



## NATIONAL CONFERENCE of STATE LEGISLATURES

*The Forum for America's Ideas*

April 27, 2015

**Debbie Smith**  
*Senate Assistant Minority Leader  
Nevada  
President, NCSL*

**Margaret 'Peggy' Piety**  
*Senior Staff Attorney  
Legislative Services Agency  
Indiana  
Staff Chair, NCSL*

**William T. Pound**  
*Executive Director*

The Honorable Thad Cochran  
Chairman  
Senate Appropriations Committee  
S-128 U.S. Capitol  
Washington, D.C. 20510

The Honorable Barbara Mikulski  
Vice-Chairman  
Senate Appropriations Committee  
S-146A U.S. Capitol  
Washington, D.C. 20510

The Honorable Lamar Alexander  
Chairman  
Subcommittee on Energy and Water  
Development Appropriations  
186 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Dianne Feinstein  
Ranking Member  
Subcommittee on Energy and Water  
Development Appropriations  
125 Hart Senate Office Building  
Washington, D.C. 20510

Dear Chairmen Cochran and Alexander and Senators Mikulski, and Feinstein:

As the Appropriations Committee works on the Fiscal Year 2016 Energy and Water Appropriations bill, the National Conference of State Legislatures (NCSL) urges you to provide the U.S. Army Corps of Engineers with an allocation from the Harbor Maintenance Trust Fund (HMTF) as provided for in the Water Resources Reform and Development Act of 2014 (WRRDA). WRRDA established a 10-year path to fully use Harbor Maintenance Tax (HMT) collections for their intended purpose. NCSL recognizes the substantial economic benefits, including access to the world's markets that the U.S. system of waterways and ports provides and was pleased that the recent passage of WRRDA addressed the accumulation and expenditure of receipts within the HMTF.

Currently, more than \$1.8 billion in annual HMT revenue is being collected specifically to meet the nation's annual authorized harbor maintenance needs for harbors of all sizes. Unfortunately, annual appropriations have been significantly less than annual collections, negatively affecting our nation's harbors and navigation channels.

In December 2014, NCSL reapproved its Waterways and Ports Policy Directive (enclosed), which states that Congress should adequately fund deepening projects to modernize our ports and make full use of the HMTF to maintain the nation's harbors. Specifically, NCSL opposes the accumulation of harbor maintenance tax receipts, as it imposes a competitive burden on shippers without providing the needed infrastructure improvements.

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NCSL urges the Appropriations Committee to craft a final Fiscal Year 2016 Energy and Water Appropriations bill that aligns with WRRDA's Fiscal Year 2016 harbor maintenance allocation provisions. NCSL would welcome the opportunity to further discuss our position on the HMTF and inland waterways. Please contact NCSL staff, Ben Husch (202-624-7779 and [ben.husch@ncsl.org](mailto:ben.husch@ncsl.org)) or Melanie Condon (202-624-3597 and [melanie.condon@ncsl.org](mailto:melanie.condon@ncsl.org)), for any additional information.

Sincerely,



Senator Deb Peters  
South Dakota Senate  
Co-Chair, NCSL's Standing Committees



Representative Mary Jane Wallner  
New Hampshire House of Representatives  
Co-Chair, NCSL's Standing Committees

Attached:

[Waterways and Ports Policy Directive](#)