

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. _____
OFFERED BY MR. CRAWFORD OF ARKANSAS**

At the appropriate place in title I, insert the following:

1 SEC. 1 ____ . LEVEE OWNERS BOARD.

2 (a) ESTABLISHMENT OF OWNERS BOARD.— There
3 is hereby established a Levee Owners Board (hereinafter
4 in this section referred to as the “Owners Board”) com-
5 posed of the eleven members appointed by the Secretary.
6 The members shall be appointed so as to represent various
7 regions of the country, including at least one Federal levee
8 system owner-operator from each of the eight civil works
9 divisions of the U.S. Army Corps of Engineers. The Sec-
10 retary of the Army shall designate, and the Administrator
11 of FEMA may designate, a representative to act as an
12 observer of the Owners Board.

13 (1) TERMS OF MEMBERS.—

14 (A) IN GENERAL.—A member of the Own-
15 ers Board shall be appointed for a period of 3
16 years.

17 (B) REAPPOINTMENT.—A member of the
18 Owners Board may be reappointed to the Own-

1 ers Board, as the Secretary determines to be
2 appropriate.

3 (C) VACANCIES.—A vacancy on the Own-
4 ers Board shall be filled in the same manner as
5 the original appointment was made.

6 (2) CHAIRPERSON.—

7 (A) IN GENERAL.—The members of the
8 Owners Board shall appoint a chairperson from
9 among the members of the Owners Board.

10 (b) DUTIES OF THE OWNERS BOARD.—

11 (1) IN GENERAL.— The Owners Board shall
12 meet not less frequently than semiannually to de-
13 velop and make recommendations to the Secretary
14 and Congress regarding levee system reliability
15 throughout the United States.

16 (2) ADVICE AND RECOMMENDATIONS.—The
17 Owners Board shall provide—

18 (A) prior to the development of the budget
19 proposal of the President for a given fiscal year,
20 advice and recommendations to the Secretary
21 regarding overall levee system reliability in ac-
22 cordance with section 3303d of Title 33;

23 (B) advice and recommendations to Con-
24 gress regarding any feasibility report for a flood

1 risk management project that has been sub-
2 mitted to Congress;

3 (C) not later than 60 days after the date
4 of the submission of the budget proposal of the
5 President to Congress, advice and recommenda-
6 tions to Congress regarding flood risk manage-
7 ment project construction and rehabilitation
8 priorities and corresponding spending levels;

9 (D) advice and recommendations to the
10 Secretary and the Congress regarding effective-
11 ness of the U.S. Army Corps of Engineers levee
12 safety program, including comments and rec-
13 ommendations on the budgets and expenditures
14 as described in paragraph (c)(2); and

15 (E) advice and recommendations to the
16 Secretary, the Congress, and the Administrator
17 regarding effectiveness of the levee safety initia-
18 tive established by 33 U.S.C. § 3303a, includ-
19 ing comments and recommendations on the
20 budgets and expenditures described in para-
21 graph (c)(2).

22 (3) INDEPENDENT JUDGMENT.—Any advice or
23 recommendations made by the Owners Board shall
24 reflect the independent judgment of the Owners
25 Board.

1 (c) DUTIES OF THE SECRETARY.—The Secretary
2 shall—

3 (1) designate an Executive Secretary who shall
4 assist the Chairman in administering the Owners
5 Board and ensuring that the Owners Board operates
6 in accordance with chapter 10 of title 5;

7 (2) provide to the Owners Board such detailed
8 reports of Corps activities and expenditures related
9 to flood risk management and levees, including for
10 the Corps levee safety program and the levee safety
11 initiative, not less frequently than semiannually; and

12 (3) submit to the Owners Board a courtesy
13 copy of any completed feasibility report for a flood
14 risk management project submitted to Congress.

15 (d) ADMINISTRATION.—

16 (1) IN GENERAL.—The Owners Board shall be
17 subject to chapter 10 of title 5, other than section
18 1013, and with the consent of the appropriate agen-
19 cy head, the Owners Board may use the facilities
20 and services of any Federal agency.

21 (2) Members not considered special Government
22 employees. For the purposes of complying with chap-
23 ter 10 of title 5, the members of the Owners Board
24 shall not be considered special Government employ-
25 ees (as defined in section 202 of title 18).

1 (3) TRAVEL EXPENSE.—Non-Federal members
2 of the Owners Board while engaged in the perform-
3 ance of their duties away from their homes or reg-
4 ular places of business, may be allowed travel ex-
5 penses, including per diem in lieu of subsistence, as
6 authorized by section 5703 of title 5.

