

Congress of the United States
Washington, DC 20515

May 8, 2012

The Honorable John Mica
Chairman
Committee on Transportation & Infrastructure

The Honorable Nick Rahall
Ranking Member
Committee on Transportation & Infrastructure

The Honorable Fred Upton
Chairman
Committee on Energy & Commerce

The Honorable Henry Waxman
Ranking Member
Committee on Energy & Commerce

The Honorable Doc Hastings
Chairman
Committee on Natural Resources

The Honorable Ed Markey
Ranking Member
Committee on Natural Resources

The Honorable Ralph Hall
Chairman
Committee on Science, Space & Technology

The Honorable Eddie Bernice Johnson.
Ranking Member
Committee on Science, Space & Technology

The Honorable Dave Camp
Chairman
Committee on Ways & Means

Dear House Conferees:

As you proceed to a House-Senate conference committee on the transportation reauthorization bill to resolve differences between S. 1813 and H.R. 4348, we want to call your attention to important provisions included in both of the bills that involve our federal ports and harbors.

The Harbor Maintenance Tax (HMT) and Harbor Maintenance Trust Fund (HMTF) were established in 1986 to strictly and efficiently fund U.S. Army Corps of Engineers (USACE) operations and maintenance purposes and ensure that our navigation system operates effectively. The HMT is a user fee charged against the value of imports and domestic cargo arriving at the nearly 1,000 U.S. ports and harbors and deposited into the HMTF, where they are then subject to appropriations. Yet only about half of the funds collected through a user fee charged on shippers are actually appropriated for harbor maintenance, threatening width and depth of American waterways.


The USACE has estimated that even the so-called top-priority harbors, those that handle about 90 percent of the commercial traffic, are dredged to their authorized depths and widths only 35 percent of the time. This lack of maintenance is simply unacceptable. Ports and harbors support about 13 million jobs and account for \$4 trillion in economic impacts. Additionally, because waterborne transportation is often the least expensive means of transporting vital commodities used for manufacturing, construction, and energy generation, shipping bolsters our international competitiveness, economic recovery and job creation, while also keeping costs in check for American consumers.


The harbor maintenance provisions, contained in Sections 1533 and 401 of the Senate and House bills, respectively, would ensure all funds deposited into the HMTF in a given fiscal year be fully expended to operate and maintain the navigation channels of the United States, and not for other purposes. We ask that this language be retained and strengthened further through an "enforcement of guarantees"; that language should mirror that provided in Section 2(c) of the Realize America's Maritime Promise (RAMP) Act (H.R. 104). Similar action was taken for aviation programs in the Aviation Investment and Reform Act for the 21st Century (AIR-21) to more closely tie aviation trust fund revenues with expenditures in the Airports and Airways Trust Fund. Given this precedent, we believe taking similar action for the HMTF is appropriate, and will provide a greater degree of certainty for waterborne commerce.

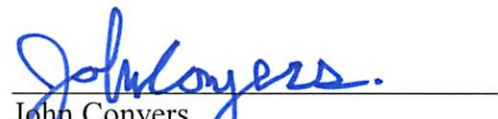
As the economy struggles to recover, we cannot afford to threaten commerce and trade by failing to maintain our harbor infrastructure. We look forward to working with you to ensure our nation has a strong transportation infrastructure supporting jobs, growing our economy, and competing successfully in this global economy. Thank you for your consideration of our request.

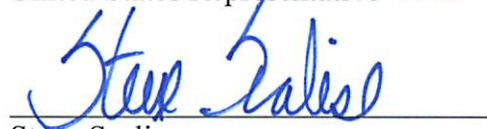
Sincerely,


Charles W. Boustany, Jr., M.D.
United States Representative

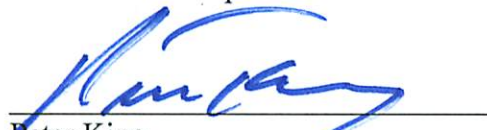

Joe Courtney
United States Representative


Kevin Brady
United States Representative

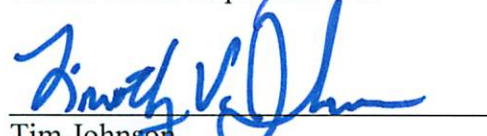

John Conyers
United States Representative


Steve Scalise
United States Representative


Louise Slaughter
United States Representative


Peter King
United States Representative


Lois Capps
United States Representative


Tim Johnson
United States Representative

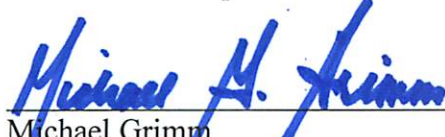

Alcee Hastings
United States Representative


Candice Miller
United States Representative

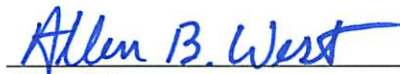

Dutch Ruppertsberger
United States Representative



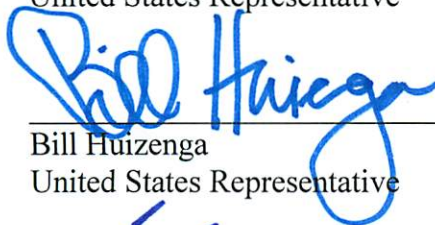
Greg Walden
United States Representative



Michael Grimm
United States Representative



Allen West
United States Representative



Bill Huizenga
United States Representative



Andy Harris
United States Representative



Robert Dold
United States Representative




Todd Rokita
United States Representative



Gregg Harper
United States Representative



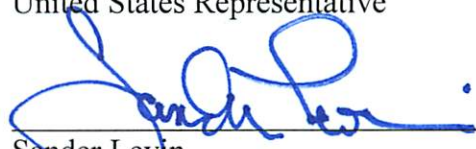
Ted Poe
United States Representative



Jeff Denham
United States Representative



Brian Higgins
United States Representative



Sander Levin
United States Representative



Debbie Wasserman Schultz
United States Representative




Marcia Fudge
United States Representative



Kurt Schrader
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Tim Ryan
United States Representative



Michael Michaud
United States Representative



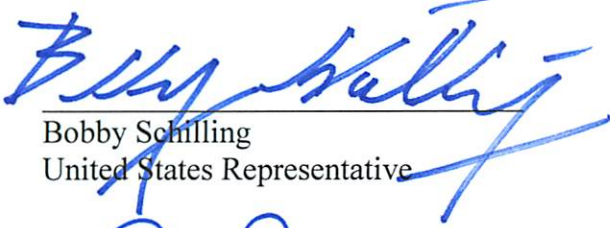
Chellie Pingree
United States Representative

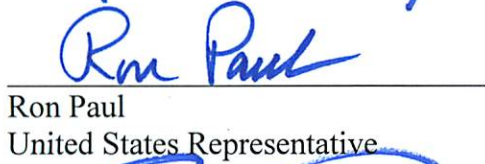


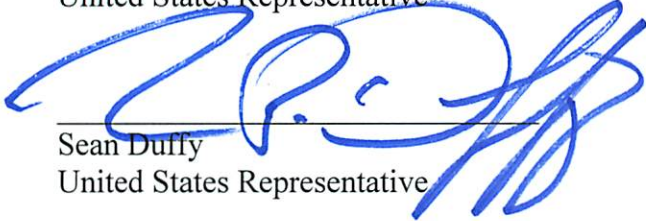
Bill Keating
United States Representative




Jackie Speier
United States Representative

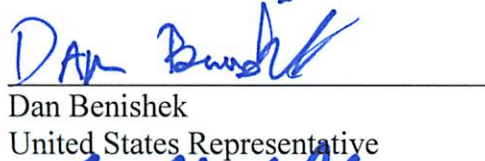

Bobby Schilling
United States Representative


Ron Paul
United States Representative

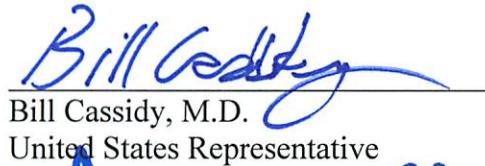

Sean Duffy
United States Representative

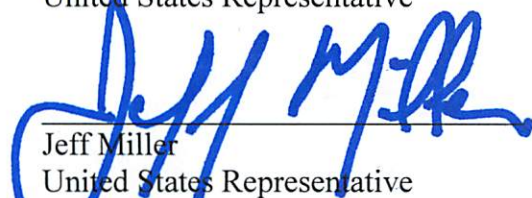

Pete Olson
United States Representative

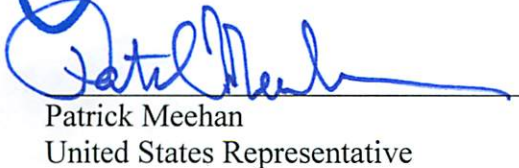

Tim Walberg
United States Representative


Dan Benishek
United States Representative


Thad McCotter
United States Representative

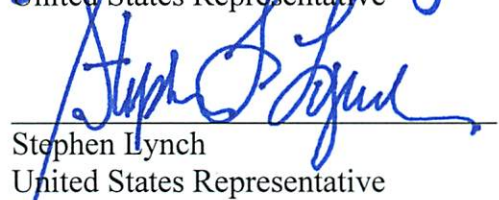

Bill Cassidy, M.D.
United States Representative


Jeff Miller
United States Representative

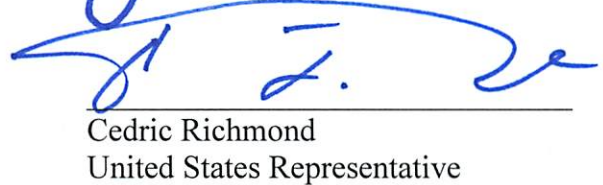

Patrick Meehan
United States Representative


John Dingell
United States Representative



John Carney
United States Representative


Stephen Lynch
United States Representative


Jerry McNerney
United States Representative

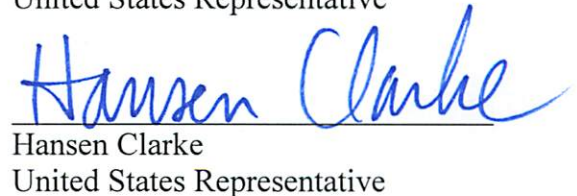

Cedric Richmond
United States Representative


Mike Thompson
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Betty Sutton
United States Representative


John Sarbanes
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Rick Larsen
United States Representative


Hansen Clarke
United States Representative



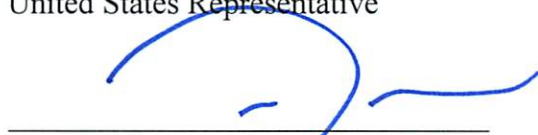
Frank Guinta
United States Representative



Tom Petri
United States Representative



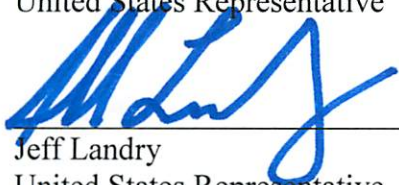
Bill Posey
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Tom Reed
United States Representative



Mike Fitzpatrick
United States Representative



Jeff Landry
United States Representative



Dennis Kucinich
United States Representative



Mazie Hirono
United States Representative



Bill Owens
United States Representative



Marcy Kaptur
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Richard Neal
United States Representative



Bob Filner
United States Representative



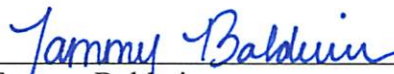
Pete Stark
United States Representative



Gary Peters
United States Representative



Rosa DeLauro
United States Representative



Tammy Baldwin
United States Representative



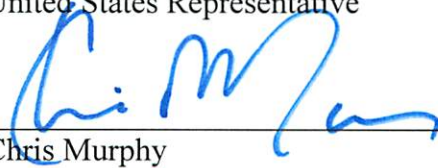
Frederica Wilson
United States Representative



Kathleen Hochul
United States Representative



Bobby Scott
United States Representative



Chris Murphy
United States Representative



Anna Eshoo
United States Representative



Jim Gerlach
United States Representative



Bill Johnson
United States Representative



Mike Kelly
United States Representative



Suzanne Bonamici
United States Representative

- cc:
- The Honorable Pat Tiberi
 - The Honorable Earl Blumenauer
 - The Honorable Chip Cravaack
 - The Honorable Rob Bishop
 - The Honorable Ed Whitfield
 - The Honorable Don Young
 - The Honorable John Duncan
 - The Honorable Bill Shuster
 - The Honorable Shelley Moore Capito
 - The Honorable Rick Crawford
 - The Honorable Jaime Herrera-Beutler
 - The Honorable Larry Bucshon
 - The Honorable Richard Hanna
 - The Honorable Steve Southerland
 - The Honorable James Lankford
 - The Honorable Reid Ribble
 - The Honorable Peter DeFazio
 - The Honorable Jerry Costello
 - The Honorable Eleanor Holmes Norton
 - The Honorable Jerrold Nadler
 - The Honorable Corrine Brown
 - The Honorable Elijah Cummings
 - The Honorable Leonard Boswell
 - The Honorable Tim Bishop