July 29, 2020

Dear Representative,

We write urging you to oppose efforts to use the Water Resources Development Act of 2020 (WRDA) to undermine long-standing commonsense policies enacted to provide fiscally responsible investments in our nation's water infrastructure. It is particularly concerning that this is being attempted under suspension of the rules without real opportunity for amendment and without sufficient debate. With taxpayers taking on trillions of dollars in deficit spending to combat the health pandemic and economic crisis, Congress must prioritize cost-effective and immediate response and long-term economic development. Adding billions of dollars onto the Corps of Engineers construction backlog, while saddling taxpayers with ever-increasing costs for economically dubious projects, is exactly the wrong approach.

While WRDA2020 contains provisions with the potential to increase transparency in the Corps project development and selection process, it definitely contains changes to project financing that are certain to increase waste and inefficiency.

*** Sec. 108:** Bails out the inland barge industry by cutting to 35% (from 50%) the industry's burden for constructing navigation locks and dams. Riverine navigation is already the most subsidized transportation sector, with taxpayers covering 50% of construction costs and 100% of the costly annual operations & maintenance – all told more than 90 percent of the cost is federally subsidized. This compares to coastal port operations where in general the industry picks up 100 percent of the annual operations and maintenance costs and 35 percent of construction. This provision would undermine the nearly 40-year old requirement barge operators cover 50% of the construction costs for locks and dams that are built expressly for their benefit. Taxpayers can't afford to further subsidize this already overly-subsidized transportation sector.

*** Sec. 101:** Increases deficit spending by directing Harbor Maintenance Trust Fund (HMTF) spending provided to inland ports, to not count against discretionary spending caps. Sec. 14003 of the CARES Act directs annual spending from HMTF, at no more than the prior year's HMTF receipts, to not count against any discretionary spending cap. Sec. 101 extends this treatment to any HMTF dollars directed at inland harbors. Accounting gimmicks to compel cash, but conceal costs, do not make said spending any less damaging.

*** Sec. 105:** Federal taxpayers must pay for port operations & maintenance costs in excess of what costs would have been under the most economically beneficial option, when the non-federal sponsor chooses to undertake the locally preferred option instead. Federal investments must be prioritized on projects providing the greatest benefit. Local sponsors that exercise their right to choose less economically beneficial projects also bear responsibility to finance the excess cost of those projects.

* The bill authorizes **34 new projects**, **35 feasibility studies** to evaluate new projects, and **directs the Corps to expedite 41 previously authorized feasibility studies** without guaranteeing any substantive progress on paring down the nearly $100 billion project construction backlog. To put this in context the Corps typically gets roughly $2 billion in annual construction funding.

Relieving special interests of their cost share responsibilities will cost taxpayers dearly. It also exacerbates the main problem facing our nation’s infrastructure: the lack of prioritization systems to ensure precious taxpayer dollars are going to the most important, critical, and cost-effective water projects across the country. These provisions, amongst others, are non-controversial and merit a full debate.

Taxpayers for Common Sense
Council for Citizens Against Government Waste
National Taxpayers Union
Taxpayers Protection Alliance