



# Info Alert

## National Conference of State Legislatures Office of State-Federal Relations

### Full Senate Approves the Water Resources Development Act (WRDA) as Senate and House Agriculture Committees Approve 2013 Farm Bills

May 16, 2013

#### WRDA

On May 15, 2013 the U.S. Senate passed [S. 601](#), the reauthorization of the Water Resources Development Act (WRDA), with a vote of 83-14. The legislation authorizes the U.S. Army Corps of Engineers (USACE) to carry out water infrastructure projects such as harbor and port maintenance, dam and levee construction and maintenance, and environmental restoration projects. The Congressional Budget Office has scored the cost of WRDA at \$12 billion for the next ten years.

In the past, specific water infrastructure projects in states were authorized within WRDA through a process of earmarking, but due to Congress' 2010 moratorium on earmarks, the Senate version of WRDA attempts to authorize projects on a new criteria-based standard. This standard cedes some authority from Congress to the USACE and allows for the approval of all projects that meet the criteria.

One major provision within WRDA on which NCSL has been [particularly active](#) is the expenditure of the taxes collected in the Harbor Maintenance Trust Fund. While the version of WRDA adopted by the Senate Environment and Public Works Committee mandated all funds received in the Harbor Maintenance Trust Fund be used solely for harbor and port maintenance, a compromise amendment was accepted that would increase funding devoted to harbor projects by \$100 million per year for six years, starting at \$1 billion for FY 2014. This compromise would attempt to match annual receipts of the funds in the trust fund with the annual expenditures, at \$1.6 billion by 2020 (the amount currently in the trust fund). See [NCSL policy](#) on the harbor maintenance trust fund.

WRDA also includes a new pilot project for financing water infrastructure projects, known as the Water Infrastructure Finance and Innovation Act (WIFIA). WIFIA is based on the Department of Transportation's financing mechanism the Transportation Infrastructure Finance and Innovation Act (TIFIA) that provides direct loans and loan guarantees to water infrastructure projects. The bill states that the new WIFIA pilot program does not attempt to replace or reduce existing federal financing tools such as the state revolving loan funds.

While the White House has not specifically threatened to veto the bill, on May 6 the administration did release a [Statement of Administration Policy](#), stating concerns with language in the bill that would streamline the environmental review process. The provisions at question would make the USACE the lead agency for the environmental review process and would institute fines on agencies that miss deadlines set by the USACE.

The House has yet to release its own WRDA draft, though House Transportation and Infrastructure Committee Chairman Bill Shuster (R-Pa.) has stated he is working on his own bill.

### **2013 Farm Bill**

On May 14 and 15 respectively, the Senate Agriculture Committee and the House Agriculture Committee approved their versions of the 2013 Farm Bill. The Senate Agriculture, Nutrition and Forestry Committee passed the [Agriculture Reform, Food, and Jobs Act of 2013](#) (S. 954), which the Congressional Budget Office (CBO) estimates would cost \$955 billion over ten years while reducing direct spending by \$18 billion. The House Agriculture Committee approved the [Federal Agriculture Reform and Risk Management Act of 2013](#) (H.R. 1947), which CBO estimates would cost \$940 billion over 10 years, while also reducing direct spending by \$33.3 billion, with a reduction of \$20.5 billion from the nutrition title. During the committee's markup, an amendment was adopted that would make it illegal for a state to restrict sales of products based on production standards in other states.

Please see [NCSL's analysis](#) for an issue by issue breakdown comparing the two versions

Senate Agriculture Committee Chairwoman Debbie Stabenow (D-Mich.) stated shortly after her committee's approval of its bill that the full Senate is scheduled to take up the bill starting next week. Although there is no official timetable for full the House to take up its version, House Agriculture Committee Chairman Frank Lucas (R-Okla.) stated that he has received personal assurances from House leaders that they will bring the bill to the floor in June.

#### **Important Links:**

[Senate Committee Approved Version](#)

[Senate Amendments](#)

[Original Introduced Version](#)

[Bill Summary](#)

[CBO Score](#)

[House Farm Bill](#)

[House Amendments](#)

[Detailed Section by Section Summary](#)

[CBO Score](#)

If you have any additional questions or concerns on either WRDA or the Farm Bill please contact [Ben Husch](#) (202-624-7779) or [Melanie Condon](#) (202-624-3597).