

**STATEMENT OF MICHAEL J. TOOHEY**  
**PRESIDENT AND CEO**  
**OF**  
**WATERWAYS COUNCIL, INC.**  
**BEFORE THE**  
**SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT**  
**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**  
**UNITES STATES HOUSE OF REPRESENTATIVES**  
**“The Economic Importance and Financing Challenges of Recapitalizing the**  
**Nation’s Inland Waterway Transportation System”**

September 21, 2011

Mr. Chairman and Members of the Subcommittee:

I am Mike Toohey, President and CEO of Waterways Council, Inc. (WCI). WCI is the national public policy organization advocating a modern and well-maintained system of ports and inland waterways. Our membership consists of over 250 waterways carriers, shippers, port authorities, shipping associations, and waterway advocacy groups from all regions of the country.

Mr. Chairman, the inland waterways system is one of this country’s greatest assets. In fact, that system has been recognized as a matter of fundamental Federal responsibility and stewardship since the earliest days of our country’s existence. In advocating for the U.S. Constitution’s adoption, James Madison (in the Federalist No. 14) spoke of the general commercial advancement of the country, in furtherance of which “an interior navigation on our eastern side will be opened throughout, the whole extent of the thirteen states.” Alexander

Hamilton (in the Federalist No. 11) plainly pointed out that, without a Federal governing power, commercial “intercourse would be fettered, interrupted, and narrowed by a multiplicity of causes...”. Almost immediately after our U.S. Constitution was approved, one of the initial actions of the first Congress was enactment of legislation providing for Federal upkeep of the Nation’s navigational aids. Twenty-five years later, the U.S. Supreme Court ruled definitively in its landmark Gibbons v. Ogden decision that “the power of Congress comprehends navigation, within the limits of every State in the Union...”. And, since Gibbons, the Supreme Court has repeatedly upheld this preeminent need for, and role of, the Federal Government to, as it discussed in an 1883 case, “...improve the navigation of rivers by dredging and cleaning them, and making new channels and jetties, and adopting every other means of making them more capable of meeting the growing needs and extending demands of commerce.”

And, so for over 200 years, our river system has facilitated the affordable, reliable and environmentally friendly transportation of the building blocks of our economy. It has allowed the low cost movement of large bulk commodities in an efficient and timely manner. In fact, a recent study by the Texas Transportation Institute (TTI) found that river transportation is the most energy efficient way to move coal, grain and other agricultural commodities, iron, steel, aggregates, petroleum and chemical products. River barges can move one ton of cargo 576 miles per gallon of fuel. A rail car would move the same amount of cargo 413 miles, while a truck would move the same cargo only 155 miles. The TTI study also found that it would require 216 rail cars, or 1,050 large tractor-trailer trucks, to move the same volume of cargo that a typical 15 barge tow can move on the river system. Clearly, our roads and highways would be even more congested if this huge volume of cargo was not moving by water.

Environmentally, the TTI study showed that inland barge transportation produces far fewer emissions of carbon dioxide for each ton of cargo moved than trucks or railroads. When comparing emissions per ton-mile, TTI calculated that transportation by rail emits 39% more carbon dioxide, and transportation by truck emits 371% more carbon dioxide, than transportation by inland barge.

Mr. Chairman, our inland waterways system includes approximately 12,000 miles of commercially navigable channels and 238 locks at 192 sites throughout the country. Commerce from at least 38 states regularly moves on this system, and it is particularly critical to the Nation's heartland, the Pacific Northwest, the Southwest, and Southeast regional economies. Our waterways transport more than 44% of the Nation's grain exports, about 22% of domestic petroleum and petroleum products, and 20% of the coal used in electricity generation. Every year, approximately 600 million tons of waterborne commerce transit the inland waterways, a volume equal to about 16% of all intercity freight and valued at nearly \$70 billion. If that amount of cargo did not move by water, it would require an additional 58 million truck trips to transport all of that traffic on the Nation's already-congested highways. Needless to say, the negative economic and environmental impacts from such a result would be severe.

Mr. Chairman, despite all of these advantages, our inland waterways infrastructure is suffering and in need of immediate modernization. More than half of the 238 locks in our system are over 50 years old and have exceeded their economic design lives. Over the past decade, we have seen critical lock failures and significant unscheduled down time at locks across the system. In 2007, for example, the Corps of Engineers reported that locks were unavailable 95,877 hours for scheduled repairs, 42,530 hours for unscheduled repairs, and 19,023 hours for unscheduled mechanical breakdowns – totaling 157,430 hours or 6,560 days of down time across the system.

And the situation is worsening each year. That is simply unacceptable. If this situation persists, it threatens to erode the very fabric of our inland waterways system. WCI is dedicated to preventing that outcome.

In order to fully understand the crisis confronting the inland waterways, it is useful to understand how the system is currently financed. With the enactment of the Water Resources Development Act of 1986 (WRDA 1986), operation of the Inland Waterways Trust Fund (IWTF) was modified to support modernization of the inland waterways system, beginning with seven new lock and dam projects authorized in that landmark legislation. The barge industry pays a \$.20/gallon diesel fuel tax into the IWTF, which today generates between \$70-to-\$90 million annually. A cost-sharing formula was established under which one-half of the WRDA 1986 project construction costs were to be paid from the IWTF and the balance from general revenues. WRDA 1986 also created the Inland Waterways Users Board (IWUB) to advise Congress and the Secretary of the Army about inland waterways system priorities and spending levels.

For a period of time beginning in 1993 and continuing into the early part of this century, a surplus developed in the IWTF, peaking at \$412.6 million in 2002. Through the cooperation of the Congress, the Administration, WCI and others, this surplus was spent down on key inland infrastructure projects so that today the surplus is essentially gone. The modernization needs of the system, however, remain great and far exceed the annual IWTF revenues.

Mr. Chairman, let me address the most glaring example of the deficiencies of the current system. The Olmsted Lock and Dam project (which you recently visited) is located on the Ohio River bordering Illinois and Kentucky. It was originally authorized by Congress in 1988 at a cost of \$775 million with a projected 12 year construction period. More tonnage passes through this

point than any other place on America's inland navigation system. In 2008 alone, \$17 billion of cargo transited this portion of the Ohio River. One-third of the coal shipped on the inland waterways moves through this part of the system on its way to the more than 50 power plants located along the Ohio River. The Olmsted Lock and Dam is designed to replace the antiquated Locks 52 and 53 in the same vicinity with a single facility consisting of twin 100 foot x 1200 foot lock chambers and a submersible dam. Because of the cost-share formula, 50% (or \$387.5 million) of this original authorization and any increases are shared by the IWTF. Unfortunately, the cost for the Olmsted project, the construction of which is far from complete, has ballooned to \$2.1 billion 26 years later. And, just in the past month, the Corps of Engineers has advised stakeholders that the cost of the Olmsted project is due to change "significantly" yet again. So, even before we know the exact magnitude of the latest change, which we understand to mean "increase", the cost of this project has tripled with the completion date nowhere in sight. When we learn the full dimensions of this cost increase, it may be necessary to reevaluate the future of the Olmsted project and to consider the viability of other alternatives. In any event, the Olmsted project, together with numerous other similar projects throughout the inland system, underscore the notion that the business model for financing navigation projects in this country is seriously broken.

Mr. Chairman, we are not alone in our concern about the state of our inland waterways infrastructure. A recent *Des Moines Register* editorial stated: "On the Upper Mississippi, which is particularly important for Iowa and other Midwestern states, the locks and dams that enable river navigation are long overdue to be replaced. This country's ability to move exports and imports quickly and efficiently will be lost if river navigation is not maintained and expanded. That would have serious economic implications." And, the *Huntington West Virginia Herald-*

*Dispatch* opined: “Unfortunately, the maintenance of the waterways and the deterioration of the locks and dams that connect them is reaching a crisis level.” I have attached copies of these editorials (as Exhibit 1) and I could quote from many more observers who have decried the current state of our inland waterways system and the looming disaster that we face as a country if we do not find a solution to this problem in the near future.

It is clear that the current financing model is providing for only minimal improvements to a few components of the system and will not generate the funding necessary to fully modernize that system. As Steve Little, former Chairman of the IWUB, will address in more detail in his testimony, the IWUB engaged in an intensive 18 month process with the Corps of Engineers to develop the Capital Development Plan (CDP), a proposal to reform the Corps’ project delivery system and to provide an affordable funding mechanism to modernize our inland waterways infrastructure over a 20-year period. The CDP includes a project-by-project cost-sharing cap to provide protection to the IWTF from unreasonable cost escalations and project delays. It also proposes developing a more reliable project cost estimate process to allow for effective management of projects within the identified cost estimates and schedules.

Mr. Chairman, WCI and its members believe that, in the interest of helping our economy today as well as advancing the Nation’s economic competitiveness for the future, the right 20-year inland waterway investment plan must achieve a number of objectives. In that regard, we respectfully request the Subcommittee to move legislation in the maritime title of the transportation reauthorization bill or the next Water Resources Development Act (WRDA) reauthorization that would:

- provide additional revenues to the IWTF in a reasonable and supportable fashion, possibly through user fees assessed in a fair and equitable manner;

- prioritize the Nation's investments in modernizing the inland waterways system infrastructure using sensible, objective decision criteria;
- recognize and account for the multiplicity of beneficiaries of the system, only one of which is the barge industry;
- protect the commercial users that cost-share the construction of these projects from unreasonable project cost escalation and delay;
- provide a clear delineation of what is and what is not a recapitalization project; and
- improve the internal procedures and project delivery performance of the Corps of Engineers so that these projects more often will be completed on time and within budget.

The CDP would meet all these objectives in our opinion. We commend this plan to you and your Subcommittee, and we hope it will receive your strong support. The CDP has been endorsed by over 200 organizations from all across the country, including ports, agriculture groups, inland waterways carriers, labor organizations, conservation and environmental groups, the National Association of Manufacturers, and the United States Chamber of Commerce. A list of all of the supporters of the CDP is attached as Exhibit 2.

Mr. Chairman, we face a critical time in the history of the waterways in America. It is imperative that we modernize the vital infrastructure supporting commerce on our inland waterways. There are numerous projects that are fully authorized and ready for construction to commence or continue. In this sluggish economy where the unemployment rate is over 20% for construction workers, these projects can put thousands of people to work right away. And, these projects, once completed, will provide billions of dollars of activity for the American economy. The President has called for the doubling of exports from the United States in the next five years. If we do not properly invest in the waterways of this country, it will be impossible to achieve that

worthy goal. It is gratifying to see that the President included investments in waterways infrastructure in his American Jobs Act that he recently sent to Congress. We look forward to working with the Administration and this Subcommittee to take the necessary steps to recapitalize our Nation's inland waterways system.

Mr. Chairman, I appreciate the opportunity to appear before you today and am prepared to answer any questions that you or any Members of the Subcommittee may have.

**EXHIBIT 1**

December 19, 2010, Editorial, Des Moines Register

## Maintain Mississippi waterway infrastructure

The nation got another reminder last week of the consequences of neglecting the foundation of a strong economy. There soon may not be enough federal money to keep Mississippi River channels open for moving cargo ships, according to a story in the Wall Street Journal.

The looming shortage of funds needed by the U.S. Army Corps of Engineers to maintain dredging operations on the Lower Mississippi is bad news. America's ability to compete globally will be crippled if ships and barges cannot make it to ports. But that's only half the story: On the Upper Mississippi, which is particularly important for Iowa and other Midwestern states, the locks and dams that enable river navigation are long overdue to be replaced. This country's ability to move exports and imports quickly and efficiently will be lost if river navigation is not maintained and expanded. That would have serious economic implications.

The federal government faces many financial challenges right now, but rebuilding the nation's infrastructure must be made a top priority once this recession ends. That infrastructure includes runways and air-traffic control for airlines, treatment plants for drinking water and sewage, highways and bridges for trucks and cars, and transmission lines for moving electricity.

The infrastructure that enables river navigation is especially important to Iowa, which ships 260 million bushels of corn by barge on the Mississippi annually to the Gulf for export. It's estimated 60 percent of all U.S. export grains move by barge on the nation's 12,000 miles of inland waterways.

Many rivers require locks and dams and regular dredging to create deep channels for barges and ocean-going cargo ships.

The locks and dams on the Upper Mississippi - north of the Ohio River - passed their prime long ago. Many of these structures were built in the 1930s, and besides needing to shut down for frequent repairs that cause costly congestion, the locks are too short for modern barge tows that can stretch 600 feet. The Corps of Engineers has a plan for rebuilding the Mississippi locks and dams, with about half the cost coming from the barge industry and the other half from general federal tax revenues. The barge industry has supported an increase in the diesel fuel tax it pays. But Congress has not approved funding for the project.

Some environmental groups, including Audubon and the Nature Conservancy, support the Corps' plan, which includes rebuilding Mississippi wetlands and wildlife habitat. But the Izaak Walton League and other groups say the plan shifts too much of the cost to taxpayers rather than the barge industry. The Corps of Engineers - funded with federal tax dollars - pays for roughly 90 percent of river navigation maintenance costs, but the cost of lock-and-dam construction projects is split 50-50 between the industry and the Corps.

Barges are not the only beneficiaries of river infrastructure, however: Mississippi dams create economic-development opportunities, hydroelectric power generation and recreational boating, which benefit adjoining cities and states. Still, the barge industry should pay a fair share of the cost of building and maintaining this system. It's not yet clear what the right amount should be, but in principle Congress should not subsidize one mode of transportation more heavily than its competitors - namely truck and rail.

Whatever the proper balance, Congress should find it and give the Corps of Engineers sufficient money to move ahead with rebuilding the Upper Mississippi locks and dams, and dredging to the south. The economies of the Midwest, and the nation, depend on it.

HUNTINGTON, WEST VIRGINIA Herald-Dispatch

## OPINIONS

# Editorial: Congress needs to reinvest in waterway systems

May 21, 2011 @ 11:00 PM  
The Herald-Dispatch

Even in a riverfront region such as ours, many of us do not fully realize the importance of our nation's waterways to the local and national economy.

We see the barges going up and down the Ohio, Big Sandy or Kanawha rivers, and we may have read something about the Port of Huntington being the nation's busiest inland port. But unless you are involved in the coal industry or the shipping business, you may not understand the role those barges play in getting America's goods to market.

In short, it's huge.

The 12,000 miles of river waterways across our country carry about \$70 billion in goods each year. That includes coal from our region, grain from the Midwest and a range of other cargo from chemicals to iron and steel.

Moving those commodities by rail or truck is not practical in some cases, and it would also cost more and take a greater toll on the environment. For example, the goods shipped on one 15-barge tow would require 216 rail cars and six locomotives or 1,050 tractor trailer trucks, according to the National Waterways Foundation.

That's more fuel, more people, more emissions and more cost.

So, our river systems play a big part in allowing our industries to compete nationally and globally. They also provide tremendous recreational, development and environmental benefits to all the communities along the way.

Unfortunately, the maintenance of the waterways and the deterioration of the locks and dams that connect them is reaching a crisis level.

Just last year, barges backed up along the Ohio River when mechanical problems closed the Greenup Locks and Dam in Kentucky. And similar problems are becoming commonplace with the aging of the 240 locks across the country operated by the Corps of Engineers.

Half of these facilities are more than 50 years old, and the maintenance and replacement projects meant to keep them going are as backed up as the barges on the Mississippi this month. Current funding might get six of these projects done over the next 20 years, but the Corps has identified dozens of critical projects that need to be completed soon.

For all those reasons, a coalition of waterways supporters is pushing the Inland Waterways Capital Development Plan, which would prioritize the completion of key projects and develop a funding system to get the work done.

The plan would commit about \$7 billion over the 20-year period, which would cover 25 priority projects, including work at Greenup and the Marmet Locks and Dam in Belle, W.Va. The barge industry is volunteering to accept a 30-40 percent increase in the tax it pays into the project fund, and the list of supporters includes a broad mix of industry, agricultural and environmental groups.

The plan also would require a commitment of about \$270 million per year from the federal government, and of course, this is a very difficult time for Congress to look at additional spending. However, that is much less than the federal support for aviation and highways systems. Florida just rejected \$2.4 billion in high-speed rail grants.

Even in tough times, it is important to invest in critical needs, especially for a transportation system with a proven track record. A comprehensive plan to maintain U.S. waterways has been on hold too long, and Congress needs to act soon.

**EXHIBIT 2**

# Supporters of the Inland Waterways Capital Development Plan

## National Organizations

|   |  |
|---|--|
| The American Waterways Operators<br>Waterways Council, Inc.                 | National Association of Manufacturers      |
| National Waterways Conference, Inc.   | National Audubon Society                   |
| National Corn Growers Association   | American Agri-Women                        |
| National Council of Farmer Cooperatives                                     | American Land Conservancy                  |
| National Grain and Feed Association   | American Soybean Association               |
| National Mining Association   | Dredging Contractors of America            |
| North American Equipment Dealers Association                                | Inland Rivers Ports & Terminals, Inc       |
| Steel Manufacturers Association   | International Liquid Terminals Association |
| The International Propeller Club of the United States                       | U.S. Chamber of Commerce                   |
| United Association of Plumbers, Fitters, Welders and Service<br>Technicians | United Brotherhood of Carpenters           |

## State, Regional, and Local Organizations

|   |  |
|---|--|
| Alabama State Port Authority                                | Jersey County (Ill.) Farm Bureau                   |
| Association of Tennessee Valley Governments                 | Kane County (Ill.) Farm Bureau                     |
| Bond County (Ill.) Farm Bureau                              | Kendall County (Ill.) Farm Bureau                  |
| Boone County (Ill.) Farm Bureau                             | Kentuckians for Better Transportation              |
| Bureau County (Ill.) Farm Bureau                            | Kentucky Chamber of Commerce                       |
| Calhoun County (Ill.) Farm Bureau                           | Kentucky Corn Growers                              |
| California Marine Affairs & Navigation Conf. (CMANC)        | Kingdom of Callaway (Mo.) Chamber of Commerce      |
| Carpenters' Dist. Council of Greater St. Louis and Vicinity | Knox County (Ill.) Farm Bureau                     |
| Carroll County (Ill.) Farm Bureau                           | LaSalle County (Ill.) Farm Bureau                  |
| Chemical Industry Council of Illinois                       | Lee County (Ill.) Farm Bureau                      |
| City of Pittsfield, Ill.                                    | Little Rock Port Authority                         |
| Clark County (Ill.) Farm Bureau                             | Louisiana Assn. of Waterway Operators & Shipyards  |
| Coalition of Alabama Waterway Associations, Inc.            | Macon County (Ill.) Farm Bureau                    |
| Cook County (Ill.) Farm Bureau                              | Marshall-Putnam (Ill.) Farm Bureau                 |
| Coosa-Alabama River Improvement Association, Inc.           | Mason County (Ill.) Farm Bureau                    |
| DeWitt (Mo.) Drainage and Levee District                    | McLean County (Ill.) Farm Bureau                   |
| DeWitt County (Ill.) Farm Bureau                            | McDonough County (Ill.) Farm Bureau                |
| Show-Me-State Black Ducks Chapter, Ducks Unlimited          | Menard County (Ill.) Farm Bureau                   |
| DuPage County (Ill.) Farm Bureau                            | Mercer County (Ill.) Farm Bureau                   |
| Effingham County (Ill.) Farm Bureau                         | MidCentral Illinois Regional Council of Carpenters |
| Farm Resource Center  | Minnesota Chapter of ASFMRA                        |
| Grain & Feed Association of Illinois                        | Minnesota Corn Growers Association                 |
| Great River Economic Development Foundation                 | Minnesota Grain and Feed Association               |
| Greene County (Ill.) Farm Bureau                            | Mississippi Water Resources Association            |
| Gulf Intracoastal Canal Association                         | Missouri Corn Growers Association                  |
| Hancock County (Ill.) Farm Bureau                           | Missouri Levee & Drainage District Association     |
| Huntington District Waterways Association                   | Mo-Ark Association                                 |
| Illinois AgriWomen  | Montgomery County (Ill.) Farm Bureau               |
| Illinois Association of Drainage Districts                  | Ogle County (Ill.) Farm Bureau                     |
| Illinois Biotechnology Industry Organization                | Ohio Corn Growers Association                      |

Illinois Corn Growers Association  
Illinois Farm Bureau  
Illinois Fertilizer & Chemical Association  
Illinois Grape Growers & Vintners Association  
Illinois Seed Trade Association  
Illinois Soc. of Prof. Farm Managers and Rural Appraisers  
Illinois Soybean Association  
Indiana Corn Growers Association  
Indiana Soybean Alliance  
International Union of Operating Engineers Local 513  
Iowa Corn Growers Association  
Jasper County (Ill.) Farm Bureau  
Jersey County (Ill.) Business Association  
Red River Valley Association  
Rosedale-Bolivar County (Miss.) Port Commission  
Sangamon County (Ill.) Farm Bureau  
Shelby County (Ill.) Farm Bureau  
Southern Illinois Builders Association  
Southern Illinois Construction Advancement Program  
Stark County Farm (Ill.) Bureau  
Stephenson County (Ill.) Farm Bureau

Pacific Northwest Waterways Association (PNWA)  
Paducah Area Chamber of Commerce  
Peoria County (Ill.) Farm Bureau  
Perry County (Ill.) Farm Bureau  
Pike and Scott County (Ill.) Farm Bureaus  
Plumbers and Pipefitters Local 562 (St. Louis)  
Port of Cincinnati, LLC  
Port of Delcambre, LA  
Port of Houston Authority  
Board of Commissioners of the Port of New Orleans  
Port of Pittsburgh Commission  
Port of Portland (Oregon)  
Port of Vancouver, WA  
Rock Island County (Ill.) Farm Bureau  
Tennessee Cumberland Waterways Council  
Tennessee River Valley Association  
Tennessee-Tombigbee Waterway Develop. Auth.  
Tennessee-Tombigbee Waterway Develop. Council  
Texas Waterways Operators Association  
Texas Agri Women  
Tri Rivers Waterway Development Assoc.  
Tri-State Development Summit  
Tulsa Port of Catoosa  
Twin Parish Port Comm.  
Upper Mississippi Waterway Association  
Upper Mississippi, Illinois & Missouri Rivers Assn.  
Warrior-Tombigbee Waterway Association  
Washington County (Ill.) Farm Bureau  
Waterways Association of Pittsburgh  
Whiteside County (Ill.) Farm Bureau  
Will County (Ill.) Farm Bureau

## Companies

Advantus Strategies, LLC  
AEP River Operations  
Ag-Land FS, Inc.  
Agriservices Of Brunswick, LLC  
Alter Barge Line, Inc.  
American Commercial Lines  
American Inland Ports, LLC  
American River Transportation Company  
Amherst Madison, Inc.  
Artco Fleeting Service  
B&G Towing LLC/Acme Marine LLC  
Bayou Fleet Inc.  
Bludworth Marine LLC  
Blue Danube Incorporated  
Bob Brackmann Farms  
Brennan Marine, Inc.  
Brunswick River Terminal, Inc.  
Buffalo Marine Service, Inc.  
Bunge North America  
C&C Marina Maintenance Company  
Campbell Transportation Company  
Canal Barge Company, Inc.

Holcim (US) Inc.  
Ingram Barge Company  
Inland Marine Service  
The Integra Group, Inc.  
J.A.M. Marine Services, LLC  
Kirby Corporation  
K-Sea Transportation Partners LP  
Lafayette Workboat Rentals, LLC  
LeBeouf Bros. Towing, LLC  
Magnolia Marine Transport Co.  
Marathon Petroleum Company LLC  
MARMAC, LLC d/b/a McDonough Marine Service  
Marquette Transportation Company, LLC  
Martin Marine  
McNational Inc.  
Mulzer Crushed Stone  
Natures Way Marine, LLC  
New Orleans Shipyard  
Northern Partners Cooperative  
Nucor Steel Tuscaloosa, Inc.  
Osterholt Farms  
Parker Towing Company

Cargill, Inc.  
CF Industries Holdings, Inc.  
CGB Enterprises, Inc.  
Channel Shipyard Companies  
CHS Inc.  
Cincinnati Bulk Terminals, LLC  
CITGO Petroleum Corporation  
Clarkson Grain Company Inc.  
Colusa Elevator  
CONSOL Energy  
Cooper T Smith  
Deloach Marine  
E.ON U.S.  
Farm Credit Services of Illinois  
FirstEnergy Solutions  
Grain Processing Corporation  
GROWMARK  
Hartsburg Grain Company  
Hodel Farms Inc.  
Hines Furlong Line, Inc.

PowerSouth Energy Cooperative  
Rentech Energy Midwest  
Sause Bros., Inc.  
Servco FS Cooperative  
Smurfit Stone Container Corporation  
T & T Marine Salvage, Inc.  
Thomson, Rhodes & Cowie P.C.  
Tidewater Barge Lines, Inc.  
TPG Marine Enterprises, LLC  
TradeWinds Towing LLC  
Crouse Corporation  
Trinity Marine Products, Inc.  
Twomey Company  
Turn Services, LLC  
United Ocean Services  
Upper River Services LLC  
Valero Energy  
Volunteer Barge & Transport Inc.  
Vulcan Materials Company  
The Waterways Journal, Inc.  
Yager Materials, LLC

*Updated 7-27-11*

**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**  
*Truth in Testimony Disclosure*

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

**(1) Name:**

Michael J. Toohey

**(2) Other than yourself, name of entity you are representing:**

President & CEO :  
Waterways Council, Inc.

**(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity?**

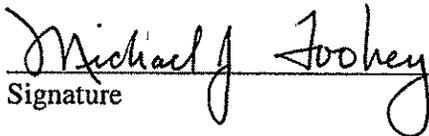
YES

If yes, please provide the information requested below and attach your curriculum vitae.

NO

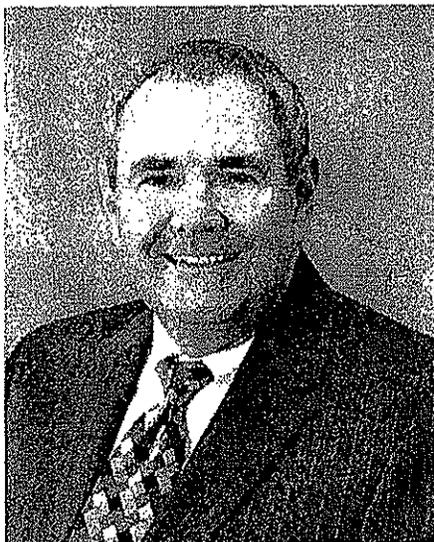
**(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing:**

| DATE | AGENCY | PROGRAM | AMOUNT |
|------|--------|---------|--------|
| None |        |         |        |

  
Signature

Sept. 20, 2011  
Date

## **Michael J. Toohey**



Michael Toohey serves as President/CEO of Waterways Council, Inc., a position he has held since August 2011.

Prior to that, Mr. Toohey was a consultant for The Livingston Group from 2007 to 2011, providing legislative representation before Congress and the Executive Branch for clients from the chemical and transportation sectors.

He also served as Vice President, Director of Government Relations, Associate Director of Government Relations, and Senior Washington Representative for Ashland Inc. from 1998 through 2007.

Nominated by President George Bush and confirmed by the U.S. Senate, Mr. Toohey was Assistant Secretary of the U.S. Department of Transportation from May 1992 through January 1993.

He also served as Staff Director of the Republican Staff, Committee on Public Works and Transportation, from 1983 through 1989, and as Staff Director, Republican Staff, Committee on Merchant Marine and Fisheries from 1981 through 1983. He was also a Professional Staff Member on the Committee on Public Works and Transportation from 1975 through 1981.

Commissioned as an Officer in the U.S. Army, he served on active duty as a staff officer for the Chief of Engineers from 1971 through 1975.

He graduated from the University of California, Berkeley, with a Bachelor of Science degree in Forestry.

He serves on the Board of Directors for the American Highway Users Alliance. He served on the Board of Waterways Council, Inc. and as its Secretary/Treasurer from 2003 to 2005.

He was also a member of the Board of the Danny Thompson Memorial Leukemia Foundation, a Supporting Member of The Marrow Foundation, The Fred Hutchinson Cancer Research Foundation, and Ducks Unlimited.