



Inland Rivers, Ports and Terminals, Inc.

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Rediscover the *strength* of America's Inland Rivers

Request: Inland River Transportation Caucus within the U.S. Congress

Within the scope of several Congressional Committees, the interests of the inland river transportation stakeholders are overlooked due to an imbalance of committee members representing coastal transportation.

The table below shows the number of Members on transportation-related committees that represent coastal and non-inland interests versus inland.

Committee Name	Coastal / Non-Inland Members	Inland Members
House Transportation and Infrastructure Committee (2021 Roster)	43	18
Subcommittee on Water Resources and Environment (2021 Roster)	21	4
Subcommittee on Coast Guard and Maritime Transportation (2021 Roster)	12	2
House Appropriations Committee (2021 Roster)	34	10
Subcommittee on Energy and Water Development (2021 Roster)	7	3
Subcommittee on Transportation, Housing and Urban Development, and Related Agencies (2021 Roster)	12	2

Exhibit attached includes full rosters.

The inland river transportation interests are often times misunderstood and greatly undervalued, so in order to be resilient and sustainable, the inland river transportation needs bi-partisan and bi-cameral representation to make recommendations to Committees that focus on maritime transportation. Via an Inland River Transportation Caucus, Members can be informed of all matters affecting river transportation to strongly advocate for common legislative objectives that affect inland interests and to support the inland-representing Members of each Committee.

As vital as the above-mentioned Congressional Committees are to the entire transportation system, it is also vital that the legislative authorities set by the United States Congress reflect all maritime transportation, coastal and inland. An inland river transportation caucus can offer a solution.

The Why: Several federal agencies are charged with operating and maintaining inland river transportation.

A few of those federal agencies are:

- United States Army Corps of Engineers
- United States Coast Guard
- Department of Transportation
- United States Department of Agriculture
- Critical Infrastructure Security Agency
- Federal Emergency Management Agency
- Environmental Protection Agency
- National Oceanic and Atmospheric Administration

These agencies carry out their respective missions according to the legislative direction set forth by the United States Congress. Legislation affecting these federal agencies include:

- Water Resources Development Acts
- National Defense Authorization Acts
- America's Water Infrastructure Acts
- Energy and Water Development Bills
- Waters of the U.S.
- Farm Bill
- National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2020

An integrated, comprehensive and collaborative approach to inland river transportation legislation, development and protection is critical to the environmentally sound and efficient use of our nation's river transportation. A balanced approach, recognizing the importance inland river transportation has on sustainable economic development and economic security will promote the quality of life for all Americans. This can be remedied by creating an inland river transportation caucus to bring forth ideas to preserve a resilient inland river transportation system, and stimulate economic growth.

As an example, issues the caucus may be interested in exploring could include:

Issues: Corps Water Infrastructure Financing Program (CWIFP)

One new source of financing that stands to lessen the navigational investment gap was provided in the Water Infrastructure Finance and Innovation Act (WIFIA) in 2014. The USACE's Corps Water Infrastructure Financing Program (CWIFP) as passed by Congress, is **designed to provide credit assistance to nonfederal sponsors for their portion of investments for projects that include navigation improvement.**

WIFIA as funded by the Consolidated Appropriations Act, is limited to projects to maintain, upgrade and repair dams identified in the National Inventory of Dams owned by non-federal entities.

What is needed: Additional appropriations for all infrastructure projects as outlined in WRDA 2014 which would not be targeted by Congress for specific project types.

Issues: Critical backlog of infrastructure projects and maintenance

In order to gauge the infrastructure needs for water transportation in the nation, it is imperative that a listing of all backlog maintenance items, and construction projects be provided. Each USACE District submits budgetary requests annually, but not all needed items are reflected due to a lack of traditional funding for USACE navigation projects. Critical maintenance on a USACE navigation project is defined as having a 50% or greater chance of failure over the next 5 years. Congress needs to be aware of how devastating it would be if these systems failed due to a lack of funding over the past several years. The standard “fix as fails” is not an appropriate way to address our infrastructure needs with all these systems being at least 50+ years old. It is exponentially more costly to wait for the failure than addressing the problems as they arise. A small issue not being addressed can create a larger issue in the future. It is simply good, common sense for Congress to be proactive in appropriating additional funds to ensure the viability of these necessary federal assets.

In order for Congress to be fully informed of the level of backlogged projects and maintenance, thus the levels of funding needed for a long-term sustainable transportation system, an annual report from each Army Corps District is needed that identifies all projects in the District (critical or not).

What is needed: Legislative action in future Water Resources Development Act's that direct the Army Corps to submit an annual report of backlogged infrastructure projects and maintenance to Congress by Division.

Legislative action for USACE to administer a database with critical/non-critical backlog of maintenance items with associated estimated cost of materials and labor by district, accessible to the public.

Issues: Amend the Davis-Bacon Act of 1931

The Davis-Bacon Act limits USACE to a maximum purchase of \$2,000.00 before requiring them to solicit bids for materials, equipment, labor, etc. This limitation costs valuable time in the completion of ongoing projects that have to be halted if a part replacement is needed on an essential piece of equipment needed to perform a task as part of an emergency or normal operational procedure. The administrative cost, completion time, and cost to industry waiting for purchasing requirements can be costly.

What is needed: Legislative Action to increase the maximum amount of purchase allowed before RFP's to be issued.

Issues: Port Improvement Development Program

PIDP makes grants to improve facilities within, connecting to, out of, or around coastal seaports, inland river ports and Great Lakes ports for projects that will improve the safety, efficiency or reliability of the movement of goods into, out of, around or within a port.

The bill establishes a competitive grant matching program for landside infrastructure projects at smaller ports and terminals. It also allows privately-owned terminals that are important contributors of the maritime commerce system eligibility, via public sponsor.

IRPT BILL - For FY 2022, \$112.5 million is set aside for smaller inland and coastal ports and terminals. Private terminals are eligible but need a public sponsor, such as state departments of transportation, agriculture, etc.

The original intent of H.R. 7416 was that all inland and small coastal port and terminal facilities be eligible, not small inland and coastal.

In later language determined by Maritime Administration, it was announced that small projects at *small ports* would be considered for funding.

~~What is needed #1: An amendment clarifying the 11% set aside of PIDP funds directed to inland and smaller coastal ports.~~ This has been satisfied, thanks to 2022 funding levels at 25% for small projects. What is needed now is:

What is needed #1: Clarification of eligible entities that includes small projects at inland ports, even if the port is larger than 8 million ton average throughput and is a public sponsor of a private terminal application.

What is needed #2: Private terminals are not eligible independent of a public sponsor. Private firms should be eligible – and for many reasons. Private terminals often pay more taxes than public ports. There is no monetary incentive for public sponsors of private terminal grant projects unless the public sponsor inflates the project cost to cover administrative fees. The majority of the nation’s freight is transloaded by private facilities, not public ports;

Issues: Maritime Administration Education Program

The mission of Maritime Administration is to promote the use of waterborne transportation and its seamless integration with other segments of the transportation system, and the viability of the U.S. merchant marine. Yet none of the activities MARAD is engaged in appear to be shipper driven.

At a House T&I hearing in June of 2019, lawmakers repeatedly asked Admiral Buzby: “What are the principal barriers to development?” - Congressman Maloney (D-NY); “What can the Federal government do to jumpstart short sea shipping?” – Congressman Gibbs (R-OH); “How can Congress help MARAD promote marine highways?” – Congresswoman Miller (R-WV).

In each instance, Admiral Buzby’s response was education and awareness of shippers, but again none of their activities engage the shippers.

To promote short sea shipping, MARAD should:

- (1) Develop an education program to engage non-users of waterway shipping;

- (a) to market the inland waterways and its connectivity to domestic and foreign markets;
- (b) to encourage incorporation or modal shifts within their supply chain;
- (c) to educate the positive impacts of waterways transportation.

What is needed: Additional language in the 2021 Maritime Administration Reauthorization Bill to direct MARAD activities to include an education program and report to Senate Commerce Committee annually on the steps taken. In short, if there is a way to 'hold MARAD accountable' for promoting the marine highways, this Bill is the avenue to achieve that.

Issues: America's Marine Highways Program Project Eligibility

The purpose of this program is to make grants available to previously *designated* Marine Highway Projects that support the development and expansion of documented vessels, or port and landside infrastructure aimed to alleviate traffic and wear to the nation's highways caused by tractor trailer traffic, or containerized cargo.

The majority of ports in the United States were built along the river system as economic engines to their communities and regions for the purpose of bulk commodity-based transportation. Whereas almost all public ports strive to handle containers, the market has not yet demanded the specialized model of shipping so ports excel at providing lower cost transportation solutions for bulk products.

The America's Marine Highways Program is one funding program that provide federal funding assistance for landside infrastructure improvements, yet the eligibility to apply for the funding remains for containerized cargo.

Further, the open 'Call for Projects' has expired on January 31, 2022.

What is needed:

- Expand the Marine Highways Program to include bulk commodity projects for funding.
- Expand the Marine Highways Program to include eligibility to private entities.
- Either a new 'call for projects' should be issued or the project designation process shall be excluded from future funding criteria.

Exhibit A

House Transportation and Infrastructure Committee (2021 Roster)

Names in black represent coastal

Names in red represent inland/non-coastal

~~(retiring 2022) Chairman Peter A. DeFazio~~
~~OR-04~~
Eleanor Holmes Norton DC
~~(retiring 2022) Eddie Bernice Johnson TX 30~~
Rick Larsen WA 02
Grace F. Napolitano CA 32
Steve Cohen TN 09
Albio Sires NJ 08
John Garamendi CA 03
Henry C. Johnson, Jr. GA 04
André Carson IN 07
Dina Titus NV 01
Sean Patrick Maloney NY 18
Jared Huffman CA 02
Julia Brownley CA 26
Frederica S. Wilson FL 24
Donald M. Payne Jr. NJ 10
~~(retiring 2022) Alan S. Lowenthal CA 47~~
Mark DeSaulnier CA 11
Stephen F. Lynch MA 8
Salud O. Carbajal CA 24
~~(seeking other office 2022) Anthony G. Brown~~
~~MD 4~~
Tom Malinowski NJ 7
Greg Stanton AZ 9
Colin Z. Allred TX 32
Sharice Davids (Vice-Chair) KS 3
Jesús García IL 4
Antonio Delgado NY 19
Chris Pappas NH 1
~~(seeking Senate seat) Conor Lamb PA 17~~
Seth Moulton MA 6
Jake Auchincloss MA 4
Carolyn Bourdeaux GA 7
Kaiali'i Kahele HI 2
Marilyn Strickland WA 10
Nikema Williams GA 5
Marie Newman IL 3
Troy Carter LA 02

Ranking Member- Sam Graves MO 06
~~(deceased) Don Young AK AL~~
Rick Crawford AR 01
Bob Gibbs OH 07
Daniel Webster FL 11
Thomas Massie KY 04
Scott Perry PA 10
Rodney Davis IL 13
~~(retiring 2022) John Katko NY 24~~
Brian Babin TX 36
Garret Graves LA 06
David Rouzer NC 07
Mike Bost IL 12
Randy Weber TX 14
Doug LaMalfa CA 01
Bruce Westerman AR 04
Brian Mast FL 18
Mike Gallagher WI 08
Brian Fitzpatrick PA 01
Jenniffer Gonzalez- Colon PR AL
Troy Balderson OH 12
Pete Stauber MN 08
Tim Burchett TN 02
Dusty Johnson SD AL
Jefferson Van Drew NJ 02
Michael Guest MS 03
Troy E. Nehls TX 22
Nancy Mace SC 01
Nicole Malliotakis NY 11
Beth Van Duyne TX 24
Carlos A. Gimenez FL 26
Michelle Steel CA 48

SUBCOMMITTEE: Water Resources and Environment

Names in black represent coastal

Names in red represent inland/non-coastal

Chairman- Grace F. Napolitano CA 32
Jared Huffman CA02
~~Eddie Bernice Johnson TX 30~~
John Garamendi CA 03
~~Alan S. Lowenthal CA 47~~
Tom Malinowski NJ 7
Antonio Delgado NY 19
Chris Pappas NH 1
Carolyn Bourdeaux GA 7
Frederica S. Wilson FL 24
Salud O. Carbajal CA 24
Greg Stanton AZ 9
Eleanor Holmes Norton DC
Steve Cohen TN 09
~~Peter A. DeFazio (Ex Officio) OR 04~~

Ranking Member- David Rouzer NC 07
Daniel Webster FL 11
John Katko NY 24
Brian Babin TX 36
Garret Graves LA 06
Mike Bost IL 12
Randy Weber TX 14
Doug LaMalfa CA 01
Bruce Westerman AR 04
Brian Mast FL 18
Jennifer Gonzalez-Colon PR AL
Nancy Mace SC 01
Sam Graves (Ex Officio) MO 06

Subcommittee on Coast Guard and Maritime Transportation

Chairman- Salud O. Carbajal CA
Rick Larsen WA 02
Jake Auchincloss MA 4
Sean Patrick Maloney NY 18
~~Alan S. Lowenthal CA 47~~
~~Anthony G. Brown MD 4~~
Chris Pappas NH 1
~~Peter A. DeFazio (Ex Officio) OR 04~~

Ranking Member- Bob Gibbs OH 07
~~Don Young AK AL~~
Randy Weber TX 14
Mike Gallagher WI 08
Jefferson Van Drew NJ 02
Nicole Malliotakis NY 11
Sam Graves (Ex Officio) MO 06

Subcommittee on Transportation, Housing and Urban Development

David E. Price, Chairman
Mike Quigley
Katherine M. Clark
Bonnie Watson Coleman
Norma J. Torres
Pete Aguilar
Adriano Espaillat
Jennifer Wexton
David J. Trone

Mario Diaz-Balart, Ranking Member
Steve Womack
John Rutherford
Mike Garcia
Ashley Hinson
Tony Gonzales

House Appropriations Committee

Chair- Rosa L. DeLauro CT 03
Marcy Kaptur OH 09
David E. Price NC 04
Lucille Roybal-Allard CA 40
Sanford D. Bishop GA 02
Barbara Lee CA 13
Betty McCollum MN 04
Tim Ryan OH 13
C. A. Dutch Ruppersberger MD 02
Debbie Wasserman Schultz FL 23
Henry Cuellar TX 28
Chellie Pingree MN 01
Mike Quigley IL 05
Derek Kilmer WA 06
Matt Cartwright PA 08
Grace Meng NY 06
Mark Pocan WS 02
Katherine M. Clark MS 05
Pete Aguilar CA 31
Lois Frankel FL 21
Cheri Bustos IL 17
Bonnie Watson Coleman NJ 12
Brenda L. Lawrence MI 14
Norma J. Torres CA 35
Charlie Crist FL 13
Ann Kirkpatrick AZ 02
Ed Case HI 01
Adriano Espaillat NY 13
Josh Harder CA 10
Jennifer Wexton VA 10
David J. Trone MD 06
Lauren Underwood IL 14
Susie Lee NV 03

Ranking Member- Kay Granger TX 12
Harold Rogers KT 05
Robert B. Aderholt AL 04
Michael K. Simpson ID 02
John R. Carter TX 31
Ken Calvert CA 42
Tom Cole OK 04
Mario Diaz-Balart FL 25
Steve Womack AK 03
Jeff Fortenberry NB 01
Charles J. "Chuck" Fleischmann TN 03
Jamie Herrera Beutler WA 03
David P. Joyce OH 14
Andy Harris MD 01
Mark E. Amodei NV 02
Chris Steward UT 02
Steven M. Palazzo MS 04
David G. Valadao CA 21
Dan Newhouse WA 04
John R. Moolenaar MI
John H. Rutherford FL 04
Ben Cline VA 06
Guy Reschenthaler PA 14
Mike Garcia CA 25
Ashley Hinson IA 01
Tony Gonzales TX 2

Subcommittee on Energy and Water

Marcy Kaptur, Chairwoman
Debbie Wasserman Schultz
Ann Kirkpatrick
Susie Lee
Tim Ryan
Derek Kilmer
Lois Frankel
Cheri Bustos
Bonnie Watson Coleman

Michael K. Simpson, Ranking Member
Ken Calvert
Chuck Fleischmann
Dan Newhouse
Jaime Herrera Beutler
Guy Reschenthaler

