



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

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*Speaker
New Hampshire House
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February 11, 2013

The Honorable Barbara Boxer
Chairman
Environment and Public Works Committee
United States Senate
112 Hart Senate Office Building
Washington D.C., 20510

The Honorable David Vitter
Ranking Member
Environment and Public Works Committee
United States Senate
516 Hart Senate Office Building
Washington D.C., 20510

Re: Harbor Maintenance Trust Fund Reform within the Water Resources Development Act
Reauthorization

Dear Chairman Boxer and Senator Vitter:

On behalf of the National Conference of State Legislatures (NCSL) we would like to thank the committee for its work to protect, maintain and further develop our nation's waterways. We are especially pleased with your bi-partisan efforts to reauthorize the Water Resources Development Act (WRDA) in the 113th Congress. NCSL recognizes the substantial economic benefits, including access to the world's markets, provided by the U.S. system of waterways and ports.

As the Environment and Public Works Committee begins to consider legislation that would reauthorize WRDA, we would like to familiarize the committee with NCSL's stance on certain issues associated with the Water Resources Development Act.

The accumulation and expenditure of receipts within the Harbor Maintenance Trust Fund (HMTF) was a topic that was addressed in significant detail by multiple members of the committee during "The Harbor Maintenance Trust Fund and the Need to Invest in the Nation's Ports" hearing on January 31. NCSL recently approved its Waterways and Ports Policy Directive (enclosed), which states that "NCSL opposes the accumulation of harbor tax receipts at the federal level, as it is a break in faith from the purpose of the Harbor Maintenance Tax and results in the imposition of a competitive burden without providing needed improvements to achieve efficiencies to offset added taxes. Additionally, NCSL believes that Congress should adequately fund deepening projects to modernize our ports and make full use of the Harbor Maintenance Trust Fund to maintain the nation's harbors."

Again, we applaud the committee for beginning the process to reauthorize WRDA and for focusing on the current misallocation of receipts within the Harbor Maintenance Trust Fund. NCSL would

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welcome the opportunity to further discuss our position on the Harbor Maintenance Trust Fund or other issues of importance to state legislatures that the committee may consider in the 113th Congress. Please contact Ben Husch (ben.husch@ncsl.org) or Melanie Condon (melanie.condon@ncsl.org) for any additional information.

Sincerely,



Senator John Watkins
Virginia Senate
Co-Chair, NCSL Energy, Transportation
and Agriculture Committee



Representative Jim Gooch
Kentucky House of Representatives
Co-Chair, NCSL Energy, Transportation
and Agriculture Committee

CC: Members of the Senate Environment and Public Works Committee