

Parsons Brinckerhoff Washington Update - October 29, 2013 - Interim Update

House Water Resources Reform & Development Act (WRRDA)

Last week, in one of its first official acts following the government-wide shutdown, the House passed HR 3080, the bi-partisan Water Resources Reform & Development Act (WRRDA), by an overwhelming vote of 417 to 3. Industry observers hope that the quick and non-controversial passage of the WRRDA bill in the House will serve as a “dry run” for the debate next year on the MAP-21 reauthorization bill. The strong leadership shown by Chairman Bill Shuster, the bi-partisan development of and support for the bill, the extensive outreach to industry and to tea party and conservative groups, the use of social media to explain the benefits of the bill, etc, hopefully can serve as a playbook for the development of the more complex and sure to be more controversial MAP-21 reauthorization legislation.

Here is a [link](#) to the House T&I Committee press release on final passage which includes highlights of the bill, here is a [link](#) to the House T&I Committee’s webpage with additional details about the bill, and here is a [link](#) to a summary of the votes on amendments offered to HR 3080 during the floor debate.

The WRRDA bill authorizes funding for capital projects carried out by the Army Corps of Engineers. The bill authorizes \$10B for the cost of 23 new port and inland waterway construction projects which is offset by cancelling \$12B from 15 old, inactive projects. The new projects, plus three modified previously authorized projects, have all been reviewed by the Corps and have approved “Chiefs Reports”. There are no congressionally earmarked projects in the bill. The bill also ramps up spending from the Harbor Maintenance Trust Fund to 80% of annual receipts by the year 2020 (up from the less than 50% of receipts currently being spent).

The bill includes a number of policy provisions designed to accelerate project delivery such as:

- Limiting Corps studies of potential projects to three years and \$3M in federal costs per study.
- Requiring construction on new projects to begin within seven years or face expiration of the project’s authorization.
- Having government agency review of Corps-approved projects occur concurrently, not consecutively.

The bill does not include the popular Water Infrastructure Financing and Innovation Act (WIFIA) provision that was included in the Senate version of the bill. Instead, the House hopes to move a WIFIA bill separately at a later date.

The Senate version of the bill, S. 601, was passed by that body on May 15. Selected House and Senate “conferees” will now meet to reconcile the differences in the two bills and then send the final version to the President to sign.

House T&I Freight Panel Report

Today, the House T&I Committee’s newly created Panel on 21st Century Freight Transportation issued its report following six months of study and a series of public hearings, roundtables, and industry briefings. Here is a [link](#) to a press release on the report issued by the House T&I Committee and here is a [link](#) to the 104 page report. The Panel was led by Rep. John Duncan (R-TN) and Ranking Member Rep. Jerry

Nadler (D-NY). The Panel recommendations, which were praised by numerous industry groups, will hopefully be given serious consideration as part of the debate on the reauthorization of MAP-21.

The Panel recommends that Congress should:

- Direct the Secretary of Transportation, in coordination with the Secretary of the Army and the Commandant of the U.S. Coast Guard, to establish a comprehensive national freight transportation policy and designate a national, multimodal freight network;
- Ensure robust public investment in all modes of transportation on which freight movement relies, and incentivize additional private investment in freight transportation facilities, to maintain and improve the condition and performance of the freight transportation network;
- Promote and expedite the development and delivery of projects and activities that improve and facilitate the efficient movement of goods;
- Authorize dedicated, sustainable funding for multimodal freight Projects of National and Regional Significance through a grant process and establish clear benchmarks for project selection. Projects eligible for such funding would have a regional or national impact on the overall performance of the multimodal freight network identified by the Secretary of Transportation;
- Direct the Secretary of Transportation, in coordination with the Secretary of the Treasury and the Secretary of the Army, to identify and recommend sustainable sources of revenue across all modes of transportation that would provide the necessary investment in the Nation's multimodal freight network and align contributions with use of, and expected benefit of increased investment in, such network; and
- Review, working through the Committee on Transportation and Infrastructure and the Committee on Ways and Means, the Secretary's freight funding and revenue recommendations and develop specific funding and revenue options for freight transportation projects prior to Congress' consideration of the surface transportation reauthorization bill in 2014.