113th Congress

1st Session

H. Res. __

_____

H.R. 3080 - Water Resources Reform and Development Act of 2013

1. Structured rule.
2. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure.
3. Waives all points of order against consideration of the bill.
4. Section 2 makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-24 and provides that it shall be considered as read.
5. Waives all points of order against that amendment in the nature of a substitute.
6. Makes in order only those further amendments printed in the Rules Committee report and amendments en bloc described in section 3 of the rule. Each amendment printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
7. Waives all points of order against the amendments printed in the report or against amendments en bloc.
8. Section 3 provides that it shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the

disposition of the amendments en bloc.

9. Section 4 provides one motion to recommit with or without instructions.

RESOLUTION

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3080) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule.

Sec. 2. (a) In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-24. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived.

(b) No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

Sec. 3. It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 10

minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

Sec. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SUMMARY OF AMENDMENTS PROPOSED TO BE MADE IN ORDER

(summaries derived from information provided by sponsors)

Sponsor	#	Description	Debate Time
1. Shuster (PA), Gibbs (OH), Rahall (WV), Bishop, Tim (NY)	#72	**(REVISED) MANAGERS** Adds a new section that provides for expediting the completion of any on-going feasibility study for a project initiated prior to enactment and clarifies that the Corps of Engineers is authorized to move to preconstruction planning, engineering, and design activities immediately after completing a feasibility study. Amends Section 107 of H.R. 3080 to add a savings clause to ensure work carried out under an existing statute related to navigation that is repealed in H.R. 3080 can continue if initiated prior to enactment. Adds a new section providing non-Federal interests the ability to carry out work at their own expense for a project where a final feasibility report has been completed but has not received authorization from Congress. Requires the non-Federal interest to carry out work subject to any State or Federal permitting requirements and to carry out the project in accordance with the final feasibility report. Amends Section 120 of H.R. 3080 to request the Corps of Engineers to review the uses and economic feasibility of non-structural alternatives in their review of existing authorities for carrying out work	(10 minutes)

		after a storm event. Amends Section 102 of H.R. 3080 to add natural gas companies to the entities eligible to contribute funds to Corps of Engineers to expedite the processing of permits within the regulatory program of the Corps of Engineers. Makes other technical and conforming changes to H.R. 3080.	
2. DeFazio (OR), Blumenauer (OR), Jackson Lee (TX), Pingree (ME), Edwards (MD), Bonamici (OR)	#52	Delays the application of environmental "streamlining" provisions in the bill until the Secretary certifies that there is sufficient funding to reduce the current backlog of authorized Corps projects to less than $20 billion; more than $40 billion in projects have already been authorized using existing environmental review processes, but have yet to receive funding for construction.	(10 minutes)
3. Flores (TX)	#78	Prohibits programs or actions authorized under this Act from further implementation of coastal and marine spatial planning and ecosystem-based management components under Executive Order 13547. Requires the Secretary of the Army to conduct and submit a study detailing all activities engaged in and resources expended in furtherance of Executive Order 13547. The study also should include any budget requests for fiscal year 2014 for support of implementation of Executive Order 13547, and be submitted to the House Committee on Transportation and Infrastructure and Senate Committee on Commerce, Science, and Transportation.	(10 minutes)
4. Mullin, Markwayne (OK)	#55	Specifies that due to ongoing drought in many parts of the United States, state agencies are finding it difficult to maintain Federal Energy Regulatory Commission-licensed lake levels. Not later than 180 days after enactment, FERC is to initiate an assessment of the effects of drought conditions on these lakes and report to Congress – specifically looking at existing FERC-licensed lakes with rule curves in areas of drought and the effect long-term licenses have on state agencies being able to meet all their obligations.	(10 minutes)
5. Young, Don (AK), Petri (WI)	#21	Requires USACE to contract with private sector surveying and mapping firms, wherever practical, in performance of surveying and mapping services and activities for Corps projects. Requires the Secretary to issue agency guidance to encourage use of the private sector for surveying and mapping services, and requires a process to provide oversight of the performance of compliance with the guidance.	(10 minutes)
6. Hastings, Alcee (FL)	#15	Includes operation and maintenance costs associated with sand transfer plants in the annual operations and	(10 minutes)

		maintenance budget of the Corps of Engineers.	
7. Bentivolio, (MI)	#51	Seeks to increase the amount of backlogged projects to be de-authorized, beyond what is initially de-authorized in the bill from $12,000,000,000 to $35,000,000,000.	(10 minutes)
8. Jones (NC)	#89	**(LATE)** Exempts the disaster restriction on projects which non-federal interests may contribute to.	(10 minutes)
9. Jackson Lee (TX)	#44	Provides that in making recommendations pursuant to Section 118 of the Act, the Secretary shall consult with key stakeholders, including State, county, and city governments, and, where applicable, State and local water districts, and in the case of recommendations concerning projects that substantially affect underrepresented communities the Secretary shall also consult with historically Black colleges and universities, Tribal Colleges and Universities, and other minority-serving institutions.	(10 minutes)
10. Grimm (NY)	#2	Modifies Section 118 to require the Secretary of the Army to include project recommendations made in the study for flood and storm damage reduction related to natural disasters under title II of division A of the Disaster Relief Appropriations Act, 2013 within the Secretary's Report to Congress on Future Water Resources Development.	(10 minutes)
11. Peters, Scott (CA)	#13	Adds a subsection specifying that the Secretary of the Army coordinates with the Administrator of the FEMA to disseminate the emergency communication of risk to the public through widely used and readily available means.	(10 minutes)
12. Stutzman (IN)	#16	Provides that the Secretary of the Army shall not require the removal of levee vegetation until the Corps of Engineers' policy guidelines on vegetation management for levees have been reviewed and adopted. Provides an exception for vegetation that presents an unacceptable safety risk.	(10 minutes)
13. Velázquez (NY)	#88	**(LATE)** Establishes a national water-based freight policy to improve the movement of freight and cargo over waterways, canals, ports, and harbors	(10 minutes)
14. Pierluisi (PR)	#42	Adds Puerto Rico to the provision of law that would be updated for inflation by Section 137 and that authorizes the Secretary of the Army to waive local cost-sharing requirements up to a specified dollar amount for studies and projects in certain U.S. territories.	(10 minutes)
15. Cotton (AR)	#65	Allows non-federal entities (regional authorities or municipalities) and the Army Corps of Engineers (ACE) to collaborate on a proposal to sell any excess water supply in order to address an oversupply of water resulting from	(10 minutes)

		the 1958 Water Supply Act. This would not authorize the Corps to actually sell the water or release the water from storage.	
16. Richmond (LA), Scalise (LA)	#18	Directs the Corps to calculate the national benefits of proposed flood protection projects, including benefits from a reduction in national and regional economic losses, as well as the protection of evacuation routes.	(10 minutes)
17. Hastings, Doc (WA)	#47	Ensures that Congress continue the practice of authorizing project purposes at Corps of Engineers dams or reservoirs.	(10 minutes)
18. McCollum (MN), Kelly (PA), Schneider (IL), Lipinski (IL)	#1	**(REVISED)** Establishes a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries by providing technical assistance, coordination, best practices, and support to State and local governments in carrying out such activities.	(10 minutes)
19. Thompson, Mike (CA), Benishek (MI), DeFazio (OR), Simpson (ID), Titus (NV)	#14	Requires the Government Accountability Office (GAO) to conduct an assessment on the impacts of aquatic invasive species on federal assets and current federal spending on aquatic invasive species prevention.	(10 minutes)
20. Brownley (CA)	#41	Requires the Army Corps to consider activities of the Secretary of the Navy when assessing the operation and maintenance needs of harbors and the equitable distribution of funds.	(10 minutes)
21. Lowenthal (CA)	#40	Requires the Secretary to include 'expanded uses' of the Harbor Maintenance Trust Fund in the assessments and prioritization of operations and maintenance reports to Congress.	(10 minutes)
22. Brownley (CA)	#39	Requires GAO to study and report to Congress on the effectiveness of activities funded by the Harbor Maintenance Trust Fund in maximizing economic growth and job creation in the communities surrounding low- and moderate-use ports; and include recommendations relating to the use of amounts in the Harbor Maintenance Trust Fund to increase the competitiveness of United States ports relative to Canadian and Mexican ports.	(10 minutes)
23. Schneider (IL)	#9	Expands congressional reporting requirements to include recommendations for mitigating current problems and limiting the construction backlog.	(10 minutes)
24. Gardner (CO)	#29	**(REVISED)** Establishes the Office of Water Storage at the Army Corp of Engineers to serve as an initial point of contact for the acquisition or satisfaction of a Federal permit for a water storage facility.	(10 minutes)