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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0917**

July 14, 2016

The Honorable Rick Scott  
Governor of Florida  
The Capitol  
Tallahassee, Florida 32399

Dear Governor Scott,

Thank you for your letter to the Congressional Florida Delegation expressing your concern over the dire circumstances facing our waterways, wildlife and communities in South Florida. I want to thank you for all of your efforts over the past several weeks to protect our beautiful state. Your leadership and willingness to ensure state funds can respond to urgent environmental needs in our state has not gone unnoticed. Please know that your cries for help are not being ignored and I am working to find creative solutions to these problems.

You're correct in that Floridians in Congress have not held up our end of the bargain by providing the U.S. Army Corps of Engineers (Corps) with the proper funding that our state so badly needs. Historically, the annual appropriations process allowed us to directly influence the level of Corps' funding for specific projects in Florida whereby we could give the Corps more money for projects that were underfunded in the President's annual budget submission. Since the 112<sup>th</sup> Congress, site-specific project increases added to appropriations bills by Members of Congress (i.e., earmarks) have been prohibited by House and Senate earmark moratorium policies. Therefore, the unfortunate reality is that the fate of Florida's critical water projects and Corps funding is in the hands of the executive branch.

For example, despite the backlog of authorized Corps studies and projects, the Corps' Fiscal Year 2017 request for construction projects totaled \$1.09 billion (\$772.2 million below the FY16 enacted level), most of which would be for projects authorized in 2007 or earlier. Only a fraction of the funds requested in FY2017 would be for new construction projects authorized by the Water Resources Reform and Development Act of 2014, despite that as of May 2016, the Corps' Chief of Engineers had completed reports (i.e., "Chief's Reports") with favorable construction recommendations for 28 projects, at a total federal cost of \$5.09 billion.

Working within the confines of the rules, Congress has provided additional funding over the president's request to "overflow" to supplement deficiencies in the Corps budget. The 2017 House Energy and Water Appropriations bill includes \$921.7 million for the "Additional Funding for Ongoing Work" account in the Corps' Construction budget for certain categories of projects – like flood control – that either were not included in the Administration's request or were inadequately budgeted. While we can equip the Corps with these funds and hope our

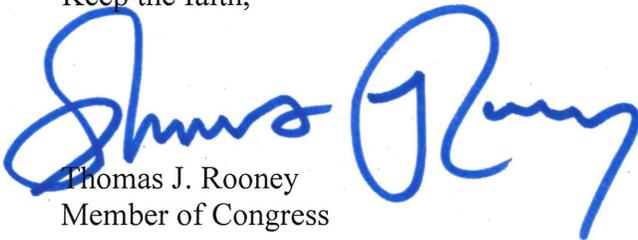
directives steer them to projects in our districts, ultimately the executive branch retains complete discretion over the distribution of project-specific funding allocations.

In this rare case of Corps funding, you have a bipartisan coalition of Members of Congress **who urgently want** to give the executive branch more money, the projects we're willing to fund are supported by both local business interests and environmental organizations, they're properly authorized, **and** we have state and local entities willing to contribute their share of the cost. We had good intentions of reforming the system and reining in spending when we enacted the earmark ban, but in the context of funding for the Corps, we ended up ceding our most effectual Constitutional authority to represent the immediate interests of our constituents.

For these reasons, we urge you to join us in calling on our leaders in Congress to consider H.Res. 813, which would amend the House Rules to exclude provisions relating to existing or proposed water resources development projects of the Army Corps of Engineers from the definition of congressional earmark. Further, the Resolution urges the adoption of an amendment to the House and Conference Rules to lift the "earmark moratorium" on requests for federal appropriations for the Army Corps of Engineers in order to restore Congress' authority to direct funds to state and local projects and to limit executive power.

We fully recognize that waiting for Congress to get its act together and pass a bill certainly isn't going to solve all of the urgent environmental problems in our state, but it would be a small yet productive step toward putting Congress back in the driver's seat of our federal government's spending. We, in Congress, have handed over the ability to advocate on behalf of our constituents. We've given away our ability to do the one thing that we are elected to do – look out for our friends and neighbors on the federal level. We need to take back that power and I hope that we will have your support in doing it.

Keep the faith,



Thomas J. Rooney  
Member of Congress