

# United States Senate

WASHINGTON, DC 20510

May 8, 2012

The Honorable Barbara Boxer  
Chairman  
Committee on Environment & Public Works

The Honorable James M. Inhofe  
Ranking Member  
Committee on Environment and Public Works

The Honorable Max Baucus  
Chairman  
Committee on Finance

The Honorable Orin G. Hatch  
Ranking Member  
Committee on Finance

Dear Chairmen Boxer and Baucus, and Ranking Members Inhofe and Hatch:

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 harbors.

There are nearly 1,000 federal ports and harbors that are supposed to be maintained by the Army Corps of Engineers to ensure that our navigation system operates effectively. Yet, only about half of the funds collected through a fee charged to shippers are actually appropriated for harbor maintenance, even though our harbors are in great need of dredging and other maintenance work. The Army Corps 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 and helps keep costs in check for American consumers. Shipping also helps relieve highway and rail congestion. Having a well-maintained harbor and navigational infrastructure is a vital component to our overall transportation infrastructure and supports our economic recovery and job creation.

The harbor maintenance provisions, contained in Sections 1533 and 401 of the Senate and House bills, respectively, would ensure that all funds deposited into the Harbor Maintenance Trust Fund 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," language that should mirror that provided in Section 2(c) of the Harbor

Maintenance Act (S. 412). Similar action was taken for aviation programs in the Aviation Investment and Reform Act for the 21<sup>st</sup> 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 Harbor Maintenance Trust Fund is appropriate, and it will provide a greater degree of certainty to our nation's ports and harbors.

Thank you for your consideration of our request. 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.

Sincerely,

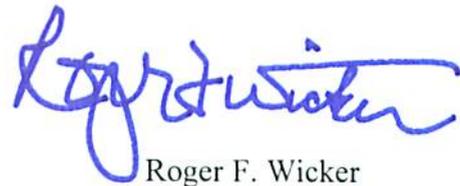
  
Kay Bailey Hutchison

  
Carl Levin

  
Richard C. Shelby

  
Debbie Stabenow

  
Richard Blumenthal

  
Roger F. Wicker

  
Joseph I. Lieberman

  
Herb Kohl

  
Amy Klobuchar

  
Ron Wyden



Jeff Merkley



Christopher A. Coons



Al Franken



Mary L. Landrieu



Ron Johnson



Sherrod Brown



Rob Portman



Jeanne Shaheen



Barbara A. Mikulski



Mark Kirk



John Cornyn



Mark Begich



Kirsten E. Gillibrand



Jim Webb



Mark R. Warner



Marco Rubio



Claire McCaskill

cc: The Honorable John D. Rockefeller IV  
The Honorable Richard J. Durbin  
The Honorable Tim Johnson  
The Honorable Charles E. Schumer  
The Honorable Bill Nelson  
The Honorable Robert Menendez  
The Honorable David Vitter  
The Honorable John Hoeven