

AMENDMENT TO H.R. 8
OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of title I, add the following:

1 **SEC. ____ . DISPOSITION OF PROJECTS.**

2 (a) IN GENERAL.—In carrying out a disposition
3 study for a project of the Corps of Engineers, including
4 a disposition study under section 216 of the Flood Control
5 Act of 1970 (33 U.S.C. 549a) or an assessment under
6 section 6002 of the Water Resources Reform and Develop-
7 ment Act of 2014 (Public Law 113–121; 128 Stat. 1349),
8 the Secretary shall consider modifications that would im-
9 prove the overall quality of the environment in the public
10 interest, including removal of the project, or separable ele-
11 ment of a project.

12 (b) DISPOSITION STUDY TRANSPARENCY.—The Sec-
13 retary shall perform disposition studies in a transparent
14 manner, including—

15 (1) opportunities for public input; and

16 (2) the publishing of final disposition studies.

17 (c) REMOVAL OF INFRASTRUCTURE.—For disposition
18 studies in which the Secretary determines that a Federal
19 interest no longer exists and makes a recommendation of
20 removal of the project or separable element of a project,

1 the Secretary is authorized to pursue removal of the
2 project or separable element of the project using—

3 (1) existing authorities as considered appro-
4 priate by the Secretary; or

5 (2) partnerships with other Federal agencies
6 and non-Federal entities with appropriate capabili-
7 ties to undertake infrastructure removal.

8 (d) IMPLEMENTATION.—The following requirements
9 shall apply to a removal carried out by the Secretary under
10 subsection (c):

11 (1) Removal of a project or separable element
12 of a structure as recommended in a disposition study
13 shall be implemented under existing authorities and
14 shall not be subject to a new start determination.

15 (2) Prior to implementing a recommendation
16 from a completed disposition study, the Secretary
17 shall notify the Committee on Environment and
18 Public Works of the Senate and the Committee on
19 Transportation and Infrastructure of the House of
20 Representatives of the decision to implement such a
21 recommendation.

22 (3) After the expiration of the 180-day period
23 beginning on the date of submission of the notifica-
24 tion, the Secretary is authorized to carry out the
25 recommendation, unless Congress passes a joint res-

- 1 resolution disapproving the final deauthorization report
- 2 prior to the end of the period.

