

Info Alert

National Conference of State Legislatures Office of State-Federal Relations

House Passes Water Resource Reform and Development Act

Next Steps: Conference with Senate

Oct. 24, 2013

On Oct. 23, 2013 the U.S. House of Representatives [passed H.R. 3080, the Water Resources Reform and Development Act \(WRRDA\)](#), with a vote of 417-3. 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 [White House issued a Statement of Administration Policy](#) noting that “The Administration supports House passage of H.R. 3080 ... but it should be improved with additional reforms and modifications of problematic provisions.” Previously, on May 15, 2013 the U.S. Senate passed its reauthorization, the [Water Resources Development Act \(WRDA\), S. 601](#).

One of the major changes included in the House bill, due to Congress’ 2010 moratorium on earmarks, was the establishment of a process for Congress to review projects selected by the USACE. The bill would then allow Congress to set funding priorities among the selected projects moving forward while also providing Congress the power to defund specific projects. Another goal of the bill was to reduce the amount of time allocated to review proposed projects. To accomplish this, the bill caps feasibility studies at a federal cost of \$3 million per project while also instituting a maximum of three years for a review. The bill also allows state and local government to carry out water resource projects if they are able to meet certain requirements, even if a project has not been specifically authorized by Congress.

[One major provision within WRRDA on which NCSL has been particularly active](#) is the expenditure of the taxes collected in the Harbor Maintenance Trust Fund (HMTF). Currently, only \$900 million of \$1.6 billion in annual receipts are currently appropriated. The House bill includes provisions that would, by 2020, gradually increase annual spending to a maximum of 80 percent of the annual amount of funds collected. This change stills fall short of making full use of the trust fund, which NCSL advocates for as part of its [Waterways and Ports Policy Directive](#). In comparison, the [Senate bill would gradually increase annual spending to 100 percent](#).

With both the House and Senate having approved their own version, a conference committee is expected to form later this year. House Transportation and Infrastructure Chairman Bill Shuster

(R-Penn.) [noted there is a lot of “common ground”](#) between the two versions Senate Environment and Public Works Chairman Barbara Boxer (D-California) was [“pleased” at WRRDA’s approval “so that we can move forward with the House-Senate conference as soon as possible.”](#) However there are noticeable differences in how each chamber attempts to solve some of the major issues in the bill including a method for selecting water resource projects, speeding up the pace of regulatory and environmental reviews, and increasing available funding for dredging and harbor maintenance projects.

As always if you have questions or concerns on the Water Resource Reform and Development Act, please do not hesitate to contact NCSL staff [Ben Husch](#) (202-624-7779) or [Melanie Condon](#) (202-624-3597).

Important Links

[Bill Text](#)

[WRRDA Section by Section Analysis](#)

[Senate Bill Text](#)

[NCSL Letter to House on H.R. 3080](#)

[NCSL Letter to Senate on S. 601](#)