

113TH CONGRESS  
1ST SESSION

# H. R. 2273

To implement a program establishing the Great Lakes Navigation System,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2013

Mrs. MILLER of Michigan (for herself, Mr. HUIZENGA of Michigan, Ms. SLAUGHTER, Mr. HIGGINS, Mr. BENISHEK, and Mr. ROGERS of Michigan) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To implement a program establishing the Great Lakes  
Navigation System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Great Lakes Naviga-  
5 tion System Sustainability Act of 2013”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act the term—

8 (1) “Great Lakes” and “Great Lakes Naviga-  
9 tional System” means—

1 (A)(i) Lake Superior;

2 (ii) Lake Huron;

3 (iii) Lake Michigan;

4 (iv) Lake Erie; and

5 (v) Lake Ontario;

6 (B) all connecting waters between the  
7 lakes referred to in subparagraph (A) used for  
8 commercial and recreational navigation;

9 (C) any navigation features in the lakes re-  
10ferred to in subparagraph (A) or waters de-  
11scribed in subparagraph (B) that are a Federal  
12operation or maintenance responsibility; and

13 (D) areas of the Saint Lawrence River  
14that are operated or maintained by the Govern-  
15ment for commercial navigation.

16 (2) “eligible operations and maintenance” has  
17the same meaning as that term is defined in section  
18214 of the Water Resources Development Act of  
191986 (33 U.S.C. 2241);

20 (3) “Secretary” means the Secretary of the  
21Army.

22 **SEC. 3. GREAT LAKES NAVIGATION SYSTEM.**

23 (a) MANAGEMENT OF GREAT LAKES NAVIGATION  
24SYSTEM.—To sustain the most effective and efficient op-  
25eration and maintenance of the Great Lakes Navigation

1 System, the Secretary, acting through the Chief of Engi-  
2 neers, shall manage and allocate funding for all of the in-  
3 dividually authorized commercial and recreational naviga-  
4 tion projects in the Great Lakes Navigation System as  
5 components of a single, comprehensive system, recognizing  
6 the interdependence of the projects.

7 (b) CARGO MEASUREMENTS.—Cargo measurements  
8 for the purpose of prioritizing annual operations and  
9 maintenance budget resources for the Great Lakes Navi-  
10 gation System, and for any of the component projects of  
11 the System, shall aggregate the tonnage of all components  
12 of the System.

13 **SEC. 4. GREAT LAKES SYSTEM SUSTAINABILITY.**

14 (a) IN GENERAL.—The Secretary, acting through the  
15 Chief of Engineers, shall establish a program to fund eligi-  
16 ble operations and maintenance projects of the Great  
17 Lakes Navigation System with the objective of maintain-  
18 ing such projects to their authorized depths and widths.

19 (b) CONSULTATION.—The Secretary shall consult  
20 with the Congressional delegations from States that bor-  
21 der the Great Lakes in developing annual priorities for  
22 the apportionment of funding authorized to be appro-  
23 priated pursuant to this section.

24 (c) AUTHORIZATION OF APPROPRIATIONS.—For each  
25 of fiscal years 2014 through 2023, there is authorized to

1 be appropriated from the Harbor Maintenance Trust  
2 Fund established by section 9505 of the Internal Revenue  
3 Code \$200,000,000 to fund eligible operations and main-  
4 tenance of the Great Lakes Navigation System. Funds ap-  
5 propriated pursuant to this section may remain available  
6 until expended.

7 (d) COST SHARE.—

8 (1) IN GENERAL.—Of the amounts made avail-  
9 able pursuant to subsection (c), the Secretary, act-  
10 ing through the Chief of Engineers, shall give a  
11 higher priority to projects described in paragraph  
12 (2) than to projects described in paragraph (3).

13 (2) CERTAIN HARBORS PROVIDING A COST  
14 SHARE.—

15 (A) NOT SUBJECT TO HARBOR MAINTEN-  
16 NANCE FEE.—A Great Lakes Navigation Sys-  
17 tem project that is not subject to the harbor  
18 maintenance fee under section 24.24 of title 19,  
19 Code of Federal Regulations (or successor regu-  
20 lations) and for which the non-Federal sponsor  
21 provides a cost share of 50 percent of the costs  
22 of eligible operations and maintenance expenses,  
23 is eligible for Federal operations and mainte-  
24 nance funds made available pursuant to sub-  
25 section (c).

1           (B) SUBJECT TO HARBOR MAINTENANCE  
2 TRUST FUND BUT NO CARGO.—A Great Lakes  
3 Navigation System project that is subject to the  
4 harbor maintenance fee under section 24.24 of  
5 title 19, Code of Federal Regulations (or suc-  
6 cessor regulations), has not had commercial  
7 cargo loaded or unloaded from its harbor dur-  
8 ing the previous 2 fiscal years, and for which  
9 the non-Federal sponsor provides a cost share  
10 of 50 percent of the costs of eligible operations  
11 and maintenance expenses is eligible for Fed-  
12 eral operations and maintenance funds made  
13 available pursuant to subsection (c).

14           (3) CERTAIN HARBORS WITH NO COST  
15 SHARE.—A Great Lakes Navigation System project  
16 that otherwise meets the description in subpara-  
17 graphs (A) or (B) of paragraph (2), and for which  
18 the non-Federal sponsor of the project does not pro-  
19 vide a cost share of 50 percent of the costs of eligi-  
20 ble operations and maintenance expenses, is eligible  
21 to receive Federal operations and maintenance funds  
22 made available pursuant to subsection (c) after  
23 projects under such subparagraphs are funded.

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