



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

Sam Graves
 Chairman
 Jack Ruddy
 Staff Director

Rick Larsen
 Ranking Member
 Katherine W. Dedrick
 Democratic Staff Director

June 26, 2024

The Committee on Transportation and Infrastructure met at 10:00 a.m. on June 26, 2024, in 2167 Rayburn House Office Building, pursuant to notice, in an open session, with a quorum present, and considered the following measures:

- Amendment in the Nature of a Substitute (ANS) to H.R. 8812, the *Water Resources Development Act of 2024*; and
- General Services Administration Capital Investment and Leasing Program Resolutions

The Committee took the following actions:

H.R. 8812, the “*Water Resources Development Act of 2024*.” The Subcommittee on Water Resources and Environment was discharged from further consideration of H.R. 8812 on June 26, 2024. The legislation was AGREED TO and ordered to be favorably reported to the House, as amended, by a recorded vote of 61 yeas and 2 nays (RC# 51).

The vote was as follows:

Vote: 51			
Final passage: H.R. 8812, as amended			
Yea	61	Nay	2
Member	Vote	Member	Vote
Mr. Graves of MO	Y	Mr. Larsen of WA	Y
Mr. Crawford	Y	Ms. Norton	Y
Mr. Webster of FL	Y	Mrs. Napolitano	Y
Mr. Massie	Y	Mr. Cohen	Y
Mr. Perry	N	Mr. Garamendi	Y
Mr. Babin	Y	Mr. Johnson of GA	Y
Mr. Graves of LA	Y	Mr. Carson	Y
Mr. Rouzer	Y	Ms. Titus	Y
Mr. Bost	Y	Mr. Huffman	Y
Mr. LaMalfa	Y	Ms. Brownley	Y

Mr. Westerman	Y	Ms. Wilson of FL	
Mr. Mast	N	Mr. DeSaulnier	Y
Mrs. González-Colón	Y	Mr. Carbajal	Y
Mr. Stauber		Mr. Stanton	Y
Mr. Burchett	Y	Mr. Allred	Y
Mr. Johnson of SD	Y	Ms. Davids of KS	Y
Mr. Van Drew	Y	Mr. García of IL	Y
Mr. Nehls	Y	Mr. Pappas	Y
Mr. Mann	Y	Mr. Moulton	Y
Mr. Owens	Y	Mr. Auchincloss	Y
Mr. Yakym	Y	Ms. Strickland	Y
Mrs. Chavez-DeRemer	Y	Mr. Carter of LA	Y
Mr. Kean of NJ	Y	Mr. Ryan	Y
Mr. D'Esposito	Y	Mrs. Peltola	Y
Mr. Burlison	Y	Mr. Menendez	Y
Mr. Van Orden	Y	Ms. Hoyle of OR	Y
Mr. Williams of NY	Y	Mrs. Sykes	Y
Mr. Molinaro	Y	Ms. Scholten	Y
Mr. Collins	Y	Mrs. Foushee	Y
Mr. Ezell	Y	Mr. Deluzio	Y
Mr. Duarte	Y		
Mr. Bean of FL	Y		
Ms. Maloy	Y		
Mr. Kiley	Y		
Mr. Fong	Y		

The following amendments were offered:

An Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Graves of Missouri, as amended; was AGREED TO by voice vote.

A Manager's Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Graves of Missouri (Graves of Missouri 01); was AGREED TO by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Crawford of Arkansas (Crawford 073): Strike section 302(d).; was NOT AGREED TO by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Garamendi of California (Garamendi 251): At the appropriate place in title I, insert the following: SEC. 111. REQUIRED RULEMAKING ON SURPLUS WATER. Not later than 1 year after

the date of enactment of this Act, the Secretary shall issue a rule to implement section 6 of the Flood Control Act of 1944 (33 U.S.C. 708).; was **WITHDRAWN**.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Graves of Louisiana (Graves of Louisiana 116): Page 223, after line 6, insert the following: (c) BRIDGE REASSIGNMENT AND CLOSURE.—Beginning on the date that is 5 years after the date of enactment of this Act, if a non-Federal entity has not entered into an agreement with the Secretary under section 109 of the River and Harbor Act of 1950 (33 U.S.C. 534) (as amended by this section) for the transfer or conveyance of a bridge identified in the report described in subsection (b), the Secretary may close public access to such bridge until such an agreement has been executed.; was **NOT AGREED TO** by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Bost of Illinois (Bost 057): At the appropriate place in Title I, insert the following: SEC. 111. FEDERAL REQUIREMENTS FOR WIFIA ELIGIBILITY AND PROJECT SELECTION. Section 5028(a)(1)(C) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907) is amended by: (1) striking “The Secretary” and inserting the following: “(i) FINANCING SECURITY FEATURES.—The Secretary”; and (2) adding at the end the following: “(ii) CONSTRUCTION PAYMENT AND PERFORMANCE SECURITY.— “(I) IN GENERAL.—The Secretary or the Administrator, as applicable, shall ensure that the construction of a project carried out with assistance under this subtitle shall have payment and performance security. “(II) USE OF STATE OR LOCAL REQUIREMENTS.—With respect to the construction of a project for which payment and performance security is required to be furnished by applicable State or local law, the Secretary or the Administrator, as applicable, shall accept such payment and performance security requirements for purposes of subclause (I), except that the amount of any payment and performance security accepted shall not be less than 50 percent of the total construction contract amount. “(III) USE OF OTHER REQUIREMENTS.— With respect to the construction of a project for which no State or local payment and performance security requirements are applicable, the payment and performance security described in paragraphs (1) and (2) of section 3131(b) of title 40, United States Code, shall be required for purposes of subclause (I).”.”; was **WITHDRAWN**.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. LaMalfa of California (LaMalfa 077): At the appropriate place in Title I, insert the following: SEC. 111. SACRAMENTO RIVER WATERSHED NATIVE AMERICAN SITE AND CULTURAL RESOURCE PROTECTION PILOT PROGRAM. (a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a pilot program in accordance with this section to protect Native American burial sites, village sites, and cultural resources identified or discovered at civil works projects in the watershed of the Sacramento River and its tributaries, including the American, Bear, Yuba, and Feather Rivers, in the State of California. (b) REBURIAL.—(1) REBURIAL AREAS.—In carrying out the pilot program, the Secretary shall, in consultation with and with the consent of each affected Indian Tribe, identify, and, as applicable, cooperate with appropriate Tribal, local, State, and Federal Government property owners to set aside areas that may be used for the reburial of Native American human remains and funerary objects that have been identified or discovered at the site of a covered civil works project, have been rightfully claimed by any affected Indian Tribe, and can be reburied in such areas in a manner secure from future disturbances, with the consent of such property owner or owners, as applicable. (2) RECOVERY AND REBURIAL STANDARDS.—(A) TIMING OF RECOVERY.—(i) REQUIREMENTS.—In carrying out the pilot program, the Secretary shall work in good faith with each affected Indian Tribe, and each owner of property affected by the recovery process, to ensure that the recovery of a burial site, village site, or cultural resources from the site of a covered civil works project under the pilot program is completed, pursuant to a written plan or protocol, not later than 45 days after the initiation of such recovery. With respect to a burial site, village site, or cultural resources identified at the site of a covered civil works project before construction of the covered civil works project commences, such recovery is

completed before such construction commences on the portion of the covered civil works project affected by the recovery process. (ii) ALTERNATIVE TIMETABLE.—Notwithstanding the deadlines established by clause (i), the Secretary, each relevant non-Federal interest for the covered civil works project, each affected Indian Tribe, and each owner of property affected by the recovery process may negotiate and agree to an alternative timetable for recovery other than that required by such clause, based on the circumstances of the applicable covered civil works project. (B) GUIDANCE.—In carrying out subsection (a), the Secretary shall develop and issue written guidance for recovery and reburial under the pilot program that meets or exceeds the recovery and reburial standards in policy statements and guidance issued by the Advisory Council on Historic Preservation. (C) EMINENT DOMAIN PROHIBITION.—No Federal entity may exercise the power of eminent domain to acquire any property to be used for reburial under the pilot program. (3) RECOVERY AND REBURIAL.—(A) RECOVERY AND REBURIAL BY SECRETARY.—In carrying out the pilot program, the Secretary shall, at Federal expense, in consultation with and with the consent of each affected Indian Tribe, and with appropriate dignity and in accordance with the guidance developed under paragraph (2)—(i) recover any cultural resources identified or discovered at the site of a covered civil works project and rightfully claimed by any affected Indian Tribe; (ii) rebury any human remains and funerary objects so recovered at the applicable areas identified and set aside under paragraph (1); and (iii) repatriate any other cultural resources so recovered to the affected Indian Tribe that has rightfully claimed such cultural resources. (B) TRIBAL AUTHORIZATION.—(i) IN GENERAL.—Upon the request of an affected Indian Tribe, the Secretary shall authorize, pursuant to a memorandum of agreement entered into under clause (ii), the Indian Tribe to assume recovery and reburial responsibilities under the pilot program of cultural resources that have been rightfully claimed by the affected Indian Tribe, and shall reimburse the affected Indian Tribe for reasonable costs directly related to such recovery and reburial. (ii) MEMORANDUM OF AGREEMENT.—In carrying out clause (i)—(I) with respect to a burial site, village site, or cultural resources identified at a covered civil works project before construction of the project commences, the Secretary shall, upon request by the affected Indian Tribe, enter into a written memorandum of agreement with the affected Indian Tribe to authorize the necessary recovery and reburial activities before such construction commences; and (II) with respect to a burial site, village site, or cultural resources discovered at a covered civil works project after construction of the project commences, the Secretary shall, upon request by the affected Indian Tribe, enter into a written memorandum of agreement with the affected Indian Tribe to authorize the necessary recovery and reburial activities not later than 45 days after such discovery. (iii) LIMITATION.—Reimbursement under clause (i) shall not exceed 1 percent of the total cost of construction of the applicable covered civil works project, pursuant to the terms outlined in paragraph (6). (4) TRIBAL MONITORS.—(A) IN GENERAL.—In carrying out the pilot program, the Secretary may hire a Tribal monitor or monitors, and shall allow any affected Indian Tribe to hire a Tribal monitor or monitors, at Federal expense, during the construction of any covered civil works project, for each area of construction, including for each burial site and village site with respect to which Native American cultural resources are being recovered for reburial. (B) QUALIFICATIONS.—The Secretary or affected Indian Tribe, as applicable, shall ensure that preference in hiring Tribal monitors under this paragraph is provided to qualified Native Americans, including individuals who have a professional relationship with the affected Indian Tribe or possess knowledge of, and expertise in, the customs of the affected Indian Tribe. (C) LIMITATION.—The Federal expense of Tribal monitors hired under this paragraph shall not exceed 1 percent of the total cost of construction of the applicable covered civil works project, pursuant to the terms outlined in paragraph (6). (5) IDENTIFICATION AND INVENTORY.—In carrying out the pilot program, the Secretary shall accept identifications made by an affected Indian Tribe of Native American burial sites and village sites at the site of a covered civil works project, and include such identifications in any inventory document for such project. (6) TIMING OF PAYMENTS.—The Secretary shall enter into a contract or other agreement to make a payment to an affected Indian Tribe for reimbursement of reasonable costs under paragraph (3)(B) or actual expenses under paragraph (4), subject to market-based pricing, which payment shall be made not later than 90 days after the affected Indian Tribe submits an invoice for such costs or expenses to the Secretary. (c) CONVEYANCE AUTHORITY.—(1) IN GENERAL.—Subject to paragraph (2), notwithstanding any other provision of law, the Secretary may convey to an affected Indian Tribe for use as a cemetery or reburial area any area that is located on land owned by the Department of the Army and is identified and set aside under subsection (b)(1). (2) RETENTION OF NECESSARY PROPERTY INTERESTS.—In carrying out paragraph (1), the Secretary shall retain any

necessary right-of-way, easement, or other property interest that the Secretary determines to be necessary to carry out the authorized purposes of any Corps of Engineers project related to the conveyed land. (d) CONFIDENTIALITY OF INFORMATION PROVIDED.—(1) IN GENERAL.—In carrying out subsection (a), the Secretary shall develop and issue written guidance regarding the confidentiality of information provided to the Department of the Army by Indian Tribes in connection with any covered civil works project under the pilot program. (2) NONPUBLIC INFORMATION.—The following information provided to the Department of the Army by an Indian Tribe under the pilot program shall be treated as confidential and nonpublic information, to protect Native American burial sites, village sites, and cultural resources, and their locations, from unauthorized excavation, desecration, or vandalism: (A) Information regarding the locations of burial sites, village sites, and cultural resources, including maps designating such locations. (B) Information regarding cultural or traditional practices related to such sites or resources. (e) AVOIDANCE OF DUPLICATION.—In carrying out the pilot program, the Secretary shall avoid, to the maximum extent practicable, duplication of efforts relating to compliance with this section and any other applicable provision of law. (f) APPLICABILITY.—(1) IN GENERAL.—Section 208 of the Water Resources Development Act of 2000 (33 U.S.C. 2338) shall not apply to a covered civil works project during the period during which the Secretary is carrying out the pilot program. (2) EXISTING CONTRACTS.—Nothing in this section shall affect any contract relating to a covered civil works project entered into by the Secretary of the Army before the date of enactment of this Act. (g) PERIOD.—The Secretary shall carry out the pilot program until the date that is 4 years after the date on which the pilot program is established. (h) DEFINITIONS.—In this section: (1) AFFECTED INDIAN TRIBE.—The term “affected Indian Tribe” means any Indian Tribe that attaches religious or other significance to any burial site, village site, or cultural resources identified or discovered at a covered civil works project. (2) BURIAL SITE.—The term “burial site” means any natural or prepared physical location, whether originally below, on, or above the surface of the earth, where Native American cultural resources are present as a result of a death rite or ceremony of a culture. (3) COVERED CIVIL WORKS PROJECT.—The term “covered civil works project” means a civil works project that is located in the watershed of the Sacramento River and its tributaries, including the American, Bear, Yuba, and Feather Rivers, within the State of California; being constructed, reconstructed, or repaired, or operated and maintained, using Federal funds; and owned, authorized, permitted, carried out, or operated and maintained by the Department of the Army, including a project carried out by a non-Federal interest under section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) or section 1043 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note). (4) CULTURAL RESOURCES.—The term “cultural resources” means human remains; or funerary objects or other ceremonial objects. (5) FUNERARY OBJECTS.—The term “funerary objects” means items that are associated with the death rite or ceremony of a culture. (6) HUMAN REMAINS.—The term “human remains” means the physical remains of a human body, including such remains that have been cremated and that may be in any state of decomposition or skeletal completeness (including ashes or small bone fragments). (7) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given that term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130). (8) PILOT PROGRAM.—The term “pilot program” means the pilot program established under this section. (9) RIGHTFULLY CLAIMED.—The term “rightfully claimed” means claimed by—(A) with respect to cultural resources identified or discovered on Federal or Tribal lands at the site of a covered civil works project—the person or entity with ownership or control of the cultural resources under section 3 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3002); or with respect to cultural resources not subject to such Act, the appropriate person or entity determined in accordance with the priority order established by such section; and (B) with respect to cultural resources identified or discovered on other lands at the site of a covered civil works project—in the case of Native American human remains and funerary objects associated with such remains, the lineal descendants of the Native American, as determined in accordance with the laws of the State of California; or in any case in which such lineal descendants cannot be ascertained, and in the case of other funerary objects or other ceremonial objects—the Indian Tribe that has the closest cultural affiliation with the cultural resources; or if the cultural affiliation of the cultural resources cannot be reasonably ascertained—the Indian Tribe that is recognized as aboriginally occupying the area in which the cultural resources were identified or discovered; or if it can be shown by a preponderance of the evidence that a different Indian Tribe has a stronger cultural relationship with such cultural resources than the Indian Tribe specified in item (aa), the Indian Tribe that has the strongest demonstrated relationship with such

cultural resources. (10) VILLAGE SITE.—The term “village site” means any natural or prepared physical location, whether below, on, or above the surface of the earth, where a Native American village has been present.; was AGREED TO by a recorded vote of 40 yeas and 21 nays (RC#49).

The vote was as follows:

Vote: 49			
Amendment No. 077, an Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. LaMalfa of California			
Yea	40	Nay	21
Member	Vote	Member	Vote
Mr. Graves of MO	N	Mr. Larsen of WA	N
Mr. Crawford	Y	Ms. Norton	N
Mr. Webster of FL	N	Mrs. Napolitano	N
Mr. Massie	Y	Mr. Cohen	Y
Mr. Perry	Y	Mr. Garamendi	Y
Mr. Babin	Y	Mr. Johnson of GA	
Mr. Graves of LA	Y	Mr. Carson	N
Mr. Rouzer	N	Ms. Titus	Y
Mr. Bost	Y	Mr. Huffman	Y
Mr. LaMalfa	Y	Ms. Brownley	Y
Mr. Westerman	Y	Ms. Wilson of FL	
Mr. Mast	Y	Mr. DeSaulnier	Y
Mrs. González-Colón	Y	Mr. Carbajal	Y
Mr. Stauber		Mr. Stanton	Y
Mr. Burchett	Y	Mr. Allred	N
Mr. Johnson of SD	Y	Ms. Davids of KS	N
Mr. Van Drew	Y	Mr. García of IL	N
Mr. Nehls	Y	Mr. Pappas	Y
Mr. Mann	Y	Mr. Moulton	N
Mr. Owens	Y	Mr. Auchincloss	N
Mr. Yakym	Y	Ms. Strickland	N
Mrs. Chavez-DeRemer	Y	Mr. Carter of LA	N
Mr. Kean of NJ	Y	Mr. Ryan	N
Mr. D'Esposito		Mrs. Peltola	Y
Mr. Burlison	Y	Mr. Menendez	N
Mr. Van Orden	Y	Ms. Hoyle of OR	N
Mr. Williams of NY	Y	Mrs. Sykes	N
Mr. Molinaro	Y	Ms. Scholten	N
Mr. Collins	Y	Mrs. Foushee	N
Mr. Ezell	Y	Mr. Deluzio	N

Mr. Duarte	Y
Mr. Bean of FL	Y
Ms. Maloy	Y
Mr. Kiley	Y
Mr. Fong	Y

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Westerman of Arkansas (Westerman 090): At the appropriate place in title I, insert the following: SEC. 111. UPDATE OF CONTRACT THRESHOLD AMOUNT FOR CORPS OF ENGINEERS. Section 6702 of title 41, United States Code, is amended— (1) in subsection (a)(2), by inserting before “involves” the following: “except as provided in subsection (c),”; and (2) by adding at the end the following new subsection: “(c) EXCEPTION FOR CORPS OF ENGINEERS.— (1) THRESHOLD AMOUNT.—With respect to any contract or bid specification for a contract entered into by the Secretary of the Army, acting through the Chief of Engineers, subsection (a)(2) shall be applied by substituting the amount determined under paragraph (2) for ‘\$2,500’. (2) AMOUNT DETERMINED.—The amount determined under this paragraph shall be \$25,000, except that the Secretary shall by rule increase such amount every 5 years, beginning with the date that is 5 years after the date of enactment of this subsection, to account for inflation as measured by the Consumer Price Index for all Urban Consumers (CPI-U, as published by the Bureau of Labor Statistics of the Department of Labor).”; was WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Mast of Florida (Mast 182): At the appropriate place in title I, insert the following: SEC. 111. LAKE OKEECHOBEE REGULATION SCHEDULE REVIEW. (a) IN GENERAL.—The Secretary shall expedite completion of a revised Lake Okeechobee regulation schedule that accounts for the completion of the project for ecosystem restoration, Central and Southern Florida, Everglades Agricultural Area, Florida, authorized by section 1308 of the Water Resources Development Act of 2018 (132 Stat. 3819). (b) REQUIREMENTS.—In completing the revised Lake Okeechobee regulation schedule under this section, the Secretary shall include in such regulation schedule measures to maximize water sent south into the Everglades National Park; prohibit transfers of water through the S-308, S-80, S-271, S-352, S-77, S-78, S-79 lock and dam structures when such water exceeds the 10 parts per billion phosphorous water quality standard consistent with the consent decree entered into between the United States, the South Florida Water Management District, and the Florida Department of Environmental Protection, on June 20, 1995, based on tests conducted by the Secretary, another Federal agency, or the State of Florida; and except in circumstances in which the Herbert Hoover Dike would be at imminent risk of failure, eliminate all transfers of water through—all transfers of water through the S-80 and S-308 lock and dam structures to the Lucie Estuary; all harmful transfers of water through the S-271 and S-352 lock and dam structures to the Lake Worth Lagoon; and all harmful transfers of water through the S-77, S-78, and S-79 lock and dam structures to the Caloosahatchee River.; was NOT AGREED TO by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Mann of Kansas (Mann 048): At the appropriate place in title III, add the following: SEC. 11. INTEREST CALCULATION FOR WATER SUPPLY STORAGE SPACE IN KANSAS. (a) IN GENERAL.—The Secretary shall seek to amend the Milford Lake contract with respect to the interest charges that began accruing on February 1, 1977, on the investment costs for the 198,350 acre-feet of future use storage space, and the Perry Lake contract with respect to the interest charges that began accruing on April 1, 1979, on the investment costs for the 125,000 acre-feet of future use storage space, from compounding interest annually to charging simple interest annually on the applicable principal amounts, until— (1) the State of Kansas informs the Secretary of the desire to convert the future use

storage space to present use; and (2) the principal amount plus the accumulated interest becomes payable pursuant to the terms of each such contract. (b) DEFINITIONS.—In this section: (1) MILFORD LAKE CONTRACT.—The term “Milford Lake contract” means the contract entered into by the United States and the State of Kansas for the use of storage space for water supply by the State of Kansas in Milford Lake, Kansas, entered into on March 8, 1974 (Contract DACW41-74-C-0081). (2) PERRY LAKE CONTRACT.—The term “Perry Lake contract” means the contract entered into by the United States and the State of Kansas for the use of storage space for water supply by the State of Kansas in Perry Lake, Kansas, entered into on December 10, 1976 (Contract DACW41-77-C-0003).; was WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Molinaro of New York (Molinaro 229): At the appropriate place in title I, insert the following: SEC. 111. SUSQUEHANNA, DELAWARE, AND POTOMAC RIVER BASIN COMMISSIONS. Section 5019 of the Water Resources Development Act of 2007 (121 Stat. 1201; 128 Stat. 1307) is amended— (1) in subsection (a)(3), by inserting “, who may be the Administrator of the Environmental Protection Agency (referred to in this section as the ‘Administrator’) (or a designee),” after “member”; and (2) in subsection (b)— (A) in paragraph (1), by striking “The Secretary” and inserting “Subject to the availability of appropriations, the Administrator”; (B) in paragraph (2), by striking “For each fiscal year, the Secretary” and inserting “Subject to the availability of appropriations, for each fiscal year, the Administrator”; and (C) in paragraph (3), by striking “Secretary” each place it appears and inserting “Administrator”.; was WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Bean of Florida (Bean 036): At the appropriate place in title I, insert the following: SEC. 11. APPROVAL OF FLORIDA PERMIT PROGRAM. The notice of the Environmental Protection Agency approving the State of Florida’s request to carry out a permit program for the discharge of dredged or fill material pursuant to section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), published on December 22, 2020, and titled “EPA’s Approval of Florida’s Clean Water Act Section 404 Assumption Request” (85 Fed. Reg. 83553) shall have the force and effect of law.; was WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Graves of Louisiana (Graves of Louisiana 113): SEC. 11. COST-SHARE ELIGIBILITY. Section 2007 of the Water Resources Development Act of 2007 (33 U.S.C. 2222) is amended—(1) in the matter preceding paragraph (1), by striking “project if” and all that follows through “the statutory authority” and inserting the following: “project—“(1) if—“(A) the statutory authority”;(2) by redesignating paragraph (2) as subparagraph (B);(3) in subparagraph (B) (as so redesignated), by striking the period at the end and inserting a semicolon; and(4) by adding at the end the following: “(2) if the funds are made available pursuant to section 311(t) of the Federal Water Pollution Control Act (33 U.S.C. 1321(t)); or “(3) if the funds are sourced through a non-Federal source, such as revenue sharing.”.; was NOT AGREED TO by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Garamendi of California (Garamendi 255): SEC. 11. ANNUAL REPORT TO CONGRESS. Section 7001(b)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d(b)(1)) is amended by inserting "proposals for repair or restoration of a flood control work under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), proposals for construction of water resources development projects by non-Federal interests under section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232), proposals for allowing non-Federal interests to carry out flood risk management, hurricane and storm damage reduction, coastal harbor and channel inland navigation, and aquatic ecosystem restoration projects pursuant to section 1043(b)," after "projects and feasibility studies,."; was NOT AGREED TO by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Collins of Georgia (Collins 047): At the appropriate place in title III, insert the following: **SEC. 311. NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.** Section 1319(c) of the Water Resources Development Act of 2016 (130 Stat. 1703; 136 Stat. 3792) is amended—(1) by amending paragraph (1) to read as follows: “(1) IN GENERAL.—Notwithstanding any other provision of law, the Project is modified to include— “(A) full repair of the New Savannah Bluff Lock and Dam structure; “(B) modification of the structure such that the structure is able to maintain a stable pool with the same daily average elevation as is achieved by the existing structure, as measured at both the United States Geological Survey Gage 02196999, located at the New Savannah Bluff Lock and Dam, and the United States Geological Survey Gage 02196670, located in the vicinity of the Fifth Street Bridge, Augusta, Georgia, which at the New Savannah Bluff Lock and Dam is between 114.5 and 115 feet National Geodetic Vertical Datum of 1929 (NGVD29); “(C) construction of a fish passage structure as recommended in the report of the Chief of Engineers for the Project, dated August 17, 2012, or such other Project feature that appropriately mitigates impacts to fish habitat caused by the Project without removing the dam; and “(D) conveyance by the Secretary to Augusta-Richmond County, Georgia, of the park and recreation area adjacent to the New Savannah Bluff Lock and Dam, without consideration.”; (2) in paragraph (2), by adding at the end the following: “(C) CEILING.—The costs of construction to be paid by the Georgia Port Authority as a non-Federal interest for the Project for the modifications authorized under paragraph (1) shall not exceed the costs that would be paid by such non-Federal interest for construction of the fish passage structure recommended in the report of the Chief of Engineers for the Project, dated August 17, 2012.”; and (3) in paragraph (3), by striking “the cost sharing of the Project as provided by law” and inserting “the cost sharing of the fish passage structure as recommended in the report of the Chief of Engineers for the Project, dated August 17, 2012”.; was AGREED TO by a recorded vote of 32 yeas and 31 nays (RC#50).

The vote was as follows:

Vote: 50			
Amendment No. 047, an Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Collins of Georgia			
Yea	32	Nay	31
Member	Vote	Member	Vote
Mr. Graves of MO	N	Mr. Larsen of WA	N
Mr. Crawford	Y	Ms. Norton	N
Mr. Webster of FL	Y	Mrs. Napolitano	N
Mr. Massie	Y	Mr. Cohen	N
Mr. Perry	Y	Mr. Garamendi	N
Mr. Babin	Y	Mr. Johnson of GA	N
Mr. Graves of LA	Y	Mr. Carson	N
Mr. Rouzer	N	Ms. Titus	N
Mr. Bost	Y	Mr. Huffman	N
Mr. LaMalfa	Y	Ms. Brownley	N
Mr. Westerman	Y	Ms. Wilson of FL	
Mr. Mast	Y	Mr. DeSaulnier	N
Mrs. González-Colón	Y	Mr. Carbajal	N
Mr. Stauber		Mr. Stanton	N

Mr. Burchett	Y	Mr. Allred	N
Mr. Johnson of SD	Y	Ms. Davids of KS	N
Mr. Van Drew	Y	Mr. García of IL	N
Mr. Nehls	Y	Mr. Pappas	N
Mr. Mann	Y	Mr. Moulton	N
Mr. Owens	Y	Mr. Auchincloss	N
Mr. Yakym	Y	Ms. Strickland	N
Mrs. Chavez-DeRemer	Y	Mr. Carter of LA	N
Mr. Kean of NJ	Y	Mr. Ryan	N
Mr. D'Esposito	Y	Mrs. Peltola	N
Mr. Burlison	Y	Mr. Menendez	N
Mr. Van Orden	Y	Ms. Hoyle of OR	N
Mr. Williams of NY	Y	Mrs. Sykes	N
Mr. Molinaro	Y	Ms. Scholten	N
Mr. Collins	Y	Mrs. Foushee	N
Mr. Ezell	Y	Mr. Deluzio	N
Mr. Duarte	Y		
Mr. Bean of FL	Y		
Ms. Maloy	Y		
Mr. Kiley	Y		
Mr. Fong	Y		

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. LaMalfa of California (LaMalfa 078): At the appropriate place in title III, insert the following: SEC. 311. CALIFORNIA STATE-WIDE ENVIRONMENTAL AUTHORITY. Section 5039 of the Water Resources Development Act of 2007 (121 Stat. 1206) is amended— (1) in subsection (a), by inserting “, including signatories to the Agreements to Support Healthy Rivers and Landscapes, California, and the Memorandum of Understanding dated March 29, 2022, between the State of California, Federal agencies, and municipal and agricultural water suppliers” before the period at the end; (2) in subsection (b)— (A) by inserting “, planning, engineering, resource monitoring,” after “design”; and (B) by inserting “stormwater infrastructure, ecosystem and habitat restoration,” after “restoration,”; (3) in subsection (c), by striking “publicly owned” and inserting “owned by a public entity or a nonprofit entity, including a nonprofit mutual benefit corporation”; and (4) in subsection (f), by inserting “, including a nonprofit mutual benefit corporation” before the period at the end.; WAS WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Westerman of Arkansas (Westerman 089): At the appropriate place in title I, insert the following: SEC. II. RATE OF WAGES FOR LABORERS AND MECHANICS. Section 3142(a) of title 40, United States Code, is amended— (1) by striking “The advertised” and inserting the following: “(1) IN GENERAL.—The advertised”; and (2) by adding at the end the following: “(2) EXCEPTION FOR CORPS OF ENGINEERS CONTRACTS.— (A) IN GENERAL.—With respect to a contract to which the Corps of Engineers is a party, the requirements of paragraph (1) shall only apply to a contract in excess of \$36,000. (B) UPDATES FOR INFLATION.—Not more than once every 5 years, the Secretary of Labor shall update the monetary threshold in subparagraph (A) to reflect inflation based on

the Consumer Price Index—All Urban Consumers, as published by the Bureau of Labor Statistics.”.; was WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Graves of Louisiana (Graves of Louisiana 114): At the appropriate place in title III, insert the following: SEC. 3ll. LAROSE TO GOLDEN MEADOW, LOUISIANA. (a) INTERIM INCLUSION WITHIN RIP.—The Secretary shall reinstate, on an interim basis and with an effective date of June 1, 2021, the covered project into the Rehabilitation and Inspection Program on the date on which all of the following conditions have been met: (1) The non-Federal interest for the covered project has provided verification signed by a licensed professional engineer to the District Commander and the State of Louisiana that the work undertaken by the non-Federal interest since 2005 has not caused injury to the public interest or impaired the usefulness of the covered project. (2) The State of Louisiana has issued, not later than 90 days after receipt of the verification under paragraph (1), a letter to the District Commander describing the conditions of the 1% Annual Exceedance Probability storm event in the project area, against which the effectiveness of the covered project should be measured. (3) The Administrator of the National Oceanic and Atmospheric Administration National Hurricane Center has issued, not later than 90 days after the State of Louisiana issues a letter under paragraph (2), a letter to the District Commander detailing the conditions of Hurricane Ida in 2021 and its impact on the covered project, including whether the storm met or exceeded conditions for the 1% Annual Exceedance Probability storm event. (b) SCOPING OF EVALUATION.—(1) STUDY.—Not later than June 30, 2027, the Secretary shall complete a study of the following relating to the covered project: (A) Any project modifications undertaken by the non-Federal interest for the covered project since 2005 not constructed in accordance with section 14 of the Act of March 3, 1899 (33 U.S.C. 408). (B) Current elevations required for the covered project to meet the 100-year level of risk reduction. (C) Whether project modifications undertaken by the non-Federal interest for the covered project since 2005 were injurious to the covered project or the public. (D) Any deviations from design guidelines acceptable for the covered project. (E) Improvements needed for the covered project to address any deficiencies according to current design guidelines of the Corps of Engineers district in which the covered project is located. (F) A re-evaluation of project economics. (2) EFFECT OF NOT COMPLETING.—If the Secretary does not complete the study under paragraph (1) by the deadline required in such paragraph, the interim inclusion into the Rehabilitation and Inspection Program under subsection (a) shall become permanent. (3) REPORT.—Not later than 90 days after completing the study under paragraph (1), the Secretary shall submit to Congress a report that includes— (A) the results of the study; (B) any exceptions to the requirements of section 14 of the Act of March 3, 1899 (33 U.S.C. 408) that are recommended for the covered project; (C) an updated summary of cost-sharing requirements for the covered project; (D) recommendations and cost estimates for improvement to the covered project to address any deficiencies according to the current design guidelines of the Corps of Engineers district in which the covered project is located; and (E) the updated authorized cost for the covered project. (c) DEFINITIONS.—In this section: (1) COVERED PROJECT.—The term “covered project” means the Larose to Golden Meadow project, Louisiana, authorized by the Flood Control Act of 1965 as the Grand Isle and vicinity project. (2) DISTRICT COMMANDER.—The term “District Commander” means the District Commander of the New Orleans district of the Corps of Engineers. (d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$3,000,000.; was NOT AGREED TO by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Garamendi of California (Garamendi 254): SEC. II. STUDY FOR MODIFICATION OF PROJECT PURPOSES IN CALIFORNIA. (a) IN GENERAL.—The Secretary shall carry out a study of a project of the Corps of Engineers in California to determine whether to include water supply or water conservation as a project purpose of that project if a request for such a study to modify the project purpose is made to the Secretary by— (1) the non-Federal interest for the project; or (2) in the case of a project for which there is no non-Federal interest, the Governor of the State of California. (b) COORDINATION.—The Secretary, to the maximum extent practicable, shall coordinate with relevant State and local authorities in carrying out this section. (c) RECOMMENDATIONS.—If, after carrying

out a study under subsection (a) with respect to a project described in that subsection, the Secretary determines that water supply or water conservation should be included as a project purpose for that project, 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 recommendation for the modification of the project purpose of that project.; was NOT AGREED TO by voice vote.

An en bloc Amendment to the Amendment in the Nature of a Substitute, offered by Mr. Graves of Louisiana (Graves of Louisiana 119 Rev 1 and Graves of Louisiana 121): At the appropriate place in title II, insert the following: SEC. II. INDEPENDENT UTILITY OF HURRICANE AND COASTAL STORM DAMAGE RISK REDUCTION PROJECTS. Upon the request of a non-Federal sponsor of a hurricane and coastal storm damage risk reduction project with an estimated project cost exceeding \$1,000,000,000, the Secretary shall conduct, or accept from the non-federal sponsor, an analysis on whether there are separable elements (as defined in section 102 of the Water Resources Development Act of 1986 (33 U.S.C. 2213) of such project that provide independent utility and are thus eligible for separate environmental review.; and At the appropriate place in title I, insert the following: SEC. III. NON-FEDERAL INTEREST CONTRACT SERVICES. The non-Federal interest for an authorized water resources development project shall be eligible to be a contractor for purposes of authorized planning, engineering, design, and construction work— (1) that is not eligible for Work-In-Kind or credit; and (2) that otherwise complies with all applicable Federal laws, regulations, and policies.; was WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Babin of Texas (Babin 047): At the appropriate place in title III, insert the following: SEC. 3II. SABINE PASS TO GALVESTON BAY, TEXAS. For the project for hurricane and storm damage risk reduction, Sabine Pass to Galveston Bay, Texas, authorized by section 1401(3) of the Water Resources Development Act of 2018 (132 Stat. 3838), the Secretary shall include in the total project costs the costs of all lands, easements, and rights of way not owned by the non-Federal sponsor prior to execution of the partnership agreement for the project under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) that are required for the project, and credit the value of such lands, easements, and rights of way against the non-Federal share of project costs in accordance with provisions of section 103(c)(5) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(c)(5)).; was WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Ms. Titus of Nevada (Titus 134): At the appropriate place in title I, insert the following: SEC. II. EMERGENCY DROUGHT OPERATIONS PILOT PROGRAM. (a) DEFINITION OF COVERED PROJECT.—In this section, the term “covered project” means a project—(1) that is located in the State of California, the State of Nevada, or the State of Arizona; and (2)(A) of the Corps of Engineers for which water supply is an authorized purpose; or (B) for which the Secretary develops a water control manual under section 7 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 890, chapter 665; 33 U.S.C. 709). (b) EMERGENCY OPERATION DURING DROUGHT.—Consistent with other authorized project purposes and in coordination with the non-Federal interest, in operating a covered project during a drought emergency in the project area, the Secretary may carry out a pilot program to operate the covered project with water supply as the primary project purpose. (c) UPDATES.—In carrying out this section, the Secretary may update the water control manual for a covered project to include drought operations and contingency plans. (d) REQUIREMENTS.—In carrying out subsection (b), the Secretary shall ensure that—(1) operations described in that subsection—(A) are consistent with water management deviations and drought contingency plans in the water control manual for the covered project; (B) impact only the flood pool managed by the Secretary; and (C) shall not be carried out in the event of a forecast or anticipated flood or weather event that would require flood risk management to take precedence; (2) to the maximum extent practicable, the Secretary uses forecast-informed reservoir operations; and (3) the covered project

returns to the operations that were in place prior to the use of the authority provided under that subsection at a time determined by the Secretary, in coordination with the non-Federal interest. (e) CONTRIBUTED FUNDS.—The Secretary may receive and expend funds contributed by a non-Federal interest to carry out activities under this section. (f) REPORT.—(1) IN GENERAL.—Not later than 2 years after 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 a report on the pilot program carried out under this section. (2) INCLUSIONS.—The Secretary shall include in the report under paragraph (1) a description of the activities of the Secretary that were carried out for each covered project and any lessons learned from carrying out those activities. (g) LIMITATIONS.—Nothing in this section—(1) affects, modifies, or changes the authorized purposes of a covered project; (2) affects existing Corps of Engineers authorities, including authorities with respect to navigation, flood damage reduction, and environmental protection and restoration; (3) affects the ability of the Corps of Engineers 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, 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 for the Colorado River Basin, if applicable; (7) affects any water right in existence on the date of enactment of this Act; (8) preempts or affects any State water law or interstate compact governing water; (9) affects existing water supply agreements between the Secretary and the non-Federal interest; or (10) affects any obligation to comply with the provisions of any Federal or State environmental law, including—(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); (B) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and (C) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); was AGREED TO by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Mast of Florida (Mast 183): At the appropriate place, insert the following: SEC. III. FINDING RELATING TO THE ST. LUCIE CANAL. The St. Lucie Canal (C-44) constructed in 1924, spans 26 miles to connect two bodies of water, the St. Lucie Estuary, which is a saltwater estuary, and the Lake Okechobee reservoir, which is freshwater.; was NOT AGREED TO by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Carter of Louisiana (Carter of Louisiana 041 Rev 1): The Secretary shall issue a report to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works within 60 days of the passage of this act detailing the Corps plan to assume responsibilities for the Algiers Canal Levee as outlined in Section 8340(a) of the Water Resources Development Act of 2022 (136 Stat. 3795).; was AGREED TO by voice vote.

An en bloc Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Graves of Louisiana (Graves of Louisiana 122 and Graves of Louisiana 123): At the appropriate place in title I, insert the following: SEC. II. REPORT ON MINIMUM REAL ESTATE INTEREST. (a) SENSE OF CONGRESS.—It is the sense of Congress that through this Act, as well as through section 1115 of the Water Resources Development Act of 2018, that Congress has provided the Secretary all of the authority, and all of the direction, needed to acquire interests in real estate that are less than fee simple title. (b) REPORT.—Not later than 90 days after the enactment of this Act, 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 indicating whether they agree with the sense of Congress in subsection (a). (c) DISAGREEMENT.—Should the result of the report required in subsection (b) be that the Secretary disagrees with the sense of Congress in subsection (a), not later than 1 year after the enactment of this Act, 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 specifying recommendations and technical drafting assistance for statutory language that would provide the Secretary the intended authority as expressed in subsection (a).; and Page 134, after line 9, insert the following: (____) LIVINGSTON PARISH FLOOD

PROTECTION, LOUISIANA. --- Project for flood risk management, Livingston Parish, Louisiana.; was AGREED TO, en bloc, by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Garamendi of California (Garamendi 257): Section 131 is amended by adding the following: “(17) Any identified project needs of economically disadvantaged communities within the study area, as identified Section 142(b)(2)(B) of the Water Resources Development Act of 1976 (90 Stat. 2930; 100 Stat. 4158).”; was WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Perry of Pennsylvania (Perry 497): At the appropriate place in title I, insert the following: SEC. II. REGULATION OF HYDRAULIC FRACTURING WITHIN THE SUSQUEHANNA, DELAWARE, AND POTOMAC RIVER BASINS. Section 5019 of the Water Resources Development Act of 2007 (Public Law 110–114) is amended by adding at the end the following: “(f) REGULATION OF HYDRAULIC FRACTURING.—Notwithstanding any provision of the Susquehanna River Basin Compact to which consent was given by Public Law 91–575 (84 Stat. 1512), the Delaware River Basin Compact to which consent was given by Public Law 87–328 (75 Stat. 691), or the Potomac River Basin Compact to which consent was given by Public Law 91–407 (84 Stat. 856), the Susquehanna River Basin Commission, the Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin, as applicable, may not finalize, implement, or enforce any regulation relating to hydraulic fracturing that is issued pursuant to any authority other than that of the State in which the regulation is to be implemented or enforced.”.; was WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Crawford of Arkansas (Crawford 074): At the appropriate place in title I, insert the following: SEC. II. LEVEE OWNERS BOARD. (a) ESTABLISHMENT OF OWNERS BOARD.— There is hereby established a Levee Owners Board (hereinafter in this section referred to as the “Owners Board”) composed of the eleven members appointed by the Secretary. The members shall be appointed so as to represent various regions of the country, including at least one Federal levee system owner-operator from each of the eight civil works divisions of the U.S. Army Corps of Engineers. The Secretary of the Army shall designate, and the Administrator of FEMA may designate, a representative to act as an observer of the Owners Board. (1) TERMS OF MEMBERS.— (A) IN GENERAL.—A member of the Owners Board shall be appointed for a period of 3 years. (B) REAPPOINTMENT.—A member of the Owners Board may be reappointed to the Owners Board, as the Secretary determines to be appropriate. (C) VACANCIES.—A vacancy on the Owners Board shall be filled in the same manner as the original appointment was made. (2) CHAIRPERSON.— (A) IN GENERAL.—The members of the Owners Board shall appoint a chairperson from among the members of the Owners Board. (b) DUTIES OF THE OWNERS BOARD.— (1) IN GENERAL.—The Owners Board shall meet not less frequently than semiannually to develop and make recommendations to the Secretary and Congress regarding levee system reliability throughout the United States. (2) ADVICE AND RECOMMENDATIONS.—The Owners Board shall provide— (A) prior to the development of the budget proposal of the President for a given fiscal year, advice and recommendations to the Secretary regarding overall levee system reliability in accordance with section 3303d of Title 33; (B) advice and recommendations to Congress regarding any feasibility report for a flood risk management project that has been submitted to Congress; (C) not later than 60 days after the date of the submission of the budget proposal of the President to Congress, advice and recommendations to Congress regarding flood risk management project construction and rehabilitation priorities and corresponding spending levels; (D) advice and recommendations to the Secretary and the Congress regarding effectiveness of the U.S. Army Corps of Engineers levee safety program, including comments and recommendations on the budgets and expenditures as described in paragraph (c)(2); and (E) advice and recommendations to the Secretary, the Congress, and the Administrator regarding effectiveness of the levee safety initiative established by 33 U.S.C. § 3303a, including comments and recommendations on the budgets and expenditures described in paragraph (c)(2). (3) INDEPENDENT JUDGMENT.—Any advice or recommendations made by the

Owners Board shall reflect the independent judgment of the Owners Board. (c) DUTIES OF THE SECRETARY.—The Secretary shall— (1) designate an Executive Secretary who shall assist the Chairman in administering the Owners Board and ensuring that the Owners Board operates in accordance with chapter 10 of title 5; (2) provide to the Owners Board such detailed reports of Corps activities and expenditures related to flood risk management and levees, including for the Corps levee safety program and the levee safety initiative, not less frequently than semiannually; and (3) submit to the Owners Board a courtesy copy of any completed feasibility report for a flood risk management project submitted to Congress. (d) ADMINISTRATION.— (1) IN GENERAL.—The Owners Board shall be subject to chapter 10 of title 5, other than section 1013, and with the consent of the appropriate agency head, the Owners Board may use the facilities and services of any Federal agency. (2) Members not considered special Government employees. For the purposes of complying with chapter 10 of title 5, the members of the Owners Board shall not be considered special Government employees (as defined in section 202 of title 18). (3) TRAVEL EXPENSE.—Non-Federal members of the Owners Board while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5.; was AGREED TO by voice vote.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Graves of Louisiana (Graves of Louisiana Staff 1): At the appropriate place in Title III, insert the following: Sec. __. Modification, Cape Cod Canal, Massachusetts In General- For the purposes of the project for navigation, Cape Cod Canal, Massachusetts, authorized by the Flood Control Act of 1927, the Secretary shall define any bridge authorized as a component of the project, including the Sagamore and Bourne bridges, only as a new public vehicle bridge crossing the Mississippi River in the vicinity of Baton Rouge, LA.; was WITHDRAWN.

An Amendment to the Amendment in the Nature of a Substitute to H.R. 8812, offered by Mr. Graves of Louisiana (Graves of Louisiana 118): At the appropriate place in title III, insert the following: SEC 3 __. LAROSE TO GOLDEN MEADOW, LOUISIANA. (a) SCOPING OF EVALUATION. – (1) STUDY. – Not later than June 30, 2025, the Secretary shall complete a study of the following relating to the covered project: (A) Any project modifications undertaken by the non-Federal interest for the covered project since 2005 not constructed in accordance with section 14 of the Act of March 3, 1899 (33 U.S.C. 408). (B) Current elevations required for the covered project to meet the 100-year level of risk reduction. (C) Whether project modifications undertaken by the non-Federal interest for the covered project since 2005 were injurious to the covered project or the public. (D) Any deviations from design guidelines acceptable for the covered project. (E) Improvements needed for the covered project to address any deficiencies according to current design guidelines of the Corps of Engineers district in which the covered project is located. (F) A re-evaluation of project economies. (2) REPORT. – Not later than 90 days after completing the study under paragraph (1), the Secretary shall submit to Congress a report that includes – (A) the results of the study; (B) recommendation for pathway into systemwide improvement plan created under Sec. 189 of this Act. (D) recommendations for improvement to the covered project to address any deficiencies. (b) COVERED PROJECT DEVINED. – In this section, the term “covered project” means the Larose to Golden Meadow Project, Louisiana, authorized by the Flood Control Act of 1065 as the Grand Isle and vicinity project. (c) AUTHORIZATION OF APPROPRIATIONS. – There is authorized to be appropriated to carry out this section \$3,000,000.; was AGREED TO by voice vote.

The Committee adopted the following Committee Resolutions, by voice vote:

Committee Resolution: GSA Resolution, Lease, U.S. Department of Veterans Affairs, Sussex County, DE, PDE-10-VA24

Committee Resolution: GSA Resolution, Lease, U.S. Department of Veterans Affairs, Gainesville, FL, PFL-05-VA24

Committee Resolution: GSA Resolution, Lease, U.S. Department of Veterans Affairs, Port Saint Lucie, FL, PFL-08-VA24
Committee Resolution: GSA Resolution, Lease, U.S. Department of Veterans Affairs, Southern New Jersey, NJ, PNJ-09-VA24
Committee Resolution: GSA Resolution, Lease, U.S. Department of Veterans Affairs, Cumberland County, PA, PPA-04-VA24
Committee Resolution: GSA Resolution, Lease, U.S. Department of Veterans Affairs, Charleston, SC, PSC-01-VA24
Committee Resolution: GSA Resolution, Lease, U.S. Department of Veterans Affairs, Conroe, TX, PTX-02-VA24
Committee Resolution: GSA Resolution, Lease, U.S. Department of Veterans Affairs, Conroe, TX, PTX-03-VA24
Committee Resolution: GSA Resolution, Lease, U.S. Department of Veterans Affairs, Katy, TX, PTX-06-VA24
Committee Resolution: GSA Resolution, Lease, U.S. Department of Veterans Affairs, Katy, TX, PTX-07-VA24

A unanimous consent request by Mr. Graves of Missouri that H.R. 8812, as amended; 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. Graves of Missouri that staff be authorized to make all necessary technical, clarifying, and conforming changes to H.R. 8812; was NOT OBJECTED TO.

A motion by Mr. Graves of Missouri that, pursuant to Rule XXII, clause 1, the Committee authorizes the Chairman, or designee, to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 8812, as amended; was NOT OBJECTED TO.

A unanimous consent request by Mr. Graves of Missouri that, the Chairman, 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 or a Rule 21 CUTGO point of order; was NOT OBJECTED TO.

Pursuant to Rule XI clause 2(1), of the Rules of the House of Representative, the Chairman notes that Members may have two calendar days in which to file any supplemental, minority, additional, or dissenting views on H.R. 8812, as amended.

Pursuant to Rule 6 of the Rules of the Committee on Transportation and Infrastructure, the Chairman noted the presence of a quorum for actions taken on all Committee business today.



