total: $28,960,000
6. SC	Charleston Harbor	Sep. 8, 2015	Federal: $224,300,000 Non-Federal: $269,000,000 Total: $493,300,000
7. AK	Craig Harbor	March 16, 2016	Federal: $29,062,000 Non-Federal: $3,255,000 Total: $32,317,000.

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Leon Creek Watershed	Jun. 30, 2014	Federal: $18,314,000 Non-Federal: $9,861,000 Total: $28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas Citys	Jan. 27, 2015	Federal: $207,036,000 Non-Federal: $111,481,000 Total: $318,517,000
3. KS	City of Manhattan	Apr. 30, 2015	Federal: $15,440,100 Non-Federal: $8,313,900 Total: $23,754,000
4. TN	Mill Creek	Oct. 16, 2015	Federal: $17,759,000 Non-Federal: $10,745,000 Total: $28,504,000
5. KS	Upper Turkey Creek Basin	Dec. 22, 2015	Federal: $24,584,000 Non-Federal: $13,238,000 Total: $37,822,000
6. NC	Princeville	Feb. 23, 2016	Federal: $14,001,000 Non-Federal: $7,539,000 Total: $21,540,000
7. CA	American River Common Features	Apr. 26, 2016	Federal: $876,478,000 Non-Federal: $689,272,000 Total: $1,565,750,000
8. CA	West Sacramento	Apr. 26, 2016	Federal: $776,517,000 Non-Federal: $414,011,000 Total: $1,190,528,000.

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. SC	Colleton County	Sep. 5, 2014	Initial Federal: $13,733,850 Initial Non-Federal: $7,395,150 Initial Total: $21,129,000 Renourishment Federal: $16,371,000 Renourishment Non-Federal: $16,371,000 Renourishment Total: $32,742,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
2. FL	Flagler County	Dec. 23, 2014	Initial Federal: $9,218,300 Initial Non-Federal: $4,963,700 Initial Total: $14,182,000 Renourishment Federal: $15,390,000 Renourishment Non-Federal: $15,390,000 Renourishment Total: $30,780,000
3. NC	Carteret County	Dec. 23, 2014	Initial Federal: $24,263,000 Initial Non-Federal: $13,064,000 Initial Total: $37,327,000 Renourishment Federal: $114,728,000 Renourishment Non-Federal: $114,728,000 Renourishment Total: $229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, Cape May County	Jan. 23, 2015	Initial Federal: $14,040,000 Initial Non-Federal: $7,560,000 Initial Total: $21,600,000 Renourishment Federal: $41,215,000 Renourishment Non-Federal: $41,215,000 Renourishment Total: $82,430,000
5. LA	West Shore Lake Pontchartrain	Jun. 12, 2015	Federal: $466,760,000 Non-Federal: $251,330,000 Total: $718,090,000
6. CA	San Diego County	Apr. 26, 2016	Initial Federal: $20,166,000 Initial Non-Federal: $10,858,000 Initial Total: $31,024,000 Renourishment Federal: $68,215,000 Renourishment Non-Federal: $68,215,000 Renourishment Total: $136,430,000.

(4) ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades	Dec. 23, 2014	Federal: $976,375,000 Non-Federal: $974,625,000 Total: $1,951,000,000
2. WA	Skokomish River	Dec. 14, 2015	Federal: $12,782,000 Non-Federal: $6,882,000 Total: $19,664,000.

(5) FLOOD RISK MANAGEMENT AND ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. IL, WI	Upper Des Plaines River and Tributaries	Jun. 8, 2015	Federal: $199,393,000 Non-Federal: $107,694,000 Total: $307,087,000.

(6) FLOOD RISK MANAGEMENT, ECOSYSTEM RESTORATION, AND RECREATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. CA	South San Francisco Bay Shoreline	Dec. 18, 2015	Federal: $69,521,000 Non-Federal: $104,379,000 Total: $173,900,000.

(7) ECOSYSTEM RESTORATION AND RECREATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. OR	Willamette River	Dec. 14, 2015	Federal: $19,143,000 Non-Federal: $10,631,000 Total: $29,774,000
2. CA	Los Angeles River	Dec. 18, 2015	Federal: $375,773,000 Non-Federal: $980,835,000 Total: $1,356,608,000.

(8) DEAUTHORIZATIONS, MODIFICATIONS, AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. TX	Upper Trinity River	May 21, 2008	Federal: $526,500,000 Non-Federal: $283,500,000 Total: $810,000,000
2. KY	Green River Locks and Dams 3, 4, 5, 6 and Barren River Lock and Dam 1 Disposition	Apr. 30, 2015	Federal: $0 Non-Federal: $0 Total: $0
3. KS	Turkey Creek Basin	May 13, 2016	Federal: $97,067,750 Non-Federal: $55,465,250 Total: $152,533,000
4. KY	Ohio River Shoreline	May 13, 2016	Federal: $20,309,900 Non-Federal: $10,936,100 Total: $31,246,000.
5. MO	Blue River Basin	May 13, 2016	Federal: $34,860,000 Non-Federal: $11,620,000 Total: $46,480,000

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 114–790. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SHUSTER

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–790.

Mr. SHUSTER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, strike lines 1 through 8.

Page 11, line 14, strike ''and'' at the end.

Page 11, line 16, strike the period at the end and insert ''; and''.

Page 11, after line 16, insert the following:

(7) reducing the costs of dredging and dredged material placement or disposal, such as projects that use dredged material for—

(A) construction or fill material;

(B) civic improvement objectives; and

(C) other innovative uses and placement alternatives that produce public economic or environmental benefits.

Page 69, after line 17, insert the following:

SEC. ___. COST SHARE REQUIREMENT.

The Secretary shall carry out the project for ecosystem restoration and recreation, Los Angeles River, California, as authorized by this Act, substantially in accordance with the terms and conditions described in the Report of the Chief of Engineers, dated December 18, 2015, including, notwithstanding section 2008(c) of the Water Resources Development Act of 2007 (121 Stat. 1074), the recommended cost sharing.

SEC. ___. PUBLIC ACCESS.

(a) RECREATIONAL ACCESS PERMITTED.—The Board of Directors of the Tennessee Valley Authority may approve and allow the construction and use of a floating cabin on waters under the jurisdiction of the Tennessee Valley Authority if—

(1) the floating cabin is maintained by the owner to reasonable health, safety, and environmental standards, as required by the Board of Directors; and

(2) the Tennessee Valley Authority has authorized the use of recreational vessels on such waters.

(b) FEES.—The Board of Directors may levy fees on the owner of a floating cabin on waters under the jurisdiction of the Tennessee Valley Authority for purposes of ensuring compliance with subsection (a), so long as such fees are necessary and reasonable for such purposes.

(c) CONTINUED RECREATIONAL USE.—With respect to a floating cabin located on waters under the jurisdiction of the Tennessee Valley Authority on the date of enactment of this Act, the Board of Directors—

(1) may not require the removal of such floating cabin—

(A) in the case of a floating cabin that was granted a permit by the Tennessee Valley Authority before the date of enactment of this Act, for a period of 15 years beginning on such date; and

(B) in the case of a floating cabin not granted a permit by the Tennessee Valley Authority before the date of enactment of this Act, for a period of 5 years beginning on such date; and

(2) shall approve and allow the use of the floating cabin on waters under the jurisdiction of the Tennessee Valley Authority at such time, and for such duration, as the floating cabin meets the requirements of subsection (a) and the owner of such cabin has paid any fee levied pursuant to subsection (b).

(d) NEW CONSTRUCTION.—The Tennessee Valley Authority may establish regulations to prevent the construction of new floating cabins.

(e) FLOATING CABIN DEFINED.—In this section, the term ''floating cabin'' means every description of watercraft or other floating structure primarily designed and used for human habitation or occupation and not primarily designed or used for navigation or transportation on water.

(f) SAVINGS PROVISION.—Nothing in this section restricts the ability of the Tennessee Valley Authority to enforce reasonable health, safety, or environmental standards.

SEC. ___. TRIBAL DISPLACEMENT.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study related to any remaining Federal obligations to Indian people displaced by the construction of the Bonneville Dam, the Dalles Dam, or the John Day Dam on the Columbia River in Oregon and Washington.

(b) FACTORS.—The study shall include—

(1) a determination as to the number and location of Indian people displaced by the construction of the Bonneville Dam, the Dalles Dam, or the John Day Dam;

(2) a determination of the amounts and types of assistance provided by the Federal Government to Indian people displaced by the construction of such dams to the present; and

(3) a determination of whether and how much assistance is necessary to meet any remaining Federal obligations to compensate Indian people displaced by the construction of such dams.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study.

SEC. ___. DROUGHT EMERGENCIES.

(a) AUTHORIZED ACTIVITIES.—With respect to a State in which a drought emergency is in effect on the date of enactment of this Act, or was in effect at any time during the 1-year period ending on such date of enactment, and upon the request of the Governor of the State, the Secretary is authorized to—

(1) prioritize the updating of the water control manuals for control structures under the jurisdiction of the Secretary that are located in the State; and

(2) incorporate into the update seasonal operations for water conservation and water supply for such control structures.

(b) COORDINATION.—The Secretary shall carry out the update under subsection (a) in coordination with all appropriate Federal agencies, elected officials, and members of the public.

SEC. ___. GAO STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an analysis of the President's budget requests for the Corps of Engineers Civil Works Program for each of fiscal years 2008 through 2017.

(b) CONSIDERATIONS.—The analysis to be submitted under subsection (a) shall evaluate—

(1) the extent to which there is geographic diversity among the projects included in such budget requests; and

(2) whether the methodologies used by the Corps of Engineers to calculate benefit-cost ratios for projects impact the geographic diversity of projects included in such budget requests.

Page 75, strike lines 9 and 10.

Page 75, strike lines 14 and 15 and insert the following:

(1) Project for flood damage reduction and environmental restoration, Hamilton City, California.

Page 75, line 23, strike ''$5,000,000,000'' and insert ''$10,000,000,000''.

Page 78, line 17, strike ''$5,000,000,000'' and insert ''$10,000,000,000''.

Page 92, after line 25, insert the following:

(c) INVENTORY.—In carrying out the update under subsection (a), the Secretary shall include an inventory of those lands that are not necessary to carry out the authorized purposes of the project.

Page 93, lines 14 and 15, strike ''September 30, 2016, $31,233,401'' and insert ''December 31, 2016, $31,344,841.65''.

Page 106, strike line 6 and all that follows before line 7 and insert the following:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	Nov. 3, 2014	Federal: $116,116,000 Non-Federal: $88,471,000 Total: $204,587,000
2. LA	Calcasieu Lock	Dec. 2, 2014	Total: $16,700,000 (to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund)
3. NH, ME	Portsmouth Harbor and Piscataqua River	Feb. 8, 2015	Federal: $15,580,000 Non-Federal: $5,190,000 Total: $20,770,000
4. FL	Port Everglades	Jun. 25, 2015	Federal: $220,200,000 Non-Federal: $102,500,000 Total: $322,700,000
5. AK	Little Diomede Harbor	Aug. 10, 2015	Federal: $26,015,000 Non-Federal: $2,945,000 Total: $28,960,000
6. SC	Charleston Harbor	Sep. 8, 2015	Federal: $224,300,000 Non-Federal: $269,000,000 Total: $493,300,000
7. AK	Craig Harbor	Mar. 16, 2016	Federal: $29,062,000 Non-Federal: $3,255,000 Total: $32,317,000
8. PA	Upper Ohio	Sep. 12, 2016	Federal: $1,324,235,500 Non-Federal: $1,324,235,500 Total: $2,648,471,000

Page 109, strike line 1 and all that follows before line 2 and insert the following:

(4) ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades	Dec. 23, 2014	Federal: $976,375,000 Non-Federal: $974,625,000 Total: $1,951,000,000
2. WA	Skokomish River	Dec. 14, 2015	Federal: $12,782,000 Non-Federal: $6,882,000 Total: $19,664,000
3. WA	Puget Sound	Sep. 16, 2016	Federal: $293,558,000 Non-Federal: $158,069,000 Total: $451,627,000

Page 110, before line 3, insert the following:

(8) HURRICANE AND STORM DAMAGE RISK REDUCTION AND ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. LA	Southwest Coastal Louisiana	Jul. 29, 2016	Federal: $2,011,280,000 Non-Federal: $1,082,997,000 Total: $3,094,277,000

Page 110, strike line 3 and all that follows through the end of the table following line 4 and insert the following:

(9) DEAUTHORIZATIONS, MODIFICATIONS, AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. TX	Upper Trinity River	May 21, 2008	Federal: $526,500,000 Non-Federal: $283,500,000 Total: $810,000,000
2. KY	Green River Locks and Dams 3, 4, 5, 6 and Barren River Lock and Dam 1 Disposition	Apr. 30, 2015	Federal: $0 Non-Federal: $0 Total: $0
3. KS, MO	Turkey Creek Basin	May 13, 2016	Federal: $97,067,750 Non-Federal: $55,465,250 Total: $152,533,000
4. KY	Ohio River Shoreline	May 13, 2016	Federal: $20,309,900 Non-Federal: $10,936,100 Total: $31,246,000
5. MO	Blue River Basin	May 13, 2016	Federal: $34,860,000 Non-Federal: $11,620,000 Total: $46,480,000
6. FL	Picayune Strand	Jul. 15, 2016	Federal: $308,983,500 Non-Federal: $308,983,500 Total: $617,967,000
7. MO	Swope Park Industrial Area, Blue River	Jul. 15, 2016	Federal: $20,205,250 Non-Federal: $10,879,750 Total: $31,085,000

The CHAIR. Pursuant to House Resolution 892, the gentleman from Pennsylvania (Mr. SHUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

The manager's amendment that I am offering makes technical and conforming changes to the Rules Committee print. Specifically, this amendment includes a provision to ensure homeowners can assess their property on TVA lakes.

This amendment includes a provision that ensures the appropriate cost share is carried out for the Los Angeles River chief's report we are authorizing in this bill specifically at the request of my colleagues on the other side of the aisle.

It also has a provision to have the Government Accountability Office carry out a study to determine what Federal obligations are required for tribal property affected by the construction of several dams on the Columbia River in Washington and Oregon.

It requires and expedites revisions to water control manuals in States in which drought has occurred in the last year.

Lastly, this amendment contains three chief's reports and two post-authorization change reports that have been delivered to Congress since the Committee on Transportation and Infrastructure marked up the bill in May 2016.

I urge all Members to support my amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MRS. LAWRENCE

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–790.

Mrs. LAWRENCE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 29, line 7, strike '', or that'' and insert ''or gross negligence, or that''.

The CHAIR. Pursuant to House Resolution 892, the gentlewoman from Michigan (Mrs. LAWRENCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

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

My amendment would insert gross negligence as a reason for the Secretary of the Army to accept and implement non-Federal funding to repair, restore, or replace faulty equipment.

According to the Cornell Law Dictionary, ''gross negligence'' is defined as a lack of care that demonstrates reckless disregard for the safety or lives of others.

I believe what happened in Flint, Michigan, is a good example of another reason that projects could require additional funding—gross negligence, gross negligence by individuals entrusted by the public to maintain and uphold the proper functioning of water programs.

Mr. Chairman, the tragedy that happened in my home State of Michigan, in Flint, where thousands of innocent citizens were poisoned by the negligence of the people they trusted to supply them with clean water shows the importance of this amendment.

Our primary responsibility as Members of Congress is to advocate for the best interest of our constituents. How can we say we are doing that when an entire city is suffering from the negligence of public figures who made bad decisions?

Residents and individuals affected by an emergency should not be penalized for negligent actions taken by those expected to do what is best for them. Moving forward, the careless actions of a few individuals should never result in

the public being endangered as a result of the Federal Government being unable to assist.

This amendment would ensure that the Secretary of the Army could quickly and efficiently use resources provided by non-Federal entities to assist in the maintenance of a defective project. This amendment would ensure just that. Gross negligence should never prevent citizens from receiving the funding necessary during their time of need.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIR. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

The CHAIR. The amendment is withdrawn.

AMENDMENT NO. 3 OFFERED BY MR. BABIN

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–790.

Mr. BABIN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. ___. WORK DEFINED.

Section 14 of the Act of March 3, 1899 (30 Stat. 1152, chapter 425; 33 U.S.C. 408), is amended—

(1) by striking ''It shall not be lawful'' and inserting the following:

''(a) IN GENERAL.—It shall not be lawful''; and

(2) by adding at the end the following:

''(b) WORK DEFINED.—

''(1) IN GENERAL.—In this section, the term 'work' means engineered structures that serve a particular function.

''(2) INCLUSIONS.—In this section, the term 'work' includes only structures of like kind with those identified in subsection (a).

''(3) EXCLUSIONS.—In this section, the term 'work' does not include—

''(A) the river channel as such, whether or not dredging is necessary to maintain navigational depths;

''(B) unimproved real estate; or

''(C) a particular feature or structure merely because the feature or structure is present within a Federal project.''.

The CHAIR. Pursuant to House Resolution 892, the gentleman from Texas (Mr. BABIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BABIN. Mr. Chairman, I rise to offer this amendment to direct the Corps of Engineers to focus on the tasks that it can do, and should do, when it comes to section 408 reviews.

The Rivers and Harbors Act of 1899, enacted in the final days of the 55th Congress, first established the process we know today as a section 408 review, which I have here in my hand. The provision was intended to protect engineered structures built by the Corps that serve particular functions, such as seawalls, dikes, levees, and piers, by requiring the Corps of Engineers to authorize any requests for substantial work on these and similar assets.

Over time, however, the Corps has expanded its regulatory authority far beyond the scope of that statute. Specifically, the Corps now requires a review of any proposal for a physical modification or structure that touches a Corps project, even if it has no bearing at all on navigation or flood control. This has resulted in an overlay of additional administrative procedures, delays, and unnecessary costs.

In my district, at the Port of Houston, the Corps of Engineers is currently requiring users to go through the section 408 process, in addition to regulatory and real estate protocols, for access to dredge material placement sites. In plain English, this means that, for a small business to fill up a dump truck full of muck excavated from the bottom of a ship channel and carry it off somewhere else, they have to fully comply with the same section 408 review that would affect the 10-mile-long Galveston Seawall.

These projects, which have no direct impact on the Corps' structures, are undertaken by private users, including many small businesses from the area who are investing in their facilities, expanding commerce and exports, and providing jobs and economic benefits to our State and the Nation.

The additional time and cost as a result of an unnecessary 408 process, which is borne entirely by private entities or non-Federal partners, delays and increases the cost of these critical projects.

My amendment reinforces the original intent of the Rivers and Harbors Act by focusing the Corps on actual navigation and flood control assets, allowing them to devote their full attention and resources to important safety evaluations and the expedited review and execution of project modification requests.

Mr. Chairman, since 1775, the Army Corps of Engineers has performed critical work, ensuring the safety and reliability of America's ports and harbors. My amendment supports their mission and the good work they do by focusing their resources and attention where it belongs.

I urge a ''yes'' vote.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, section 408 authorizes the Secretary of the Army to grant permission for the alteration of the Corps project if the Secretary determines that the proposed alteration would not harm the public interest or impair the usefulness of the project.

I think it is good that we know that proposed modifications do not impair the usefulness of the project or harm the public interest.

□ 1800

Now, I share some of the concerns the gentleman has raised. The Corps is woefully slow in going through these approvals. I have one pending in my own district; and, basically, they say there is not enough money in our budget, which was discussed rather exhaustively at the beginning here.

We could help the Corps out if we had a real harbor maintenance trust fund and if we were using the taxpayers' dollars for the purposes for which they were intended, which would take the pressure off of all parts of the Corps' budget. The Corps does have authority to accept—and I would hope the Corps would be listening to this—local contributions to speed up, with contractors or others or over time with their own employees, 408 projects. They have been loath to use that authority. They should use it.

I am not certain of the implications of this amendment as to whether it truly does protect the integrity of some of these critical projects, so that causes me concern. I think that this is worthy of attention, but in its current form, I am not quite certain of the impact.

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

Mr. BABIN. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

Mr. Chairman, I believe this is a good amendment. I support it. This amendment sets guidelines for the scope of work under the section 408 process, which has been misinterpreted by the Corps of Engineers. It takes years for this to be approved.

Mr. DEFAZIO just stood up and said he hopes the Corps is listening. I hope it is listening, too, but too many times they just don't listen to us. They don't take the direction that the Congress puts in front of them. They stonewall and drag their feet. Mr. BABIN's amendment clarifies this, and I believe it is a good government reform amendment.

I thank the gentleman for offering it, and I urge all Members to support it.

Mr. BABIN. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR (Mr. CARTER of Georgia). The gentleman from Texas has 2 minutes remaining.

Mr. BABIN. Mr. Chairman, I want to say, for a private business entity to get muck off the bottom of a slip or a channel's having to go through this, this is what this is all about.

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

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

Mr. BABIN. Mr. Chairman, I urge the passage of my amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. BABIN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–790.

Mr. BABIN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. ____. AUTHORIZATION OF FEDERALLY MAINTAINED TRIBUTARY CHANNELS AS PART OF CHANNEL SYSTEM.

A project that has been assumed for maintenance by the Secretary under any authority granted by Congress shall—

(1) be treated as a project authorized by Congress; and

(2) be planned, operated, managed, or modified in a manner consistent with authorized projects.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Texas (Mr. BABIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BABIN. Mr. Chairman, one of the great honors I have here in Congress is to represent four great ports—Orange, Beaumont, Cedar Bayou, and the biggest port in Texas and one of the largest in the world: the Port of Houston.

When America's astronauts who serve in space look out of their windows down at Houston, it is probably hard for them to make out their home away from home at Johnson Space Center; but what they can't miss is the scale and the strategic importance of the Port of Houston, which is right down the road from Johnson Space Center.

The Greater Houston area is the energy production and chemical manufacturing capital of the world, and the Port of Houston's ability to ship those goods is directly responsible for billions of dollars in economic activity and for hundreds of thousands of good-paying jobs in our State and across the country; but like the city of Houston itself, not all of the port's important channels, tributaries, and other navigation assets that fall under the purview of the Corps of Engineers are within the footprint of what was originally authorized by Congress.

Instead, many of these channels have been assumed for maintenance by the Corps of Engineers over the years. Each one has met the requirements of being environmentally acceptable, economically justified, and constructed in accordance with Federal permits and appropriate engineering and design standards.

This, in itself, is not a bad thing. In many cases, the construction or modification of the channels by non-Federal users has reduced the overall Federal cost and has provided for national economic benefits well before a Federal project could be accomplished. The downside is that channels which have been assumed for maintenance are not considered authorized projects. Therefore, while those channels are just as important as a federally constructed project, a channel which has been assumed for maintenance is treated quite differently from an authorized project right next to it, which can disrupt the upkeep and the operations of both.

At this point, I will read from a letter that was sent to my office by the Port of Houston that describes how this issue came to its attention and why the passage of this amendment is so essential not only for our region, but for every port in this country.

''The Corps had long identified a navigation safety problem at the intersection of the Houston Ship Channel (HSC) and Bayport channel (the 'Bayport Flare') caused by its design and construction of the HSC, and promised to properly correct the safety deficiency. However, the Corps discovered that while it could construct the part of the corrective work which lay within the boundaries of the Houston Ship Channel, it could not construct the second part of the solution within the Bayport ship channel because the Bayport channel was not considered 'authorized' by Congress, but only assumed for maintenance after construction. . . . The Corps agreed that the Bayport assumption of maintenance was conducted in accordance with laws providing authority to the Secretary of the Army to accept qualifying work, and that PHA met all design, environmental, and economic requirements of a channel as if it were designed and constructed by the Corps. The Bayport Flare deficiency exposed a serious shortcoming, whereby the federal government was unable to make a necessary navigation safety correction resulting from a deficient federal design because it could only fix what it has physically constructed—and not within channels it had managed and operated for decades.''

I include in the RECORD the full content of this letter.

PORT OF HOUSTON AUTHORITY,
Houston, Texas, September 23, 2016.

ATTN: Ben Couhig,

Subject: Recommended Provision in WRDA 2016

Congressman BRIAN BABIN,
Washington, DC.

DEAR MR. COUHIG: As Congress prepares to address the nation's water resources requirements this year, the Port of Houston Authority informed Congressman Babin of the inability of the U.S. Army Corps of Engineers to consistently and adequately work to construct and manage federal navigation channels, in part because authorities to do so and supporting policies are limited. As a result, the Port Authority offered the following recommendation:

Authorization of Federally Maintained Tributary Channels as Part of a Channel System

At the appropriate place in the bill, insert the following:

''Projects which have been assumed for maintenance by the Secretary of the Army under any authority granted by Congress shall be considered projects authorized by Congress, and shall be planned, operated, managed, or modified in a manner consistent with authorized projects.''

The need for this language became very clear to the Port Authority as we constructed modification of the Bayport Ship Channel. The Corps had long identified a navigation safety problem at the intersection of the Houston Ship channel (HSC) and Bayport channel (the ''Bayport Flare'') caused by its design and construction of the HSC, and promised to properly correct the safety deficiency. However, the Corps discovered that while it could construct the part of the corrective work which lay within the boundaries of the Houston Ship Channel, it could not construct the second part of the solution within the Bayport ship channel because the Bayport channel was not considered ''authorized'' by Congress, but only assumed for maintenance after construction by PHA. The Corps agreed that the Bayport assumption of maintenance was conducted in accordance with laws providing authority to the Secretary of the Army to accept qualifying work, and that PHA met all design, environmental, and economic requirements of a channel as if it were designed and constructed by the Corps. The Bayport Flare deficiency exposed a serious shortcoming, whereby the federal government was unable to make a necessary navigation safety correction resulting from a deficient federal design because it could only fix what it has physically constructed—and not within channels it had managed and operated for decades.

The Houston Ship Channel system includes four tributary channels: Bayport, Barbours Cut, Jacintoport, and Greens Bayou, all of which were constructed by or operated by the Port Authority prior to federal assumption of maintenance. Should a navigation safety problem occur on any of these channels for any reason, the federal government would be unable to restore safe navigation without Congressional action—which might not be possible under current rules.

In summary, the Corps of Engineers needs the authority to provide for safe navigation for all of its channels; this recommended provision provides for that authority.

Sincerely,

MARK VINCENT.

Mr. BABIN. Mr. Chairman, my amendment provides a solution by putting channels which have been assumed for maintenance on equal footing with those that have been authorized, thus eliminating the distinction without a difference that currently exists to streamline the process and prevent these unnecessary, bureaucratic hang-ups from delaying critical safety and navigation work where it is needed the most.

I urge a ''yes'' vote on my amendment.

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

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, there are 1,100 harbors that this would apply to across the United States. We have already discussed at great length the fact that the Corps has a $2.4 billion backlog of O&M under existing authority and, after today, a $74 billion backlog of authorized but unconstructed projects.

I understand the gentleman's concerns, and he is being a great advocate for his home port; but I would direct a question to the gentleman if, perhaps, he can answer it: With 1,100 ports in America, how many other ports are in

a similar situation? And what would the cost be to the Corps, which already has a $2.5 billion backlog in O&M?

Mr. Chairman, I yield to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Chairman, I can't answer that specifically, but I do know that, even when there is funding available, they are still unable to solve a problem that could be a serious safety deficiency.

Mr. DEFAZIO. Mr. Chairman, reclaiming my time, I understand the gentleman's concern. If I could, I would direct another question to the gentleman.

Earlier the gentleman might have heard discussion about our collecting an ad valorem tax on the value of imported goods, which is about $1.6 billion a year; yet we are only spending somewhere between $1 billion and $1.1 billion a year. There is a theoretical balance in the nonexistent harbor maintenance trust fund of $9.8 billion, which would go a long way to resolving lots of these problems across the country.

Does the gentleman support the idea of creating a real trust fund and actually spending the taxes that are collected for harbor maintenance on harbor maintenance and not having them be frittered away somewhere else in the government?

Mr. Chairman, I yield to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Chairman, absolutely. In the right way, I certainly would support that.

Mr. DEFAZIO. Reclaiming my time, I thank the gentleman.

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

Mr. BABIN. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I thank the gentleman from Texas for yielding.

Mr. Chairman, I support this amendment that allows channels assumed for maintenance to be considered equally as authorized projects. Of course, we are dealing specifically with the Port of Houston on this; so I would encourage all Members from the Houston area on both sides of the aisle to support this amendment, which will improve the bill. Supporting this amendment is important.

Also, to those Members from the Houston area on both sides of the aisle, this is something that is going to be good for their port, and the underlying bill is going to be good for their port in the long run.

I think it is a fairness amendment, and I thank the gentleman for offering it. I urge a ''yes'' vote.

Mr. BABIN. Reclaiming my time, I thank the chairman.

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

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

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MRS. BLACK

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–790.

Mrs. BLACK. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. ___. DAM SAFETY REPAIR PROJECTS.

The Secretary shall issue guidance—

(1) on the types of circumstances under which the requirement in section 1203(a) of the Water Resources Development Act of 1986 (33 U.S.C. 467n(a)) relating to state-of-the-art design or construction criteria deemed necessary for safety purposes applies to a dam safety repair project;

(2) to assist district offices of the Corps of Engineers in communicating with non-Federal interests when entering into and implementing cost-sharing agreements for dam safety repair projects; and

(3) to assist the Corps of Engineers in communicating with non-Federal interests concerning the estimated and final cost-share responsibilities of the non-Federal interests under agreements for dam safety repair projects.

The Acting CHAIR. Pursuant to House Resolution 892, the gentlewoman from Tennessee (Mrs. BLACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACK. Mr. Chairman, I rise to offer an amendment that will improve cost sharing for dam safety repairs and will promote transparency at the Army Corps of Engineers. To start, let me tell you about how this issue has impacted my district.

Recently, the Corps of Engineers executed a dam repair project in Tennessee's Center Hill Lake. That is all well and good, as we like to keep our dams and our waterways up to code; but the problems came when the Corps failed to communicate to localities in my district as to how the dam repair project would be classified and, therefore, what their financial responsibilities would be.

Federal statute says that the Army Corps of Engineers can designate dam projects as being in one of two categories: ''safety assurance'' or ''major rehabilitation.'' If the project is classified as a safety assurance, the costs to the utility providers, townships, and other stakeholders may be minimal; but if the project is classified as a major rehabilitation, you could have a scenario like what occurred in my district, in which the town of Cookeville, Tennessee, is now on the hook for a $1.5 million repair bill that they had not budgeted for because they had never been told to do so.

You know how this story ends, Mr. Chairman. The city has to pass along those costs to someone. So my constituents in Cookeville could be paying higher water bills for the foreseeable future all because the Corps of Engineers wouldn't be up front with them about what they would owe.

This story is not unique. A December 2015 GAO report studied nine different dam projects nationwide and found that, across the board, the Corps did very little to communicate to local communities what their cost-sharing responsibilities would be. The report further found that, in some instances, the Corps had failed to apply a provision known as the state-of-the-art provision that reduces the sponsors' share of the costs in these projects. That means, Mr. Chairman, that communities like Cookeville, in my district, may have been on the hook for bills they never would have needed to have paid if only the Corps had been transparent and had followed the rules.

Mr. Chairman, I may not be able to get Cookeville or the other communities that are cited in the GAO report their money back, but I can make sure that this never happens again. That is really what my amendment seeks to do. In short, this amendment directs the Army Corps of Engineers' district offices to effectively communicate with the sponsors and to implement cost-sharing agreements during dam safety repair projects, not afterwards. It will ensure that these arrangements are shared with all stakeholders so that in others' towns and in my town they aren't left holding the bag.

I urge a ''yes'' vote on my amendment.

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

□ 1815

Ms. EDWARDS. Mr. Chairman, I claim the time in opposition to the amendment, though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from Maryland is recognized for 5 minutes.

There was no objection.

Ms. EDWARDS. Mr. Chairman, I come to the floor today because it does seem that this amendment and the others that are being offered underscore a problem that I didn't think we were going to have with the reauthorization of the Water Resources Development Act. We have spent quite a bit of time in our Transportation and Infrastructure Committee under the leadership of the chairman trying to come to some common understanding and bipartisan agreement about this. Unfortunately, that is not where we are today.

In my view, water transportation and infrastructure has always been a bipartisan priority in the country. I agree with the comments of some of my colleagues that moving forward with a bipartisan bill is vital to the public health, the safety, and the economic welfare of our communities and this Nation.

I have the distinct honor of being able to represent Maryland in Congress. I know how important this bill is to our State since we have such a long coastline, the Chesapeake Bay; and several of its tributaries, including the Anacostia, the Severn River, and the

Potomac, all flow through the Fourth Congressional District, all requiring support under the Water Resources Development Act. These resources provide billions of dollars of economic activity for our State. Maintaining and modernizing Maryland's waterways and its ports, including the Port of Baltimore, is essential.

Unfortunately, we reported a bill out of the Transportation and Infrastructure Committee in May that focused on such authorization and on Corps compliance with the new project selection process that was created in the 2014 law. Under that law, as well, we would have been able to allow the Corps, beginning in 2027, to use the funds collected in the harbor maintenance trust fund for eligible harbor dredging and other activities, removing those expenditures from the annual appropriations process.

Very sadly—and as we heard today here on the floor—by dropping the trust fund language, Republicans have effectively undermined the measure by removing a key provision that originally created bipartisan support for the bill. This is really a sad moment, indeed, because now, yet again, money that should be used for our harbors and our ports is being used in a trust fund as a piggy bank for completely unrelated spending. These kinds of spending restrictions have created a large surplus in the trust fund, even as critical harbor dredging needs go unmet.

I rise today in opposition to the bill, unfortunately. It is a bill I thought I would actually be able to come to the floor and support with the chairman's leadership.

Unfortunately, we are also not able to include in our House bill aid for the Flint water crisis: $100 million to repair and replace the city's drinking water infrastructure, $20 million in loan forgiveness for prior Flint city loans taken out to build its water infrastructure, and $50 million for various public health activities. That is what the Senate did. It is what we could have done, and it is unfortunate that we could not do this here today.

I hope that before we leave out of this Congress in the lameduck session, which we anticipate later after the election, that we are going to be able to find a resolution to these problems that indeed cross the aisle.

Again, as I said, I am not in opposition to the gentlewoman's amendment, but I think that it is really important for us to understand and underscore that where we should be here is with the bipartisan bill that we agreed to in May in our committee. It is really unfortunate that we find ourselves once again lining up in partisan lines and not able to support a harbor maintenance trust fund for the use of the money for which it was intended, and that is to maintain and upgrade our Nation's ports and harbors.

I reserve the balance of my time.

Mrs. BLACK. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Transportation and Infrastructure Committee.

Mr. SHUSTER. Mr. Chairman, I thank the gentlewoman for bringing this important amendment to the floor. It does several things. The first thing it does is it directs the Corps of Engineers, as the gentlewoman pointed out, to just communicate, to give direction to the folks that are involved in these projects.

We keep spinning our wheels in these projects. We are spending more money than we have to, and this highlights a problem that we face with the Corps.

Again, this amendment establishes and implements cost-sharing agreements during the dam safety repair projects. Of course, it makes all parties involved communicate so we can get these projects moving forward, so I think it is a good governance amendment.

I urge all Members to support this amendment.

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

Mrs. BLACK. Mr. Chairman, I think it is pretty clear what this amendment does. I do want to say that we have worked with the Corps of Engineers, which helped us to draft this amendment. I urge a ''yes'' vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. BLUM

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114–790.

Mr. BLUM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. ___. EXPEDITED COMPLETION OF AUTHORIZED PROJECT FOR FLOOD RISK MANAGEMENT.

The Secretary shall expedite the completion of the project for flood risk management, Cedar River, Cedar Rapids, Iowa, authorized by item 3 of the table in section 7002(2) of the Water Resources Development Act of 2014 (Public Law 113–121; 128 Stat. 1366).

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Iowa (Mr. BLUM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. BLUM. Mr. Chairman, that I am speaking on the floor of the U.S. House is remarkable timing. The city of Cedar Rapids, the largest city in my district, is currently experiencing major flooding of the Cedar River, cresting 11 feet above flood stage today.

In 2008, just 8 short years ago, the same river crested at over 19 feet above flood stage. Yes, you heard that correctly, 19 feet above flood stage.

I was in Cedar Rapids this weekend sandbagging alongside volunteers to prepare for this disaster and saw firsthand the amazing response from the community as thousands of eastern Iowans came together to protect their city. I want to thank Cedar Rapids Mayor Ron Corbett and his team for their tireless work to prepare the city for the flooding, as well as the administration of Governor Branstad for their assistance.

Today's flooding further underscores the need for the administration to include the Cedar Rapids flood project in their budget. This project was approved by Congress in the 2014 WRRDA bill, and my amendment today calls on the administration to expedite this project. Cedar Rapids has spent untold millions of dollars on this disaster—money spent on a short-term solution—while the city waits for the administration to release the approved funding for the long-term fix.

Since taking office in 2014, I have worked hard to get the authorized funding released, joining my colleague from Iowa, Representative LOEBSACK, in reaching out to the Army Corps of Engineers, the House Appropriations Committee, President Obama, and his Office of Management and Budget, stressing the importance of this project.

The bottom line is: How many more Cedar Rapids floods will it take before the administration includes this project in their budget? How many times will families have to evacuate their homes? How many times will businesses have to cease their operations? How many times will employees be negatively impacted by the flooding? How many times must this happen before the administration includes this project in their budget?

Mr. Chairman, I thank the entire Iowa delegation for their support on this issue. I encourage my colleagues to support this bipartisan amendment and make it clear, once again, that Congress believes the Cedar Rapids flood project should receive the funding that was approved in 2014.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

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

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman from Iowa for bringing this good, bipartisan amendment to the floor. I have seen the pictures on TV of what is happening out there in Cedar Rapids, and our thoughts and prayers are with that community out there tonight as they fight that challenge.

Again, this amendment, as the gentleman explained, expedites the Cedar River project. I think this infrastructure project getting done quicker is

important. I have always supported getting these things done faster because I believe time is money. The longer these things go, the more expensive they get. This amendment goes a long way into making sure that this project is pushed out there faster and it gets done. So I appreciate my colleague from Iowa for bringing this. I urge a ''yes'' vote.

I yield back the balance of my time.

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

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

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. BOST

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114–790.

Mr. BOST. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. 1___. REVIEW OF BENEFITS.

When reviewing requests for repair or restoration of a flood risk management project under the authority of section 5(a)(1) of the Act of August 18, 1941, (33 U.S.C. 701n(a)(1)), the Army Corps of Engineers is authorized to consider all benefits to the public that may accrue from the proposed rehabilitation work, including, flood risk management, navigation, recreation, and ecosystem restoration.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Illinois (Mr. BOST) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. BOST. Mr. Chairman, I thank Chairman SHUSTER for helping with the effort on this amendment.

The purpose of my amendment is simple. I believe that the Army Corps of Engineers should consider all potential economic benefits of repairing levees following a flood disaster. Right now, the Corps may only consider flood prevention when allocating rehabilitation assistance of levees. This makes no sense.

The Corps manages inland waterways for a multitude of purposes. In many cases, Federal and non-Federal levees work together in an integrated system. How can we ignore the benefits of repairing a levee when doing so would improve navigation and other Corps responsibilities along with it?

The repair of the Len Small Levee in Alexander County, Illinois, is just one example of our failing to see the forest for the trees. The levee was breached in last winter's floods. Millions have been spent on riprap to maintain navigation on the river. Even more money will be needed to maintain navigation if further flood damage occurs. Despite that fact, the Corps has ignored the navigation benefits and costs of making interim repairs.

My amendment helps address this issue, but further reforms to the Corps levee repair program must be made. I hope to work with the chairman and ranking member to address these issues with the programs in future legislation.

I encourage a ''yes'' vote on this piece of legislation.

I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 8 will not be offered.

AMENDMENT NO. 9 OFFERED BY MR. DOLD

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 114–790.

Mr. DOLD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. 1___. FEDERAL COST LIMITATION OF ECOSYSTEM RESTORATION COSTS FOR CERTAIN PROJECTS.

Section 506(c) of the Water Resources Development Act of 2000 is amended by adding at the end the following:

''(5) A project carried out pursuant to this subsection may include compatible recreation features as determined by the Secretary, except that the Federal cost of such features may not exceed 10 percent of the ecosystem restoration costs of the project.''.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Illinois (Mr. DOLD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. DOLD. Mr. Chairman, I rise today in support of my amendment to H.R. 5303.

Imagine for a moment, Mr. Chairman, spending millions of dollars on wetlands restoration without allowing people to visit these areas. Unfortunately, that is exactly what we are asking the Army Corps of Engineers to do with projects that are funded by the Great Lakes Fishery and Ecosystem Restoration program, or GLFER.

GLFER is a program for improving aquatic habitats and the Great Lakes watershed. Through a partnership between the Army Corps of Engineers, the Great Lakes Fishery Commission, and State and local government, funds are made available for restoring wetlands and preservation of coastal habitat along the Great Lakes shorelines.

Individual projects require a non-Federal partner—like a State, local government, or nonprofit—to contribute at least 35 percent of the project costs to operate and maintain the completed project.

In my district, GLFER funds have been used to restore wetlands along the Lake Michigan shoreline at Fort Sheridan, and nearby they have been used to restore wetlands on Northerly Island right in the heart of downtown Chicago.

Mr. Chairman, this is about ensuring parity. Every other wetland restoration program within the Army Corps of Engineers is allowed to use up to 10 percent of the funds for any project for compatible recreation features. GLFER-funded projects are unique in that the Army Corps is not allowed to use funds for that purpose. My amendment would simply change that policy.

□ 1830

Very simply, my amendment will allow the Army Corps of Engineers to use GLFER funds, not to exceed 10 percent of the total project amount, to build complimentary recreation features like walking trails, bike paths, fishing stations, picnic shelters, and benches.

Mr. Chairman, I represent a district along Lake Michigan, one of the greatest natural resources our Nation possesses. My amendment would expand outdoor recreation opportunities and give families access to enjoy these restored wetland areas. I urge my colleagues to support this amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. GRAVES OF LOUISIANA

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 114–790.

Mr. GRAVES of Louisiana. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. ___. NON-FEDERAL INTEREST SELECTION.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, in carrying out an authorized and funded water resources development project, the Secretary shall solicit and accept bids from non-Federal interests. If a non-Federal interest can demonstrate greater cost effectiveness and project delivery efficiency than the Corps of Engineers for such project, the Secretary shall transfer the funds to the non-Federal interest for project completion.

(b) SAVINGS.—Funds saved in project delivery by a non-Federal interest under subsection (a) shall be used as follows:

(1) 20 percent for deficit reduction.

(2) 80 percent for other projects of the Army Corps of Engineers.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Louisiana (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. GRAVES of Louisiana. Mr. Chairman, the ranking member was talking earlier about this extraordinary backlog of projects that we have within the United States Army Corps of Engineers to carry out important projects like flood protection, hurricane protection, and ecological restoration.

We do, in fact, have a backlog that goes on for years and years. In fact, as I mentioned earlier, it takes us, in many cases, over 40 years to take a project from development through the construction phase. These are critical projects that, in many cases, save people's lives.

Just recently in the State of Louisiana, we had an extraordinary flood event. Thirteen people lost their lives as a result of that event, yet there was a project, the Comite project, that could have tempered flooding in many of these areas. What our amendment does is it simply allows for non-Federal sponsors to bid to carry out the construction or other aspects of projects. It is a way to save money to expedite delivery.

In my previous job, Mr. Chairman, I actually was the non-Federal sponsor for billions of dollars in projects with the United States Army Corps of Engineers. There were a number of examples where we were able to build the entire project for the one-third, or approximately one-third, cost-share estimate that the United States Army Corps of Engineers estimated the project was to cost, and we were able to do it in a fraction of the time.

What this does, it allows for the non-Federal sponsor to carry out the project. It returns 20 percent of the cost savings back to the United States Treasury for deficit reduction, and it takes 80 percent of the cost savings and reinvests it back into priority Corps of Engineers' projects.

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

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I would like to ask the author, it seems to me that if we are going to transfer responsibility for carrying out projects from the Corps of Engineers—these would be, again, taxpayer dollars—would these projects be covered by the provisions of Davis-Bacon?

Mr. GRAVES of Louisiana. Will the gentleman yield?

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

Mr. GRAVES of Louisiana. I thank the gentleman. Right now, as the provision is written, as you know, it is silent on that issue, and so it doesn't address the Davis-Bacon issue, as I am aware the Corps of Engineers would be complying with.

Mr. DEFAZIO. Reclaiming my time, well then, you know, given that, I mean, we have had myriad debates on the floor of the House and in the committee over the years from those who come in and say: gee, we can do it a lot cheaper if we pay minimum wage; we can do it a lot cheaper if we bring in illegal immigrants; you know, on and on and on.

Sure, you can do things more cheaply, but the idea and the bedrock of Davis-Bacon is we pay skilled workers a living wage that is the prevailing wage in the local area. The committee has never passed an amendment gutting Davis-Bacon, despite many attempts on the committee. I feel that this would, unfortunately—the way the gentleman has just phrased it, says it is silent on the issue—undermine Davis-Bacon, and, therefore, I would oppose the amendment.

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

Mr. GRAVES of Louisiana. Mr. Chairman, I am going to go back and say what I said before. In previous projects that I have worked with in the United States Army Corps of Engineers, we have been able to save Federal taxpayers tens of millions of dollars, cumulatively hundreds of millions of dollars by carrying out the projects through the non-Federal sponsor, allowing for county governments, parish governments, State governments, levee districts, water boards, and others to carry out projects.

If we are able to demonstrate greater efficiency and taxpayer cost savings, why would we not allow for that mechanism to carry out these projects? It expedites delivery of projects. These are critical projects.

Mr. Chairman, I want to reiterate, in the State of Louisiana, in the flood we just had last month, we had 13 people die because of a project that has been in the Corps of Engineers process for 30 years; 30 years, Mr. Chairman.

I really wonder what someone who would oppose this amendment would tell the families of those people who died as a result of the Corps' inaction. This is absolutely inappropriate. We have a way to save taxpayer dollars, to reduce the deficit, and to free up more resources for high-priority Corps of Engineers projects and make our communities and our ecosystem more resilient.

Mr. Chairman, I urge adoption of the amendment.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. GRAVES OF LOUISIANA

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 114–790.

Mr. GRAVES of Louisiana. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. _____. LOCAL FLOOD PROTECTION WORKS.

(1) IN GENERAL.—Permission for alterations by a non-Federal interest to a Federal levee, floodwall, or flood risk management channel project and associated features may be granted by a District Engineer of the Department of the Army or an authorized representative.

(2) TIMELY APPROVAL OF PERMITS.—On the date that is 120 days after the date on which the Secretary receives an application for a permit pursuant to section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Appropriation Act of 1899'') (33 U.S.C. 408), the application shall be approved if—

(A) the Secretary has not made a determination on the approval or disapproval of the application; and

(B) the plans detailed in the application were prepared and certified by a professional engineer licensed by the State in which the project is located.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Louisiana (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. GRAVES of Louisiana. Mr. Chairman, what this amendment does is it simply puts a cap on the amount of time that the United States Army Corps of Engineers can consider permission under section 408. This process has to do with alteration, any changes, or impacts that could occur to a Corps of Engineers project.

I want to be clear, this doesn't expand the Corps of Engineers' authority in any way. All this does is it simply puts a cap, a time certain. Here is the reason why, Mr. Chairman. In the State of Louisiana, we have lost 1,900 square miles of our coast, 1,900 square miles of wetlands, some of the most ecologically productive areas on the North American continent. We have lost that.

Part of the remedial efforts that Congress has authorized and we have been waiting decades for the United States Corps of Engineers to act upon are projects to reconnect the river system with the adjacent estuary. That is how south Louisiana was built. It is a product of the Mississippi River. It is a deltaic plain.

These projects are strongly supported by the environmental community and others, yet the Corps of Engineers has said that it is going to take them years to consider this impact or not on the levee system. So we are going to sit here and wait years for more wetlands to erode, and for more of our environment and more of our ecological productivity to degrade. This puts a time certain. It gives 120 days for the Corps of Engineers to make a decision on whether or not there are impacts to the project. It allows us to move forward in a time certain.

Mr. Chairman, a quick story. When I was working on these projects for the State, the Corps of Engineers came to us on the first one we submitted, and

they said: It is going to take us approximately 3 years to come back and give you an answer on that. Three years, Mr. Chairman, that we are waiting to, again, carry out projects to restore the environment. But they said: However, if you give us—and I think the number was $1.5 million, we will reduce that time to closer to 2 years.

Mr. Chairman, in the private sector, that is called a bribe. In the United States Army Corps of Engineers, I guess it is the status quo. It is absolutely inappropriate. We have got to have time certain. They shouldn't be able to extort dollars out of project sponsors just to carry out projects to restore the environment and mitigate impacts caused by the United States Army Corps of Engineers.

Mr. Chairman, I urge adoption of the amendment. This is consistent with things we have done in the past in terms of giving a time certain for consideration.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. GRAVES OF LOUISIANA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 114–790.

Mr. GRAVES of Louisiana. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. _____. FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM.

The Secretary shall expedite carrying out the projects listed under paragraphs (29) through (33) of section 212(e) of the Water Resources Development Act of 1999 (33 U.S.C. 2332(e)) and is authorized to proceed to construction on such any such project if the Chief of Engineers determines the project is feasible.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Louisiana (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. GRAVES of Louisiana. Mr. Chairman, beginning around August 11, we had a 1,000-year flood event. This flood event was approximately 7 trillion gallons of water. It dropped 31 inches of rain in some of the peak areas that is the national average annual rainfall. We received it in about 36 hours in some of the peak areas. Again, to translate this for my Yankee friends, if this were snow, this would have been about 25 feet of snow. So, really, just an extraordinary event.

Mr. Chairman, what has happened is that there were projects that date back to the 1970s and the 1980s that provided for flood protection for this region. We had 13 people who died. We have over 100,000 homes that were flooded. Areas like the Comite Basin and the Amite Basin are priority areas. I want to say it again. These are areas that have projects that have been authorized by Congress previously in the 1970s, the 1980s, and I believe even the 1990s, yet projects that have been moving at a snail's pace. So what this amendment does is it simply expedites the delivery of these projects.

Mr. Chairman, this is critical. Let me explain why. Right now, you have communities like Denham Springs where FEMA just came out and determined that 45 percent of the homes in that town are significantly flooded with significant damage. What that means is that they are going to have to now comply with the updated base flood elevations and, in some cases, lift the slabs of their homes, which may be $100,000 or more per home, per business, just to now come into compliance with the new base flood elevations to be able to rebuild their homes.

This is on top of the perhaps $80,000 they are going to have to spend rebuilding their home, $40,000 they are going to have to spend replacing their vehicles, and perhaps $50,000 replacing their clothes and other contents of their homes. It makes it absolutely unaffordable.

We have got to provide certainty. By expediting projects that were previously authorized, Mr. Chairman, we can eliminate the need for many of these homeowners to have to elevate their homes, and provide financial certainty and a path forward for these folks to actually be able to get back in their homes and recover our communities from what is believed to be the fourth most expensive flood disaster in United States history.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition to raise a question.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I would ask the gentleman—he has stated they are authorized. On this side, there is some confusion. Have these gone through a study and then the chief has submitted a report to us? Is that what we are doing is ratifying a Chief's Report, which is the process to be followed in this bill so as not to have earmarks? Or are these at an earlier stage, where they haven't had a Chief's Report, and, therefore, we are now about to authorize projects that are specific without following the procedures that everyone else has had to go through?

I understand what has happened is a tragedy there, but there are other places where there have been floods and other people might want to say: Well, gee, we don't have a report yet either, but we want to authorize something right now.

Can the gentleman tell me, do we have the Chief's Report, or is what has been authorized just a study which isn't yet completed?

Mr. SHUSTER. Will the gentleman yield?

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

Mr. SHUSTER. I will answer that. We believe the projects are already authorized. Back in 2007, in 33 United States Code section 2332(i)(2), it states there that ''all studies and projects carried out under this section from Army Civil Works appropriations shall be fully funded within the program funding levels provided in this subsection.''

We believe that these are one of the projects cited in that. We believe these have been authorized.

□ 1845

Mr. DEFAZIO. Mr. Chairman, reclaiming my time, the chairman is saying that this is consistent with all of the other projects in this bill, except perhaps the earmark project for Texas, which was earmarked in an appropriations bill.

I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chair, yes, we believe it is. Prior to 2007, these projects were authorized. So, under that law, these things are authorized. They are not earmarked.

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

Mr. GRAVES of Louisiana. Mr. Chairman, I would just like to follow up on the chairman of the committee's comments.

The 2007 cite that Chairman SHUSTER referenced goes back to actually a WRDA 1999 provision. I believe it is section 212 of WRDA 1999 that actually provides the study and project implementation authorization. The 2007 language that was cited amends the 1999 language. So these projects were previously addressed by Congress.

I want to say it again, Mr. Chairman. We have a backwards policy in regard to Federal disasters where we come in and spend billions of dollars after a disaster instead of spending millions of dollars before, making our communities more resilient.

I am going to say it again. Thirteen people died here. We have incredible financial uncertainty and folks' inability to get back in their homes because they may be faced with a $100,000 or more cost to elevate these slabs to come into compliance with the new base flood elevation. By expediting these projects, we can eliminate that financial uncertainty and we can get people back in their homes and restore our community as quickly as possible.

I urge adoption of the amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. LONG

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 114–790.

Mr. LONG. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, insert the following:

SEC. ___. TABLE ROCK LAKE, ARKANSAS AND MISSOURI.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary—

(1) shall include a 60-day public comment period for a Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan revision; and

(2) shall not finalize a revision for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan during the 5-year period beginning on the date of enactment of this Act.

(b) SHORELINE USE PERMITS.—During the period described in subsection (a)(2), the Secretary shall lift or suspend the moratorium on the issuance of new, and modifications to existing, shoreline use permits based on the existing Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(c) STUDY.—

(1) IN GENERAL.—The Secretary shall—

(A) carry out a study on the need to revise permit fees relating to Table Rock Lake to better reflect the cost of issuing those fees and achieve cost savings; and

(B) submit to Congress a report on the results of the study described in subparagraph (A).

(2) REQUIREMENT.—The Secretary shall complete the study under paragraph (1)(A) before adopting any revision to the Table Rock Lake Shoreline Management Plan.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Missouri (Mr. LONG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LONG. Mr. Chairman, Table Rock Lake, near Branson, Missouri, is one of the premier destinations in the Ozarks, especially for my constituents in the Seventh Congressional District.

The Army Corps of Engineers is currently undertaking a revision of the lake's Shoreline Management Plan and has in place a moratorium on dock permits to halt development around the lake.

What this means is, if you purchased a home or land in this area with the hopes of putting in a dock, you can no longer do so. If you already have a dock and it needs to be updated, you can't even update it.

I have met with the Corps and the lake community throughout this process, and the overwhelming consensus from my constituents is that their voices are not being heard on this issue that will have far-reaching effects for those living on the lake and for its economy.

My amendment would extend the public comment period to ensure that those directly impacted by the shoreline plan will have a say in it. My amendment also lifts the moratorium on dock permits and extends the timeframe of the final plan to ensure that the Corps has enough time to incorporate the community's concerns into its updated plan.

I am proud to work with Senator BLUNT and Chairman SHUSTER on this commonsense issue. I urge my colleagues to support my amendment.

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

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

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 114–790.

AMENDMENT NO. 15 OFFERED BY MR. MICA

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 114–790.

Mr. MICA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. 1___. ADJUSTMENT TO COST BENEFIT RATIO.

For any navigation project carried out by the Army Corps of Engineers with non-Federal funds, the Secretary may, after completion of any portion of the authorized project, adjust the authorized benefit cost ratio.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Florida (Mr. MICA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

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

This is a simple amendment. It does make an adjustment to the benefit-cost ratio for any navigation project carried out by the Army Corps of Engineers with non-Federal funds.

This gives the Secretary, after the completion of any portion of the authorized projects, the ability to adjust the authorized project's benefit-cost ratio.

Unfortunately, we have some projects with elongated channel configurations, where the terminals are located at the end of the line, and they are significantly disadvantaged when competing for Federal funding because the cost of these projects has escalated, lowering the benefit-cost ratio to below the threshold required by OMB for budgetary purposes.

This amendment would provide discretionary authority to the Secretary to revise the benefit-cost ratio after completion of portions of the projects with non-Federal funds. Remaining portions of the project could be eligible to compete for Federal funding based on a revised benefit-cost ratio.

This amendment does not guarantee any Federal funding to any project, but is simply a path forward to enable projects to be in a position to fairly compete for Federal funding.

The authority could be applicable to any authorized navigation project which is placed at a competitive disadvantage due to the configurations, again, of the shipping channel.

The amendment builds upon the reforms that we were able to put in the WRRDA bill of 2014, which streamlines some of the Corps' processes. It also provides flexibility to adapt to local initiatives and maximizes the ability of non-Federal interests to more fully participate in project development and ultimately reduce Federal costs.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I will be brief. I understand the gentleman's frustrations, and on its surface, it is a great idea. The problem is, unless things are reformed at the Office of Management and Budget, the trolls under the bridge with the green eye shades who have way too much clout here in Washington, D.C., and are invisible, this will empower them further, potentially. They rank projects according to cost effectiveness.

So you can essentially move your project up if you can afford to put more money in it and it will jump ahead of other projects which were higher-ranked, cost-effective projects, but OMB is going to choose the one at the top, which will empower communities that can afford to contribute more and perhaps perpetually push communities that can't afford to contribute more than their regular share to the bottom of the heap, never to be funded.

Of course, I already talked about the backlog of now $74 billion of authorized unfunded projects while we still misspend the trust fund moneys on other parts of the government. That, of course, was subject to earlier debate where the Republicans stripped that out of the bill, which would have helped deal with some of these problems.

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

Mr. MICA. Mr. Chairman, I think it will save money and actually benefit projects that start with non-Federal dollars and can be a great advantage to some of those ports and other waterways that are at a disadvantage because of the distance of the project.

So I ask support for this amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. MICA

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 114–790.

Mr. MICA. Mr. Chairman, I have an amendment at the desk that I offer as the designee of the gentleman from Oklahoma (Mr. MULLIN).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. _____. LAND TRANSFER AND TRUST LAND FOR THE MUSCOGEE (CREEK) NATION.

(a) TRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2) and for the consideration described in subsection (c), the Secretary shall transfer to the Secretary of the Interior the land described in subsection (b) to be held in trust for the benefit of the Muscogee (Creek) Nation.

(2) CONDITIONS.—The land transfer under this subsection shall be subject to the following conditions:

(A) The transfer—

(i) shall not interfere with the Corps of Engineers operation of the Eufaula Lake Project or any other authorized civil works projects; and

(ii) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to ensure the continued operation of the Eufaula Lake Project or any other authorized civil works project.

(B) The Secretary shall retain the right to inundate with water the land transferred to the Secretary of the Interior under this subsection, as necessary to carry out an authorized purpose of the Eufaula Lake Project or any other civil works project.

(C) No gaming activities may be conducted on the land transferred under this subsection.

(b) LAND DESCRIPTION.—

(1) IN GENERAL.—The land to be transferred pursuant to subsection (a) is the approximately 18.38 acres of land located in the Northwest Quarter (NW 1/4) of sec. 3, T. 10 N., R. 16 E., McIntosh County, Oklahoma, generally depicted as ''USACE'' on the map entitled ''Muscogee (Creek) Nation Proposed Land Acquisition'' and dated October 16, 2014.

(2) SURVEY.—The exact acreage and legal description of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Secretary of the Interior.

(c) CONSIDERATION.—The Muscogee (Creek) Nation shall pay—

(1) to the Secretary an amount that is equal to the fair market value of the land transferred under subsection (a), as determined by the Secretary, which funds may be accepted and expended by the Secretary; and

(2) all costs and administrative expenses associated with the transfer of land under subsection (a), including the costs of—

(A) the survey under subsection (b)(2);

(B) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any coordination necessary with respect to requirements related to endangered species, cultural resources, clean water, and clean air.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Florida (Mr. MICA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Chairman, today I am asking my colleagues for support of this noncontroversial amendment.

This amendment would facilitate simply a land transfer from the Army Corps of Engineers to the Department of the Interior to hold in trust for the Muscogee (Creek) Nation. The language is supported by the Corps, the State of Oklahoma, and by the Muscogee (Creek) Nation. It was included in the Senate-passed WRDA bill, which passed overwhelmingly in bipartisan fashion.

It received a zero budget impact from CBO. The Muskogee (Creek) Nation will be paying fair market value to the Corps for land.

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

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

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 17 will not be offered.

AMENDMENT NO. 18 OFFERED BY MR. THORNBERRY

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 114–790.

Mr. THORNBERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. 1____. LAKE KEMP, TEXAS.

Section 3149(a) of the Water Resources Development Act of 2007 is amended—

(1) by striking ''2020'' and inserting ''2025''; and

(2) by striking ''this Act'' and inserting ''the Water Resources Development Act of 2016''.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, this amendment deals with a local, unique issue involving privately owned cabins on privately owned land near Lake Kemp in Texas.

When reconstructing the dam in the late 1960s, the city of Wichita Falls entered into an agreement with the Corps of Engineers that the city would require all of these privately owned cabins owners below a certain elevation to be removed by January 1, 2000, because there was concern it could potentially flood. But 50 years later, there has never been a flood, and there never will be a flood, because the lake has been full several times.

The 2007 WRDA bill prevented the Corps from requiring the city to evict the landowners until at least 2020, and, at the same time, the U.S. and the Corps were released from any liability. This amendment would simply extend that time period for an additional 5 years.

The amendment also preserves the full property rights for the landowners. You have got some of these cabin owners who have been there for years, and the city does not have the desire or the funds to force them off the land.

So the bottom line, Mr. Chairman, is this is a local situation. This amendment gives local folks an added opportunity to solve their issues. I hope Members will support it as well as the underlying bill.

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

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

The amendment was agreed to.

□ 1900

AMENDMENT NO. 19 OFFERED BY MR. WEBER OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 114–790.

Mr. WEBER of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, insert the following:

SEC. ____. COASTAL TEXAS ECOSYSTEM PROTECTION AND RESTORATION, TEXAS.

In carrying out the comprehensive planning authorized by section 4091 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1187), the Secretary shall consider studies, data, and information developed by the Gulf Coast Community Protection and Recovery District to expedite completion of the plan.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Texas (Mr. WEBER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. WEBER of Texas. Mr. Chairman, I rise to offer a very important amendment to the State of Texas. This amendment is noncontroversial and mirrors language by Senator CORNYN in the Senate's version of WRDA.

Thanks to Chairman SHUSTER for making our ports and waterways a critical national priority and for bringing this important legislation to the floor today.

Mr. Chairman, this amendment would simply require the Army Corps of Engineers to take into account the existing data, studies, and information developed by the Gulf Coast Community Protection and Recovery District when conducting the Coastal Texas Protection and Restoration Study authorized in the Water Resources Development Act of 2007.

The Gulf Coast Community Protection and Restoration District, or GCCPRD, was formed in the aftermath of Hurricane Ike by six Texas counties encompassing Houston and Southeast Texas. The counties were Harris, Galveston, Brazoria, Chambers, Jefferson, and Orange.

Hurricane Ike struck this region in 2008, caused $37.5 billion in damage nationwide, making it the third costliest hurricane in United States history. The storm caused over 100 fatalities, washed away homes, flooded communities, and shut down much of the Nation's and region's energy production.

The effects of another major hurricane on the Houston region and our Nation would be devastating. Over 6 million people call this area home, and

many work in critical economic sectors like health care and energy refining. The impact would be felt in every congressional district across the country.

For example, according to reports published immediately after Hurricane Ike made landfall, gas prices spiked between 30 and 60 cents per gallon across many States due to the disruption in energy production in the Houston region.

In 2013, the Texas General Land Office entered into an agreement with GCCPRD to conduct a three-phase Storm Surge Suppression Study. The phase three report was released this past June.

In addition to this study, the GLO and the Army Corps of Engineers are moving forward in partnership on the Coastal Texas Protection and Restoration Study. Once completed, this study will make the case for coastal infrastructure projects that would qualify for Federal dollars and would protect our vulnerable coastal communities in a major part of this Nation's energy production. The study received funding in the President's fiscal year 2017 budget, but the current timeline for completion of this study is over 5 years. Mr. Chairman, it has been 8 years since Hurricane Ike, and this time line is unacceptable.

So, Mr. Chairman, protecting the Texas coast from dangerous storms is a critical Federal interest and a national priority. This amendment would simply require the Army Corps to tap into an existing pool of data and information developed by Texans in an effort to shorten the completion timeline of the Coastal Protection and Restoration Study.

I urge adoption of this amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 20 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 114–790.

Mr. YOUNG of Iowa. Mr Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. ____. CORPS LEVEES THAT AFFECT COMMUNITY-OWNED LEVEES.

Where Federally owned and operated levees increase flood risk and compromise the accreditation of community-owned local flood protection systems, it shall be the policy of the Corps of Engineers to act expeditiously with actions required to authorize, fund, identify, and implement improvements to reduce and negate negative impacts to community-owned flood protection system accreditation.

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Iowa (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. YOUNG of Iowa. Mr. Chairman, first, I would like to thank the Committee on Transportation and Infrastructure, Chairman SHUSTER, and members of the staff for working so hard on this bill.

Mr. Chairman, my amendment seeks to address situations where community-owned levees and federally owned U.S. Army Corps of Engineers levees are hydraulically connected. These hydraulically connected levees are close enough to one another in the same water system and can have a huge impact on each other. So when a local flood protection system is in need of repairs, we cannot allow Federal inaction to stand in the way. Without action from the Corps, improvements to local levees have limited effect and are insufficient, making it difficult to achieve accreditation.

Why is this important? Not only does it put people and property in flood zones at risk, but it also increases costs for individuals and businesses in our communities, mandating flood insurance and classifying any development as ''high risk.''

I am seeing this in my district, where the City of Des Moines has been working with the Corps since 2011. I know my district is not alone. I see it in other districts as well.

Mr. Chairman, we cannot continue to have local governments be hindered by Federal inaction, inaction on property the Federal Government took responsibility for years ago.

In the end, this amendment will establish a policy that will reduce and, ultimately, negate the negative impacts to community-owned flood protection system accreditation caused by the Army Corps of Engineers' failure to act.

I urge adoption of my amendment.

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

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, this amendment, I have got to say, we are not quite certain what it does. It seems to require the Corps of Engineers to take action for anything that relates to a Federal project which is a locally owned flood control.

I have no idea what the implications of this are. So my staff called the Corps and said: How many projects do you think this would affect, and what do you think the impacts would be? The Corps of Engineers said they had no idea.

I would like to address a question to the chairman.

Mr. Chairman, since the Corps has no idea what this amendment does, what the financial implications are, since it would seem to give the Federal Government liability for all these local projects that are anywhere downstream or related to a Federal project, could the chairman explain to me what this amendment will do, since the Corps can't?

I yield to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. My understanding is that it is a sense of Congress to ask the Corps to act——

Mr. DEFAZIO. Reclaiming my time, it is not a sense of Congress, as offered. It is actually—it is quite definitive language. ''Where Federally owned and operated levees increase flood risk and compromise the accreditation of community-owned. . . . it shall be the policy of the Corps of Engineers to act expeditiously with actions required to authorize, fund, identify, and implement improvements to reduce and negate negative impacts to community-owned flood protection system accreditation.'' It seems to me that it is pretty definitive with the ''shall'' part there.

I yield to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Well, it does say ''shall'' and it does ask the Corps to act expeditiously, which I think all of us want to encourage the Corps to do that.

Mr. DEFAZIO. Okay. Good luck with that.

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

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

The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MS. ESTY

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in House Report 114–790.

Ms. ESTY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, insert the following:

SEC. ____. CORROSION PREVENTION.

Section 1033 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2350) is amended by adding at the end the following:

''(d) REPORT.—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the corrosion prevention activities encouraged under this section that includes—

''(1) a description of the actions the Secretary has taken to implement this section; and

''(2) a description of the projects utilizing corrosion prevention activities, including which activities were undertaken.''.

The Acting CHAIR. Pursuant to House Resolution 892, the gentlewoman from Connecticut (Ms. ESTY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Chairman, I rise today in support of my amendment to

the Water Resources Development Act, which would require the Secretary of the Army Corps to implement a corrosion prevention strategy for our Nation's water infrastructure.

Preventing corrosion is a bipartisan issue and affects every State, district, and local community. In Connecticut and across the country, corrosion shortens the lifespan of our critical water systems, harms the environment, and endangers public health and safety.

Many of our Nation's water systems are over 100 years old. What's more, according to a study conducted by the Federal Highway Administration in 2002, the corrosion of water and sewer systems across the United States costs the American taxpayers nearly $36 billion a year, a number that has only increased in the ensuing 14 years.

By implementing strategies to prevent corrosion, we can extend the lifespan of these water projects, save money, and ensure that we have continued access to safe drinking water for years to come.

Surely, we can all agree that by preventing corrosion we are being responsible stewards of taxpayer dollars, as well as protecting citizens' health and safety.

So let's be clear. This is not a substitute for the serious conversation that this country needs to be having on updating and bringing into the 21st century our roads, bridges, highways, sewer systems, and water systems; but we do need to work toward extending the lifespan of current Federal infrastructure, and we need to work hard on that today.

Today, we have the opportunity to engage in a bipartisan effort on corrosion prevention, something that will be an important first step to extend the lifespan and the safety of these systems. It is the and it is the sensible thing to do.

When corrosion control technologies are properly installed and maintained, corrosion is largely preventable. It is inexpensive and it saves lives.

So again, I urge my colleagues to support this amendment.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

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

There was no objection.

Mr. SHUSTER. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Chairman, I say a special thank you to my cosponsor, co-chair of the House Corrosion Prevention Caucus, Congresswoman ESTY, for introducing this amendment that will help the taxpayers protect America's aging infrastructure.

Corrosion in our Nation's infrastructure reduces the lifespan of our investments, costs our taxpayers billions of dollars, threatens our environment, and endangers our public safety. If left unchecked, corrosion affects many sectors of our economy, including defense projects, energy development, ports, water infrastructure, utilities, roads, rails, bridges, and other critical American assets.

The good news is that corrosion is an issue that can be tackled to extend the life and value of our Federal investments. When properly maintained, corrosion is largely preventable.

I have dealt with corrosion my whole adult life. Serving in our Navy for 9 years, I have seen young sailors fighting corrosion on our ships with a paint scraper, a paint brush, and a bucket of gray paint—the glory of the so-called paint and chip detail.

Working for the Houston region, I know how corrosion can impact our investment in our ports and waterways. Investing in corrosion prevention now will save the taxpayers billions down the road.

If my colleagues want to know more about corrosion prevention, come to Houston, Texas, headquarters of NACE, National Association of Corrosion Engineers, International.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SHUSTER. I yield an additional 30 seconds to the gentleman from Texas.

Mr. OLSON. This amendment would simply require the Army Corps to submit a report on corrosion prevention activities for our Nation's infrastructure, including water and sewer systems. I urge my colleagues to support this bipartisan, commonsense amendment.

Mr. SHUSTER. Mr. Chairman, if Connecticut and Texas can agree on this, then Congress ought to be able to agree on this.

I yield back the balance of my time.

Ms. ESTY. Mr. Chairman, I want to thank my friend and colleague and the co-chair of the Corrosion Prevention Caucus.

I am a Navy daughter and the daughter and granddaughter of civil engineers, so believe me, I have learned a lot about corrosion and corrosion prevention in my life.

Again, this is the sort of bipartisan fix we need to be engaged in in this body. I want to thank my good friend, Mr. OLSON, my good friend, the chairman, Mr. SHUSTER. I urge all our colleagues to support this commonsense amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY).

The amendment was agreed to.

□ 1915

AMENDMENT NO. 22 OFFERED BY MS. ESTY

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in House Report 114–790.

Ms. ESTY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, insert the following:

SEC. ____. NORTH ATLANTIC COASTAL REGION.

Section 4009 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1316) is amended—

(1) in subsection (a) by striking ''a study to determine the feasibility of carrying out projects'' and inserting ''a comprehensive assessment and management plan'';

(2) in subsection (b)—

(A) in the subsection heading by striking ''STUDY'' and inserting ''ASSESSMENT AND PLAN''; and

(B) in the matter preceding paragraph (1), by striking ''study'' and inserting ''assessment and plan''; and

(3) in subsection (c)(1) by striking ''study'' and inserting ''assessment and plan''.

The Acting CHAIR. Pursuant to House Resolution 892, the gentlewoman from Connecticut (Ms. ESTY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Chairman, I rise today in support of my amendment, which makes an important change to the North Atlantic Coastal Ecosystem Restoration Study. My amendment expands the scope of the study from a mere feasibility study to a comprehensive assessment and management plan.

First established in the 2014 Water Resources Reform and Development Act, the North Atlantic Coastal Ecosystem Restoration Study is a state-of-the-art approach for bringing together the latest science on restoring coastal ecosystems at scale.

The proposal in my amendment is an important change because it will allow the United States Army Corps of Engineers to undertake critical habitat restoration projects of tidal marshes, beaches, dunes, and fish spawning areas across a region spanning from Maine to Virginia.

Due to the varying habitats and ecosystems along the entire North Atlantic Coast, individual States currently are struggling to adequately address environmental and ecological issues that span the entire region.

Challenges arising from, for example, algal bloom, fish depletion, and water quality issues know no boundaries and, frankly, defy the efforts of States to coordinate activities. Beyond that, we simply lack the expertise in each and every State to address these shared problems. What has resulted is a fragmented, State-by-State approach to solving interconnected environmental problems that need holistic solutions.

My amendment addresses this problem by creating a comprehensive, cooperative, and regional approach to environmental restoration and management. By fostering collaboration on coastal restoration projects between the Army Corps, State, and local partners, we can more effectively tackle environmental issues and restoration of coastal ecosystems.

My change will help States along the entire North Atlantic United States solve major water quality issues like eutrophication, algal bloom, fish depletion, and threats to shellfish like the ones we are currently facing in Long Island Sound.

Again, I urge my colleagues to adopt this commonsense amendment.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

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

There was no objection.

Mr. SHUSTER. Mr. Chairman, this is a good amendment, and I appreciate the gentlewoman for bringing it forward. I urge all Members to support it.

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

Ms. ESTY. Mr. Chairman, I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY).

The amendment was agreed to.

AMENDMENT NO. 23 OFFERED BY MS. FRANKEL OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in House Report 114–790.

Ms. FRANKEL of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, insert the following:

SEC. ___. ACQUISITION OF BEACH FILL.

Section 935 of the Water Resources Development Act of 1986 (33 U.S.C. 2299) is amended by striking ''if such materials are not available from domestic sources for environmental or economic reasons''.

The Acting CHAIR. Pursuant to House Resolution 892, the gentlewoman from Florida (Ms. FRANKEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. FRANKEL of Florida. Mr. Chairman, I bring this amendment on behalf of myself and Mr. CURBELO of Miami, Florida. It is a very excellent commonsense amendment. It is an authorization that requires no money, and it strikes an archaic, 30-year-old provision from law.

I would like to explain how it affects our home State of Florida. Quite simply, the law is an obstacle to Florida's tourism and shoreline protection. We are one of the top travel destinations in the world. We have over 100 million visitors with a $70 billion impact to Florida's economy, and beaches play a very big role not only for visitors, but for our shore protection and for protection of our property, people, and the environment.

Just like Northern States have to fix their potholes after a bad winter, in Florida, we have to restore our beaches. What has happened is that Dade and Broward Counties have run out of useable sand to dredge off our coast to put back on the beaches. After the Sandy Hurricane, our sand supply is completely depleted. We now have to rely on sand from northern counties. Taking sand from inland is very, very expensive. To try to take sand from the coastal communities literally causes a public uproar and threats of litigation. It is our version of water wars. We call them sand wars in Florida.

There is a very easy solution, and that is to allow the counties in south Florida to buy sand from the Bahamas.

What is preventing that?

There is language in a 1986 law—a 1986 WRDA bill written at a time when sand in south Florida was very plentiful. The language prevents State and local governments anywhere in the country from buying foreign sand to replenish their shorelines without the Army Corps first finding—and this requires a study and another study—that there is no domestic sources of sand for environmental or economic reasons. It is one more task that an overburdened agency does not need to perform.

So what this amendment does is it simply strikes that outdated requirement.

Mr. Chairman, I urge Members to help end the sand wars and support my amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. FRANKEL).

The amendment was agreed to.

AMENDMENT NO. 24 OFFERED BY MR. AL GREEN OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in House Report 114–790.

Mr. AL GREEN of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, insert the following:

SEC. ___. PRIORITIZATION OF CERTAIN PROJECTS.

The Secretary shall give priority to a project for flood risk management if—

(1) there is an executed project partnership agreement for the project; and

(2) the project is located in an area—

(A) in which there has been a loss of life due to flood events; and

(B) with respect to which the President has declared that a major disaster or emergency exists under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

The Acting CHAIR. Pursuant to House Resolution 892, the gentleman from Texas (Mr. AL GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, this amendment is one that has received bipartisan support. It is supported by Congressman GENE GREEN of Texas as well as Congressman JOHN CULBERSON of Texas.

This amendment is quite simple. What it does is accord the Army Corps the requirement to prioritize projects wherein we have had a loss of life, a disaster declaration has been issued, there is a partnership agreement in place, and the funds have been authorized for the partnership.

In Texas we have had—and across the country, I might add—floods that are no longer classified as 100-year floods. Indeed, they are being classified as billion-dollar floods. We have had the Memorial Day flood, which was more than $1 billion, and the Tax Day flood, which was more than $1 billion. Between the two, we had more than 15 lives lost—approximately 17 to be more accurate.

This amendment would give us the opportunity to have some of the projects on the Corps' docket completed such that we can eliminate some flooding and minimize additional flooding.

I am honored to say that the Corps is aware of this amendment, and I am grateful to the Rules Committee for making it in order. I thank the chairperson and the ranking member for assistance given as well.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

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

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for bringing this forward. It is very similar to an amendment that Mr. YOUNG from Iowa brought forward, and I think that was a good amendment. I think this is. So I support it and urge all my colleagues to vote for it.

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

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

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in support of this amendment.

Many areas have faced severe frequent floods in recent years. Too many of these disasters have deadly consequences for our communities.

Since the beginning of the 114th Congress, more than 200 Americans have died as a result of flooding. In Texas alone, 77 people have perished as a result of flooding in under 2 years. Heavy rains and flooding killed eight people in 1 week this last April.

This amendment would go far to address these tragedies by allowing the Army Corps of Engineers to prioritize flood control projects for areas that have lethal flooding to provide security and peace of mind to residents in these communities.

Both Congressman AL GREEN and I represent different parts of Houston,

Harris County. His area was pretty devastated, along with the northwest part where Congressman MCCAUL represents, and a number of other folks. But there is a reason why we are called the coastal plain in the Houston area, because when it floods, we fill up the bayous, we fill up the rivers, and the only place it goes is in our businesses and in our homes. That is why this amendment is so important.

Mr. Chairman, I urge my colleagues to support this amendment and protect our most vulnerable communities.

Mr. AL GREEN of Texas. Mr. Chairman, I want to thank, again, the chairperson, the ranking member, and the Rules Committee as well.

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

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

The amendment was agreed to.

AMENDMENT NO. 25 OFFERED BY MS. HERRERA BEUTLER

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in House Report 114–790.

Ms. HERRERA BEUTLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. 1___. WATERCRAFT INSPECTION STATIONS.

Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) in subsection (d)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—In carrying out this section, the Secretary may establish, operate, and maintain new or existing watercraft inspection stations to protect the Columbia River Basin to be located in the States of Idaho, Montana, Oregon, and Washington at locations, as determined by the Secretary in consultation with such States with the highest likelihood of preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary. The Secretary shall also assist the States referred to in this paragraph with rapid response of any Quagga or Zebra mussel infestation.''.

(B) in paragraph (3) by inserting ''Governors of the'' before ''States''; and

(2) in subsection (e) by striking paragraph (3) and inserting the following:

''(3) assist the States in early detection of Quagga and Zebra mussels;''.

The Acting CHAIR. Pursuant to House Resolution 892, the gentlewoman from Washington (Ms. HERRERA BEUTLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. HERRERA BEUTLER. Mr. Chairman, my amendment is a simple technical correction to clarify congressional intent to assist Northwestern States in prevention and monitoring of aquatic invasive species.

Western States are seeing a troubling spread of quagga and zebra mussels, which are an invasive species that quickly destroy infrastructure for hydropower, water supply, filtration systems, and fisheries.

Once this species becomes established and spreads, it is difficult and very costly to eradicate. In some States, invasive mussels are already costing industries and businesses hundreds of millions of dollars in damage and repair.

For communities in the Columbia River basin, an infestation would be devastating to production of clean, renewable hydropower, which means steep rate hikes for families and businesses that are located in our region and are currently thriving due to the low cost of energy.

Communities would also suffer severe damages to fisheries and boats, putting all users and recreators of the Columbia and Snake River systems at risk.

Prevention is the first line of defense and the cheapest tool to use against invasive species. Watercraft inspection stations are particularly crucial in successful monitoring and detection. These stations intercept thousands of boats from all over the country to inspect and decontaminate.

This is why Congress authorized funds under the 2014 WRRDA to support watercraft inspection stations that protect the Columbia River basin from mussel invasion. Unfortunately, these funds have yet to actually reach the stations due to an ambiguity in the law.

This amendment simply clarifies that funds authorized under WRDA are intended to assist in establishing new watercraft inspection stations and support coverage for existing stations in Northwestern States.

Mr. Chairman, this is a good-government amendment to ensure that Federal funds are being used for the purpose for which Congress intended.

I urge adoption of the amendment.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

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

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I want to thank the gentlewoman for bringing this forward.

We are one of the last refuges in the United States free of the zebra mussel, which is incredibly destructive and expensive. This will help us protect the integrity of our vital riverine resources.

I thank the gentlewoman for bringing this forward, and I fully support it.

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

Ms. HERRERA BEUTLER. Mr. Chairman, I thank the gentleman for the support. Let's get this amendment moving.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. HERRERA BEUTLER).

The amendment was agreed to.

□ 1930

Mr. SHUSTER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAMALFA) having assumed the chair, Mr. CARTER of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5303) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, had come to no resolution thereon.

APPOINTMENT OF INDIVIDUAL TO THE SOCIAL SECURITY ADVISORY BOARD

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 703 of the Social Security Act (42 U.S.C. 903), and the order of the House of January 6, 2015, of the following individual on the part of the House to the Social Security Advisory Board for a term of 6 years, effective October 9, 2016:

Ms. Kim Hildred, Alexandria, Virginia

APPOINTMENT OF INDIVIDUAL TO BOARD OF TRUSTEES FOR THE JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 114(b) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1103), and the order of the House of January 6, 2015, of the following individual on the part of the House to the Board of Trustees for the John C. Stennis Center for Public Service Training and Development for a term of 6 years:

Mr. GREGG HARPER, Pearl, Mississippi

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 7 o'clock and 32 minutes p.m.), the House stood in recess.

□ 2340

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STIVERS) at 11 o'clock and 40 minutes p.m.