



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
Chairman

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Ranking Member

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July 15, 2020

The Committee on Transportation and Infrastructure met at 10:00 a.m. in 2167 Rayburn House Office Building and on Cisco WebEx pursuant to notice, in an open session, a quorum being present, and considered the following measures:

Updated Subcommittee Roster; and

H. R. 7575 – 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 “Water Resources Development Act of 2020”.

The Committee took the following actions:

The Committee adopted Subcommittee assignments reflecting the addition of Mr. Mike Garcia of California to fill the vacancies on the Subcommittee on Economic Development, Public Buildings, and Emergency Management and the Subcommittee on Highways and Transit.

H. R. 7575, 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.; was ordered to be reported to the House of Representatives, with a favorable recommendation, as amended, by voice vote.

The Chair discharged the Subcommittee on Water Resources and Environment from further consideration of H.R. 7575.

The following amendments were offered:

An amendment offered by Mr. DeFazio (#1);

Page 17, beginning on line 4, strike “a project to which such section applies” and insert “any project for navigation on the inland waterways”.

Page 24, after line 10, insert a new paragraph entitled “(3) State.”

Page 26, strike lines 17 through 24 and insert the following:

(2) in paragraph (1)—

(A) by striking “nonstructural flood control measures” and inserting “a flood risk management or hurricane and storm damage risk reduction measure using a nonstructural feature, or a natural feature or nature-based feature

- (as those terms are defined in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)),”; and
- (B) by striking “cash during construction of the project” and inserting “cash during construction for a nonstructural feature if the costs of land, easements, rights-of-way, dredged material disposal areas, and relocations for such feature are estimated to exceed 35 percent”.
- Page 32, line 17, insert “(or county-equivalent entity or entities)” after “counties”.
- Page 32, line 22, insert “(or county-equivalent entity or entities)” after “counties”.
- Page 33, line 3, insert “(or county-equivalent entity or entities)” after “counties”.
- Page 35, after line 10, insert a new subsection entitled “(k) State Defined.”
- Page 45, line 9, strike “; or” and insert a period.
- Page 45, line 16, strike the period at the end and insert “; or”.
- Page 45, after line 16, insert the following: “(3) that are no longer having project purposes adequately met by the Corps of Engineers, because of deferment of maintenance or other challenges, and the divestment of which to a non-Federal entity could better meet the local and regional needs for operation and maintenance.
- Page 56, line 3, insert “the coastal and tidal waters of the State of Louisiana, the waterways of the counties that comprise the Sacramento-San Joaquin Delta, California,” after “New Jersey,”.
- Page 59, line 4, strike “Section” and insert the following: (a) In General.—Section
- Page 59, line 6, strike “by inserting ‘or contribute’ ” and insert “by inserting ‘, or provide contributions equal to,’ ”.
- Page 59, after line 14, insert a new subsection entitled “(b) Continued Eligibility.”
- Page 73, after line 17, insert the following new sections entitled “Sec. 139. Cost Sharing Provisions for Territories and Indian Tribes.”; and “Sec. 140. Flood Control and Other Purposes.”
- Page 76, after line 3, insert a new paragraph entitled “(16) Boston, Massachusetts.”
- Page 80, after line 14, insert the following: (7) Project for flood risk management, Lower Cache Creek, California.
- Page 80, after line 17, insert the following: (8) Project for shoreline protection, Oceanside, California, authorized pursuant to section 414 of the Water Resources Development Act of 2000 (114 Stat. 2636; 121 Stat. 1176).
- Page 82, after line 4, insert the following:
- (16) Project for flood control, Amite River and Tributaries east of the Mississippi River, Louisiana.
 - (17) Project for coastal storm risk management, Upper Barataria Basin, Louisiana.
 - (18) Project to replace the Bourne and Sagamore Bridges, Cape Cod, Massachusetts.
- Page 82, after line 8, insert the following: (17) Project for flood risk management, Rahway River Basin, New Jersey.
- Page 82, after line 22, insert the following:(21) Project to resolve increased silting and shoaling adjacent to the Federal channel, Port of Bandon, Coquille River, Oregon.
- Page 84, after line 5, insert the following: (31) Project for hurricane and storm damage risk reduction and shoreline erosion protection, Bolongo Bay, St. Thomas, United States Virgin Islands.

Page 94, after line 25, insert a new section entitled “Sec. 207. Portsmouth Harbor and Piscataqua River and Rye Harbor, New Hampshire.”

Page 96, line 11, strike “The Secretary” and insert the following: (1) In General.—
The Secretary

Page 96, after line 18, insert a new paragraph entitled “(2) Focus Areas.”

Page 97, line 20, strike “paragraph (1)(D)” and insert “subsection (c)”.

Page 111, after line 8, insert the following:(5) an assessment of the annual funding level trends for moderate-use harbor projects (as defined in section 210 of the Water Resources Development Act of 1986 on the day before the date of enactment of this Act) after the date of enactment of the Water Resources Development Act of 2014 (Public Law 113–121), excluding funds awarded to donor ports medium-sized donor ports, and energy transfer ports (as such terms are defined in section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201));

Page 116, after line 16, insert new sections entitled “Sec. 219. Report on Recreational Facilities.”; “Sec. 220. GAO Study on Administration of Environmental Banks.”; and “Sec. 221. Lake Okeechobee Regulation Schedule.”

Page 144, after line 14, insert a new paragraph entitled “(3) Madison And St. Clair Counties, Illinois.”; was AGREED TO by voice vote.

An amendment offered by Mr. Weber (#2); At the end of title III of the bill, add a new section entitled “Sec. __. Reservoir Management and Operational Plans for Lower Brazos River Basin.”; was WITHDRAWN.

An amendment offered by Mr. Pappas (#3); Page 73, after line 17, insert a new section entitled “Sec. 139. Clean Water Act Effluent Standards, Pretreatment Standards, and Water Quality Criteria for PFAS.”; was WITHDRAWN.

A point of order was reserved against the amendment by Mr. DeFazio, but subsequently fell when the amendment was withdrawn.

An amendment offered by Mr. Fitzpatrick (#4); Page 73, after line 17, insert a new section entitled “Sec. 139. Susquehanna, Delaware, and Potomac River Basin Commissions.”; was WITHDRAWN.

A point of order was reserved against the amendment by Mr. DeFazio, but subsequently fell when the amendment was withdrawn.

An amendment offered by Mr. Garamendi (#5); At the end of title I, add a new section entitled “SEC. __. Transfer of Excess Credit.”; was NOT AGREED TO by voice vote.

An amendment offered by Mr. Woodall (#6); At the end of title I of the bill, add a new section entitled “Sec. __. Studies of Constructed Projects.”; was WITHDRAWN.

An amendment offered by Mr. Garamendi (#7); At the end of title I, add a new section entitled “Sec. __. Repeal of Reprogramming Authority.”; was WITHDRAWN.

An amendment offered by Mr. Graves of Louisiana (#8); Page 175, after line 19, insert a new section entitled “Sec. 331. Morganza to the Gulf of Mexico, Louisiana.”; was WITHDRAWN.

An amendment offered by Mr. Garamendi (#9); At the end of title I, add a new section entitled “Sec. ____ . Implementation of Small Business Act.”; was WITHDRAWN.

An amendment offered by Mr. Graves of Louisiana (#10); At the end of title III of the bill, add a new section entitled “Sec. ____ . Establishment of National Foundation for Resilience.”; was WITHDRAWN.

A point of order was reserved against the amendment by Mr. DeFazio, but subsequently fell when the amendment was withdrawn.

An amendment offered by Mr. Garamendi (#11); Page 184, after line 18, insert a new subsection entitled “(d) Yuba River Ecosystem Restoration Project, California.” ; was WITHDRAWN.

An amendment offered by Mr. Mast (#12); At the end of title III, add a new section entitled “Sec. ____ . Management of the Central and Southern Florida System.”; was NOT AGREED TO by voice vote.

An amendment offered by Mr. Mast (#13); At the end of title III, add a new section entitled “Sec. ____ . Loxahatchee River Watershed Restoration Project, Florida.”; was WITHDRAWN.

An amendment offered by Mr. Lynch (#14); At the end of title I of the bill, add a new section entitled “Sec. ____ . Deferred Payments.”; was WITHDRAWN.

An amendment offered by Mr. Mast (#15); At the end of title I, add a new section entitled “Sec. ____ . Florida Estuaries.”; was WITHDRAWN.

An amendment offered by Ms. Craig (#16); Page 175, after line 2, insert a new subsection entitled “(k) Upper Mississippi River.”; was WITHDRAWN.

An amendment offered by Mr. Graves of Louisiana (#17); Strike section 137 of the bill and insert a new section entitled “Sec. 137. Non-Federal Implementation Program.”; was WITHDRAWN.

An amendment offered by Mr. Lynch (#18); At the end of title III, add a new section entitled “Sec. ____ . Regional Sediment Management.”; was AGREED TO by voice vote.

An amendment offered by Ms. Finkenauer (#19); Page 73, after line 17, insert a new section entitled “Sec. 139. Review of Contracting Policies.”; was AGREED TO by voice vote.

An amendment offered by Mr. Perry (#20); At the end of title I, add a new section entitled “Sec. ____ Buy America.”; was AGREED TO by unanimous consent.

An amendment offered by Mr. Perry (#21); Strike section 101 and insert a new section 1010 entitled “Sec. 101. Budgetary treatment of Harbor Maintenance Trust Fund.”; was NOT AGREED TO by a recorded vote of 2 yeas and 62 nays (Roll Call Vote No. 38). The vote was as follows:

Roll Call Vote No. 39	
Yeas	Nays
Mr. Massie Mr. Perry	Mr. DeFazio Mr. Graves of MO Ms. Norton Ms. Johnson of TX Mr. Crawford Mr. Larsen of WA Mr. Gibbs Mrs. Napolitano Mr. Webster of FL Mr. Lipinski Mr. Cohen Mr. Sires Mr. Garamendi Mr. Woodall Mr. Johnson of GA Mr. Katko Mr. Carson of IN Mr. Babin Ms. Titus Mr. Graves of LA Mr. Maloney of NY Mr. Rouzer Mr. Huffman Mr. Bost Ms. Brownley of CA Ms. Wilson of FL Mr. LaMalfa Mr. Payne Mr. Westerman Mr. Lowenthal Mr. Smucker Mr. DeSaulnier Mr. Mitchell Ms. Plaskett Mr. Mast Mr. Lynch Mr. Gallagher

	Mr. Carbajal Mr. Palmer Mr. Brown of MD Mr. Fitzpatrick Mr. Espaillat Miss González-Colón of PR Mr. Malinowski Mr. Balderson Mr. Stanton Mr. Spano Ms. Mucarsel-Powell Mr. Stauber Mrs. Fletcher Mrs. Miller Mr. Allred Mr. Pence Ms. Davids of KS Mr. Garcia of CA Ms. Finkenauer Mr. García of IL Mr. Delgado Mr. Pappas Ms. Craig Mr. Rouda Mr. Lamb		
Total	Yeas: 2		Nays: 62

An amendment offered by Mr. Gibbs (#22); At the end of title III, add a new section entitled “Sec. ____, Great Lakes Confined Disposal Facilities.”; was WITHDRAWN.

An amendment offered by Mr. Gibbs (#23); Page 73, after line 17, insert a new section entitled “Sec. 139. National Coastal Mapping Program.”; was WITHDRAWN.

An amendment offered by Mr. Bost (#24); Page 59, line 7, strike “and” at the end. Page 59, after line 7, insert the following (and redesignate the subsequent paragraph accordingly):

(2) in clause (i) by striking clause (II) and inserting the following:

“(II) the Secretary determines that the damage to the structure was not a result of negligent operation or maintenance.”; and; was WITHDRAWN.

An amendment offered by Mr. Woodall (#25); At the end of title II add a new section entitled “Sec. ____. Savannah River, South Carolina.; was WITHDRAWN.

An amendment offered by Mr. Graves of Louisiana (#26); At the end of title I of the bill, add a new section entitled “Sec. ____. Real Property Interests.”; was WITHDRAWN.

An amendment offered by Mr. Babin (#27); Page 78, strike lines 18 through 24 and insert a new paragraph entitled “(32) Sabine Pass to Galveston Bay, Texas.”

Page 79, strike lines 10 through 18 and insert a new paragraph entitled “(b) Special Rule.”; was AGREED TO by voice vote.

An amendment offered by Mr. Graves of Louisiana (#28); Add at the end of title III a new section entitled “Sec. ____ Calcasieu River and Pass, Louisiana.”; was AGREED TO by voice vote.

An amendment offered by Mr. Garcia of California (#29); Add at the end of title I a new section entitled “Sec. ____ WIIN Act Amendments.”; was WITHDRAWN.

A point of order was reserved against the amendment by Mr. DeFazio, but subsequently fell when the amendment was withdrawn.

An amendment offered by Mr. Graves of Louisiana (#30); At the end of title I, add a new section entitled “Sec. ____ Annual Report on Status of Feasibility Studies.”; was AGREED TO by voice vote.

An amendment offered by Mr. Graves of Louisiana (#31); Page 186, line 12 insert a new paragraph entitled “(5) Port Fourchon, Louisiana.”; was WITHDRAWN.

An amendment offered by Mr. Graves of Louisiana (#32); Page 175, after line 19, insert a new section entitled “Section 332. Morganza to the Gulf of Mexico, Louisiana.”; was NOT AGREED TO by voice vote.

A unanimous consent request by Mr. DeFazio that H.R. 7575, will be reported as a single Amendment in the Nature of a Substitute incorporating any amendments adopted, was NOT OBJECTED TO.

A unanimous consent request by Mr. DeFazio that staff be authorized to make all necessary technical, clarifying and conforming changes to H.R. 7575; was NOT OBJECTED TO.

A motion by Mr. DeFazio that, pursuant to Rule XXII, clause 1, the Committee authorizes the Chair, or designee, to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 7575; or any similar measure, was NOT OBJECTED TO.

A motion by Mr. DeFazio that, pursuant to Rule XI clause 2(1), Members may have two calendar days in which to file any supplemental, minority, additional, or dissenting views H.R. 7575; was NOT OBJECTED TO.

A unanimous consent request by Mr. DeFazio that, the Chair, after consultation with the Ranking Member, has authority to strike or revise any provision of the bills ordered reported today that would cause a sequential referral to another committee, or that would cause the

bills to concurrent resolutions to be subject to a Budget Act of Rule 21 PAYGO point of order, was NOT OBJECTED TO.

Pursuant to Rule 5 of the Rules of the Committee on Transportation and Infrastructure, the Chair notes the presence of a quorum for actions taken on all Committee business today.

