allow for safe drugs from Canada. It would bring down the prices and would bring in competition. This is a bipartisan bill—Democrats and Republicans—that I have with Senator JOHN MCCAIN.

Solution No. 2 is to allow for more generic competition by passing the CREATES Act, which I just mentioned. That bill is with Senators LEAHY, GRASSLEY, LEE, and myself. That is a bipartisan bill that allows for samples to go quickly to the generic companies so that they can create the drugs that will compete and bring the prices down.

Solution No. 3 is to stop those pay-for-delay deals that are unbelievable. That would bring in, according to CBO estimates, $2.9 billion over 10 years, by saying to the generics and the pharma companies: You can't pay each other to stop competition. Competition helps consumers.

And here is the final idea, which I think is the biggest idea: negotiation under Medicare Part D. This would finally take the kind of negotiation we see at the Veterans Administration, which has brought down the prices for the veterans of America, and harness the buying power of 39 million seniors so that we get better prices.

These are four ideas, and three of them have Democratic and Republican sponsors. I want to vote on these proposals because I believe, based on what I saw at our State fair booth—again, with just a few days of the cards we received—that these anticompetitive practices have to stop and we need to bring down the prices of prescription drugs for the hardworking Americans in this country.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, being one of the managers of the bill, and that we are all anxious to consider, along with Senator BOXER—she and I as well as the leadership, are in agreement, that we should take this bill and consider it. I do have a talk I want to give concerning the bill but with the understanding that I have been asking for amendments to come forward from the Republicans primarily. She has done the same with Democrats. I believe there are a number of amendments that have come forward. However, the way we are going to run this and the amendments that are going to be considered, No. 1, must be germane and, No. 2, have to be acceptable by both managers of the bill—Senator BOXER and myself.

With that, I ask that we move forward on this bill and yield to the leadership.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am in full agreement with the remarks of my chairman, Senator INHOFE. Once again, I think we have proven we can get this done. We can get infrastructure done. I think the way the agreement came together with the two leaders is excellent. We are going to go to the bill and any amendments have to be looked at by the two managers, and we have to agree before those amendments go into the managers' package.

With that, I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, we have given everyone our amendments. There are seven. I think that everything can be worked out on all of them. There is one that is relevant to the underlying legislation that is offered by the Senator from Connecticut, Mr. BLUMENTHAL. I am not sure that I want to go into this deal where both of you have to agree on this amendment. I think he should at least be allowed to have a vote. We have agreed that a half-hour debate on it is plenty, at least on that one. If you can't work something out, I want to have a vote on Blumenthal. That doesn't sound unreasonable. On six of them, Senator BOXER can do what she thinks is appropriate. On Blumenthal, if you can't work something out to his satisfaction, I want a half-hour debate and a vote on it.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I think we have a broad bipartisan agreement here that we would like to pass the bill. Nobody wants to be unreasonable. We have heard from both the chairman and the ranking member that whatever interest there is in the bill is related to the bill. What I am going to propound here is an opportunity for us to get onto the bill and to move forward. I think this is as close to a good-faith situation as I can imagine, and I hope we trust each other enough to go forward and complete a bill that almost everybody seems to be in favor of. I don't know how to reassure you more than to say I think the Democratic leader, but I hope I have. Mr. REID. Mr. President, I do not understand why we can't have the two managers agree that they will do their best to work out these amendments of ours and of theirs. But if we can't, I want to at least have a vote, and you can vote it down if you have to, but I want to make sure that Blumenthal is protected. If we can't work something out, then we have a vote on it—one vote.

Mr. MCCONNELL. All I would say is there may well be some votes. I would recommend people talk to the chairman and the ranking member, and let's process the bill.

Mr. REID. Why can't we have a vote on Blumenthal? That is all—one vote, 30 minutes. If you work it out to satisfaction, we don't need to have that vote. What could be more reasonable than that?

Mrs. BOXER. Mr. President, my understanding about this amendment is that it is a jurisdictional dispute between Democratic Senators. I think the best way to go is to see if we, Jim and I, can do what we have done before when we have had conflict among our colleagues. We worked it out with Senators on the other side of the aisle last time we did WRDA. We should have a chance. I don't think that—

Mr. REID. If I can interrupt my friend from California...

Mrs. BOXER. I will stop.

Mr. REID. I don't object. Let's go ahead with the bill.

Mr. MCCONNELL. Mr. President, what is the pending business?

The PRESIDING OFFICER. The motion to proceed to S. 2848.

Mr. MCCONNELL. I know of no further debate on the motion to proceed.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on the motion to proceed. The motion was agreed to.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Thereupon, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with amendment, as follows:

(The parts of the bill intended to be stricken are shown in black brackets and the parts of the bill intended to be inserted are shown in italics.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Water Resources Development Act of 2016”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.
Sec. 3. Limitations.

TITLE I—PROGRAM REFORMS

Sec. 1001. Study of water resources development projects by non-Federal interests.
Sec. 1002. Advanced funds for water resources development studies and projects.
Sec. 1003. Authority to accept and use materials and services.
Sec. 1004. Partnerships with non-Federal entities to protect the Federal investment.
Sec. 1005. Non-Federal study and construction of projects.
Sec. 1006. Munitions disposal.
Sec. 1007. Challenge cost-sharing program for management of recreation facilities.
(2) in the second sentence—
(A) by striking “The Secretary of the Army” and inserting the following:
(b) REIMBURSEMENT.—The Secretary of the Army is authorized to accept and use funds, or funds contributed by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—
(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and
(2) acceptance of the materials and services contributed by the non-Federal interest.
(c) DEFINITION OF STATE.—In this section, the term ‘State’ means—
(1) a State;
(2) the District of Columbia;
(3) the Commonwealth of Puerto Rico;
(4) any territory or possession of the United States; and
(5) a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

SEC. 1003. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES.

Section 1024 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a) is amended—
(1) by redesignating subsection (a) and inserting the following:

‘‘(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials, services, and funds contributed by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—
(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and
(2) acceptance of the materials and services contributed by the non-Federal interest is in the public interest.’’;

and

(2) in subsection (c), in the matter preceding paragraph (1), by striking ‘‘Not later than 60 days after initiating an activity under this section, and inserting ‘‘Not later than February 1 of each year after the first fiscal year in which materials, services, or funds are accepted under this section,’’; and

(d) IN GENERAL.—The Secretary may—
(1) retain up to 100 percent of the fees collected, as determined by the Secretary; and
(2) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

SEC. 1004. PARTNERSHIPS WITH NON-FEDERAL ENTITIES TO PROTECT THE FEDERAL INVESTMENT.

(a) IN GENERAL.—Subject to subsection (c), the Secretary is authorized to accept and use funds provided by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—
(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and
(2) acceptance of the materials and services contributed by the non-Federal interest is in the public interest.

(b) FORM OF PARTNERSHIP.—Under a partnership referred to in subsection (a), the Secretary may—
(1) enter into an agreement with a non-Federal public entity, a nonprofit entity, or a private entity to enter funds contributed by that entity or the Department of the Army.

(c) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in paragraph (a) of section 3(b)(4) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or interagency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

(d) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—
(1) retain up to 100 percent of the fees collected, as determined by the Secretary; and
(2) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

SEC. 1006. STRUCTURES AND FACILITIES CONSTRUCTED UNDER THE CONTRACTS AND AGREEMENTS.

(1) BY STRIKING.—‘‘(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under section 1004 and for items contained in the previous fiscal year’s Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282).’’;

and

(2) by inserting after subsection (b) the following:

‘‘(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

‘‘(c) USE FEES.—
(1) COLLECTION OF FEES.—
(A) IN GENERAL.—In the case of a Federal levee, floodwall, or flood protection channel project in which materials, services, or funds contributed by a non-Federal interest are provided by Congress for such project, the Secretary may—
(B) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in paragraph (a) of section 3(b)(4) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or interagency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—
(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and
(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

SEC. 1008. FLOOD CONTROL ACT OF 1936.

‘‘(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

‘‘(c) USE FEES.—
(1) COLLECTION OF FEES.—
(A) IN GENERAL.—In the case of a Federal levee, floodwall, or flood protection channel project in which materials, services, or funds contributed by a non-Federal interest are provided by Congress for such project, the Secretary may—
(B) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in paragraph (a) of section 3(b)(4) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or interagency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—
(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and
(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

SEC. 1010. CONTRIBUTED FUNDS.

(a) USE OF CONTRIBUTED FUNDS IN ADVANCE OF APPROPRIATIONS.—Section 5 of the Act of June 22, 1936 (33 U.S.C. 701i) (commonly known as the ‘‘Flood Control Act of 1936’’), is amended by striking ‘‘funds appropriated by the United States for’’.

(b) REPORT.—Section 1015 of the Water Resources Reform and Development Act of 2014 is amended by striking subsection (b) (33 U.S.C. 701i note; Public Law 113–121) and inserting the following:

‘‘(b) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committees on Appropriations, the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that—
(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under sections 1004 and 1006 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the ‘‘Flood Control Act of 1936’’); and
(2) includes information on the projects and amounts of contributed funds referred to in paragraph (1).’’.

SEC. 1011. APPLICATION OF CERTAIN BENEFITS AND RESTRICTIONS INCLUDED IN FINAL FRASER ACT

(a) IN GENERAL.—For a navigation project authorized after November 7, 2007, involving oil and gas pipeline and gas-fabrication ports, the recommended plan by the Chief of Engineers shall be the plan that uses the value of future energy exploration and production fabrics and contract agreements, and those related savings that would result from a larger navigation channel in accordance with section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282).’’.
(b) SPECIAL RULE.—In addition to projects described in subsection (a), this section shall apply to—

(1) a project that has undergone an economic benefit update; and

(2) at the request of the non-Federal sponsor, any ongoing feasibility study for which the benefits under section 6099 of the Emergency Supplement Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282) may apply.

SEC. 1012. FLOODING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

(a) IN GENERAL.—At the request of a non-Federal interest, the Secretary shall review proposals to increase the quantity of available supplies of water through—

(1) modification of a water resources project;

(2) modification of how a project is managed; or

(3) accessing water released from a project.

(b) PROPOSALS INCLUDED.—A proposal under subsection (a) may include—

(1) increasing the storage capacity of a reservoir owned by the Corps of Engineers;

(2) diversion of water released from a reservoir owned by the Corps of Engineers—

(A) to recharge groundwater;

(B) for storage and recovery; or

(C) to any other storage facility;

(3) construction of facilities for delivery of water from pumping stations constructed by the Corps of Engineers;

(4) construction of facilities to access water; and

(5) a combination of the activities described in paragraphs (1) through (4).

(c) AUTHORITIES.—A proposal submitted to the Secretary under subsection (a) may be reviewed or approved, as appropriate, under—

(1) sections 203 and 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2232);

(2) section 216 of the Flood Control Act of 1970 (33 U.S.C. 546a);

(3) section 301 of the Water Supply Act of 1958 (43 U.S.C. 906b); and


(d) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), 100 percent of the cost of developing storage and implementing a proposal under subsection (a) shall be provided by an entity other than the Federal Government.

(2) COST ALLOCATION.—A non-Federal entity shall only be required to pay to the Secretary the separable costs associated with operation and maintenance of a dam that are necessary to implement a proposal under subsection (a).

(e) CONTRIBUTED FUNDS.—The Secretary may agree to accept a non-Federal interest funds contributed by the non-Federal interest for the review and approval of a proposal submitted under subsection (a).

(f) STUDIES AND ENGINEERING.—

(1) IN GENERAL.—On request by an appropriate non-Federal interest and subject to paragraph (2), the Secretary may—

(A) undertake all necessary studies and engineering for construction of a proposal approved by the Secretary under this section; and

(B) provide technical assistance in obtaining all necessary permits for the construction.

(2) REQUIREMENT.—Paragraph (1) shall only apply to Federal interest contracts with the Secretary to provide funds for the studies, engineering, or technical assistance for the period during which the studies and engineering are being conducted.

SEC. 1013. NEW ENGLAND DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design, renovate, and construct additions to 2 buildings located on Hanscom Air Force Base in Bedford, Massachusetts for the headquarters of the New England District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters of the New England District of the Army Corps of Engineers, including any necessary demolition of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1014. BUFFALO DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design and construct a new building in Buffalo, New York, for the headquarters of the Buffalo District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters and related installations and facilities of the Buffalo District of the Army Corps of Engineers, including any necessary demolition or renovation of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1015. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS.

Section 202 of the Water Resources Development Act of 2007 (33 U.S.C. 2330a) is amended by adding at the end the following:

(1) the types and number of restoration activities to be conducted;

(2) the physical action to be undertaken to achieve the restoration objectives of the project;

(3) the functions and values that will result from the restoration plan; and

(4) a contingency plan for taking corrective actions in cases in which monitoring demonstrates that restoration measures are not achieving ecological success in accordance with criteria described in the monitoring plan.

SEC. 1016. CREDIT FOR DONATED GOODS.


(1) by striking “regardless of the cost incurred by the non-Federal interest,” before “shall not”; and

(2) by striking “costs” and inserting “value”.

SEC. 1017. STRUCTURAL HEALTH MONITORING.

(a) IN GENERAL.—The Secretary shall design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including design and development research, design, and development of systems and frameworks for—

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures; and

(3) lengthening the useful life of the infrastructure; and

(4) identifying risks due to sea level rise.

(b) CONSULTATION AND CONSIDERATION.—In developing the program under subsection (a), the Secretary shall—

(1) consult with academic and other experts; and

(2) consider models for maintenance and replacement information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensor systems.

SEC. 1018. FISH AND WILDLIFE MITIGATION.

Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (b)—

(A) in paragraph (4)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(ii) by inserting after subparagraph (C) the following:

‘‘(D) include measures to protect or restore habitat connectivity’’; and

(B) in paragraph (6)(C), by striking “impacts” and inserting “impacts, including impacts to habitat connectivity”; and

(2) by adding at the end the following:

‘‘(7) USE OF FUNDS.—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of a project constructed for mitigation requirements through third-party arrangements or to acquire interests in land necessary for meeting mitigation requirements under this section.’’.

SEC. 1019. NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1625g–5(b)(1)) is amended by inserting “or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” after “Indian tribe”.

SEC. 1020. DISCRETE SEGMENT.

Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended—

(1) by striking “project or separable element” each place it appears and inserting “project, separable element, or discrete segment”;

(2) by striking “or a project, separable element, or discrete segment thereof,” each place it appears and inserting “project, separable element, or discrete segment of a project”;

(3) by redesigning paragraphs (1), (2), and (3) as subparagraphs (A) through (C),
respectively, and indenting appropriately; and
(B) by striking the subsection designation and all that follows through “In this section, the” and inserting the following:

“(a) DEFINITIONS.—In this section:

“(1) DISCRETE SEGMENT.—The term ‘discrete segment’, with respect to a project, means any segment of the project, as described in design documents, that is environmentally acceptable, is complete, will not create a hazard, and functions independently so that the non-Federal sponsor can operate and maintain the discrete segment in advance of completion of the total project or separable element of the project.

“(2) WATER RESOURCES DEVELOPMENT PROJECT.—The;

“(3) the period of time required to secure a shellfish aquaculture lease, verification, or permit from each relevant Federal agency;

“(4) the experience of the private sector in applying for shellfish aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

“(b) STUDY AREA.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

“(1) The Chesapeake Bay.

“(2) The Gulf Coast States.

“(3) The State of California.


“(5) FININDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committee on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).

SEC. 1027. LEVEE VEGETATION.

(a) IN GENERAL.—Section 303(g)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121) is amended—

(1) by inserting “removing existing vegetation or” after “the Secretary shall not”; and

(2) by striking “as a condition or requirement for any approval or funding of a project, or any other action”.

(b) REPORT.—Not later than 30 days after the enactment of this Act, the Secretaries shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the reasons for the failure of the Secretary to meet the deadlines in subsection (f) of section 30313 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121); and

(2) provides a plan for completion of the activities required in that subsection (f).

SEC. 1028. PLANNING ASSISTANCE TO STATES.

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1652–16(a)(1)) is amended—

(1) by inserting “, a group of States, or a regional or national consortium of States” after “a State”;

(2) by striking “located within the boundaries of such State”.

SEC. 1029. PRIORITIZATION.

Section 111 of the Water Resources Reform and Development Act of 2013 (33 U.S.C. 234a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by inserting “restore or” before “prevent the loss”; and

(B) in paragraph (2)—

(i) by striking the subsection designation and all that follows through “In this Act, the” and inserting the following:

“(C) offering technical services that can not be readily obtained in the private sector or from foreign water resources projects that could significantly improve water resources development in the United States;

“(D) by striking ‘and’ and inserting ‘or’; and

“(E) including cooperation and the use of water systems.

“(2) The State of California.


“(b) STUDY.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

“(1) The Chesapeake Bay.

“(2) Puget Sound.

“(3) The State of California.

“(4) FINDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).
"The extent to which the property has economic, cultural, historic, or recreational significance or impacts at the national, State, or local level.

SEC. 1032. OBLIGATIONS FOR REervoir OPERATIONS.

(a) IN GENERAL.—The Secretary, in consultation with the heads of other Federal agencies, as appropriate, shall review the operation of a reservoir, including the water control manuals, the methods of forecasting, the best available science, including improved forecasting methods, and the additional costs associated with the reservoir.

(b) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROGRAMMATIC AUTHORITY.—Not later than 180 days after the date of enactment of the Water Resources Reform and Development Act of 2014, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

(A) a list of all programmatic authorities for aquatic ecosystem restoration or improvement of the environment that—

(i) were authorized or modified in the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1041) or any subsequent Act; and

(ii) meet the criteria described in paragraph (1); and

(B) an identification of the projects under the authorities described in subparagraph (A), subject to available funding.

SEC. 1039. KENNEWICK MAN.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term "claimant tribes" means the Indian tribes and bands referred to in the letter from the Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) The term "Department" means the Washington State Department of Archaeology and Historic Preservation.

(b) HUMAN REMAINS.—The term "human remains" means the human remains that—

(A) are known as Kennewick Man or the Ancient One, which includes the projectile tip lodged in the right ilium bone, as well as any residue from previous sampling and analyses.

(B) are part of the archaeological collection number 68BN495.

(C) are located in areas with prolonged drought conditions; and

(D) which for no such review has occurred during the 10-year period preceding the date of the request.

(c) DESCRIPTION OF BENEFITS.—In conducting the review under subsection (a), the Secretary shall consult with all affected interests, including—

(1) non-Federal entities responsible for operations and maintenance costs of a Federal facility; and

(2) individuals and entities with storage entitlements.

(d) CONCLUSION.—In carrying out a review under subsection (a) and prior to implementing a change in operations under subparagraph (f), the Secretary shall consult with all affected interests, including—

(1) additional costs associated with the reservoir and its operation.

(e) RESULTS REPORTED.—Not later than 90 days after completion of a review under this section, the Secretary shall post a report on the Internet regarding the results of the review.

(f)(1) MANUAL UPDATE.—As soon as practicable, but not later than 3 years after the date on which the Secretary has conducted a review under subsection (a), and prior to implementing a change in operations under subsection (f), the Secretary shall consult with all affected interests, including—

(i) non-Federal entities responsible for operations and maintenance costs of a Federal facility; and

(ii) individuals and entities with storage entitlements.

(f)(2) FUNDING.—The Secretary may accept and expend amounts from non-Federal entities for carrying out a review under subsection (a) or an update or revision of operational documents under subsection (e) or (f).

(g) EFFECT.—(1) MANUAL UPDATES.—An update under subsection (e) or (f) shall not interfere with the amendment purposes of a project.

(2) EFFECT OF SECTION.—Nothing in this section—

(A) authorizes the Secretary to carry out any project or activity for a purpose not otherwise authorized as of the date of enactment of this Act; or

(B) modifies or modifies any obligation of the Secretary under Federal or State law.
(a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 1037. FEASIBILITY STUDIES AND WATERED-SHED ASSESSMENTS.

(a) VERTICALLY INTEGRATED INFRASTRUCTURE AND ACCELERATION OF STUDIES.—Section 1001(d) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282(d)) is amended by striking paragraph (3) and inserting the following:

"(3) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any feasibility study for which the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided in section 1221 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2211(a)(1));"

 SEC. 2001. FUNDING FOR HARBOUR MAINTENANCE PROGRAMS.

Section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282(b)) is amended by—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking "The target total" and inserting "Except as provided in subsection (c), the target total";

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

"(c) EXCEPTION.—If the target total budget resource appropriated for the previous fiscal year or (2) 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.";

SEC. 2004. DREDGED MATERIAL DISPOSAL.

(a) DEADLINE.—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanitary Acts of 1972 (33 U.S.C. 1413(b)) and reopened pursuant to section 101(a) of the Energy and Water Development and Related Agencies Appropriations Act, 2014 (Public Law 113–76: 128 Stat. 158) may remain open until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(b) LIMITATIONS.—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SEC. 2006. MAINTENANCE OF HARBOURS OF REFUGE.

The Secretary is authorized to maintain federally authorized harbors of refuge.

SEC. 2007. AIDS TO NAVIGATION.

(a) IN GENERAL.—The Secretary shall—

(1) consult with the Commandant of the Coast Guard regarding navigation on the Guantánamo Bay Naval Base in the Province of Guantánamo;

(2) share information regarding the assistance that the Secretary can provide regarding the placement of any aids to navigation on the rivers referred to in paragraph (1).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the outcome of the consultation under subsection (a).

SEC. 2008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 202(c)(3) of the Water Resources Development Act of 1992 (33 U.S.C. 2232(c)(3)) is amended—

(1) by striking "2022" and inserting "2025"; and

(2) by striking 2012" and inserting "2015".

SEC. 2009. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

Section 2108(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) is amended—

(1) by striking 2019 through 2022" and inserting "2016 through 2020"; and

(2) by striking "2016 through 2020" and inserting "2018 through 2025".

SEC. 2011. HARBOR DEEPENING.

Section 101(a)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2211(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking "2018" and inserting "2015"; and

(2) by striking "2019 through 2022" and inserting "2021 through 2025".

SEC. 2012. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) DEFINITIONS.—In this section:

(1) INLAND MISSISSIPPI RIVER.—The term "Inland Mississippi River" means the portion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(2) SHALLOW DRAFT HARBOR.—"Shallow draft" means a project that has a depth of less than 14 feet.

(3) RIVER—In section 302 of the River and Harbor Act of 1916 (33 U.S.C. 3303a note; Public Law 113–121), "River" means the Mississippi River from its confluence with the Illinois River to the Gulf of Mexico.

(4) ROUTE.—"Route" means a channel of water that is deep enough to accommodate safe navigation by vessels of shallow draught.

SEC. 2013. ENVIRONMENTAL ASSESSMENTS.

(a) IN GENERAL.—Section 101(a)(1) of the Water Resources Reform and Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking "2018" and inserting "2015"; and

(2) by striking "2016 through 2020" and inserting "2018 through 2025".

SEC. 2014. FUNDING FOR INLAND WATERWAYS.

(a) IN GENERAL.—Section 101(a)(1) of the Water Resources Reform and Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—

(1) in paragraph (1), by striking "2018" and inserting "2015".

(2) by redesignating subsection (c) as subsection (d); and

(3) by striking paragraph (3) and inserting the following:

"(e) REIMBURSEMENT FOR FEASIBILITY STUDIES.—In the case of an in-lieu exchange of cost sharing between the Federal Government and a non-Federal sponsor, the Secretary shall reimburse or credit the non-Federal sponsor after the Secretary implements a project under this section, the Secretary shall reimburse or credit the non-Federal sponsor after the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided in section 1221 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2211(a)(1));"

 SEC. 2015. SHALLOW DRAFT DISPOSAL SITE, MAINE.

SEC. 2016. FUNDING FOR SHALLOW DRAFT DISPOSAL SITE, MAINE.

(a) DEFINITIONS.—In this section:

(1) ROUTE.—"Route" means a channel of water that is deep enough to accommodate safe navigation by vessels of shallow draught.

(2) IN GENERAL.—"In general" means a project that has a depth of less than 14 feet.

(3) CREDIT OR REIMBURSEMENT.—The Federal share of operation and maintenance car-
SEC. 2015. NON-FEDERAL INTEREST DREDGING.

Section 2102 of the Water Resources Development Act of 2007 (33 U.S.C. 2238(e)(3)) is amended—

(1) in subsection (a)(3), by inserting "in the region to which the project is located or of a community that is located in the region to be served by the project and that will rely on the project" after "by a community that is located in the region to be served by the project"; and

(2) in subsection (b)—

(A) in paragraph (4), by striking "local population" and inserting "regional population to be served by the project"; and

(B) in paragraph (5), by striking "community" and inserting "local community or to a community that is located in the region to be served by the project and that will rely on the project" after "the community".

SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(k)(5)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)) is amended—

(1) in clause (ii), by striking "and" at the end of clause (i) and inserting "; and"; and

(2) in clause (iv), by striking the period at the end and inserting "; and"

SEC. 2017. DREDGED MATERIAL.

(a) In General.—Notwithstanding part 335 of title 33, Code of Federal Regulations, the Secretary may place dredged material from a project under paragraph (1) shall be shared in accordance with the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)), the Secretary shall not be liable for any of the increased costs associated with the placement of the dredged material.

(b) Projects in Coordination With Certain Reimbursement Exceptions.—In carrying out projects in coordination with part 335 of title 33, Code of Federal Regulations, the Secretary shall jointly, in the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(1) In General.—In any case in which the Secretary has completed a study determining a project for flood damage reduction is feasible and such a project is designed to protect the same geographic area as work to be performed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)), the Secretary may, if the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(2) Cost-Sharing.—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2233).

SEC. 3002. REHABILITATION OF EXISTING LEVEES.

Section 3017 of the Water Resources Reform and Development Act of 2013 (33 U.S.C. 3303a note; Public Law 113-121) is amended—

(1) in subsection (a), by striking "of the State" and inserting "in the State"; and

(2) in subsection (b), by striking "leves" and inserting "levee"; and

TITLES II AND III—SAFETY IMPROVEMENTS

TITLE II—SAFETY IMPROVEMENTS FOR NON-FEDERAL FLOOD CONTROL PROJECTS.

(a) In General.—Section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), is amended—

(1) in subsection (a), by adding at the end the following:

"(3) DEFINITION OF NONSTRUCTURAL ALTERNATIVES.—In this subsection, nonstructural alternatives include efforts to restore or protect natural resources, including streams, rivers, floodplains, wetlands, or coasts, if those efforts will reduce flood risk; and"

"(4) INCREASED LEVEL OF PROTECTION.—In conducting repair or restoration work under subsection (a), at the request of the non-Federal sponsor, the Secretary may increase the level of protection above the level to which the system was designed, or, if the repair and restoration includes repair or rehabilitation of a pumping station, will increase the capacity of a pump, if—

"(1) the Chief of Engineers determines the improvements are in the public interest, including consideration of whether—

"(A) the authority under this section has been used more than once at the same location;

"(B) there is an opportunity to decrease significantly the risk of loss of life and property damage; or

"(C) there is an opportunity to decrease total life cycle rehabilitation costs for the project; and"

"(2) the non-Federal sponsor agrees to pay the difference between the cost of repair, restoration, or rehabilitation to the original design level or original capacity and the cost of achieving the higher level of protection or capacity sought by the non-Federal sponsor;

"(e) Notice.—The Secretary shall notify the non-Federal sponsor of the opportunity to request implementation of nonstructural alternatives to the repair or rehabilitation of the flood control work under subsection (a)."

(b) PROJECTS IN COORDINATION WITH CERTAIN REHABILITATION EXCEPTIONS.—In carrying out projects in coordination with part 335 of title 33, Code of Federal Regulations, the Secretary may, if the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(1) In General.—In any case in which the Secretary has completed a study determining a project for flood damage reduction is feasible and such a project is designed to protect the same geographic area as work to be performed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)), the Secretary may, if the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(2) Cost-Sharing.—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2233).
SEC. 8A. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

(a) Establishment of Program.—The Administrator shall establish within FEMA, a program to provide technical, planning, design, and construction assistance in the form of grants to non-Federal sponsors for rehabilitation of eligible high hazard potential dams.

(b) Eligible Activities.—A grant awarded under this section for a project may be used for:

(1) repair;

(2) removal; or

(3) any structural or nonstructural measures to rehabilitate a high hazard potential dam.

(c) Award of Grants.—

(1) Application.—

(A) In General.—A non-Federal sponsor receiving in interest a grant under this section may submit to the Administrator an application for the grant.

(B) Requirements.—An application submitted to the Administrator under this section shall be submitted at such time, be in such form, and contain such information as the Administrator may prescribe by regulation pursuant to section 300(c) of the Water Resources Development Act of 2016.

(2) Grant.—

(A) In General.—The Administrator may make a grant in accordance with this section for rehabilitation of a high hazard potential dam to a non-Federal sponsor that submits an application for the grant in accordance with the regulations prescribed by the Administrator.

(B) Project Grant Agreement.—The Administrator shall enter into a project grant agreement with the non-Federal sponsor to establish the terms of the grant and the project, including the amount of the grant.

(C) Grant Assurance.—As part of a project grant agreement under subparagraph (B), the Administrator shall require the non-Federal sponsor to provide an assurance, with respect to the dam to be rehabilitated under the project, that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam.

(D) Limitation.—A grant provided under this section shall not exceed the lesser of—

(i) 12.5 percent of the total amount of funds made available to carry out this section; or

(ii) $7,500,000.

(3) Requirements.—

(A) Approval.—A grant awarded under this section for a project shall be approved by the relevant Federal agency.

(B) Non-Federal Sponsor Requirements.—To receive a grant under this section, the non-Federal sponsor shall—

(i) participate in, and comply with, all applicable Federal flood insurance programs;

(ii) have in place a hazard mitigation plan that—

(I) includes all dam risks; and

(II) complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552);

(iii) commit to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation;

(iv) comply with such minimum eligibility requirements as the Administrator may establish to ensure that each owner and operator of a dam under a participating State dam safety program—

(I) acts in accordance with the State dam safety program; and

(II) carries out activities relating to the public in the area around the dam in accordance with the hazard mitigation plan described in subparagraph (B); and

(v) to submit to the Administrator under subsection (c)(1) are located.

E. National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

(i) may submit to the Administrator under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Federal Administrator for emergency preparedness purposes.

(ii) the Administrator, following completion of a floodplain management plan to reduce the impacts of future flood events in the area protected by the project—

(A) is in place; or

(B) will be—

(i) developed not later than 1 year after the date of execution of a project agreement for the project under this section; and

(ii) implemented not later than 1 year after the date of completion of construction of the project.

(iv) Floodplain Management Plans.—A plan under paragraph (1) shall address—

(A) potential measures, practices, and policies to reduce loss of life, injuries, dam to property and facilities, public expenditures, and other adverse impacts of flooding in the area protected by the project;

(B) plans for flood fighting and evacuation; and

(C) public education and awareness of flood risks.

(g) Technical Support.—The Administrator may provide technical support for the development and implementation of floodplain management plans prepared under this subsection.

(h) Priority System.—The Administrator, in consultation with the Board, shall develop a risk-based priority system for use in identifying high hazard potential dams for which grants may be made under this section.

(i) Funding.—

(1) Cost Sharing.—

(A) In General.—Any assistance provided under this section for a project shall be subject to a non-Federal cost-sharing requirement of not less than 35 percent.

(B) In-Kind Contributions.—The non-Federal share under subparagraph (A) may be provided in the form of in-kind contributions.

(2) Allocation of Funds.—The total amount of funds made available to carry out this section for each fiscal year shall be distributed as follows:

(A) Equal Distribution.—35% shall be distributed equally among the States in which the projects for which applications are submitted under subsection (c)(1) are located.

(B) Need-Based.—5% shall be distributed among the States in which the projects for which applications are submitted under subsection (c)(1) are located based on the proportion that—

(i) the number of eligible high hazard potential dams in the State; bears to

(ii) the number of eligible high hazard potential dams in all States in which projects for which applications are submitted under subsection (c)(1); and

(C) Use of Funds.—None of the funds provided in the form of a grant or otherwise made available under this section shall be used for—

(1) to rehabilitate a Federal dam;

(2) to perform routine operation or maintenance of a dam;

(3) to modify a dam to produce hydroelectric power;

(4) to increase water supply storage capacity; or

(5) to provide technical, planning, and construction assistance to projects receiving assistance under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Federal Administrator for emergency preparedness purposes.

(2) Requirement of Appropriations.—There is authorized to be appropriated to the Secretary to carry out this section $125,000,000.
“(5) to make any other modification to a dam that does not also improve the safety of the dam.

(i) CONTRACTUAL REQUIREMENTS.—

(1) PROJECT TO PARTNER.—As a condition on the receipt of a grant under this section of an amount greater than $1,000,000, a non-Federal sponsor that receives a grant shall share in the cost of development and implementation of a sediment management plan allocated in accordance with the terms and conditions for sharing expertise and resources.

(ii) ECLIPSE ACT.—The Secretary shall use the knowledge gained through the development and implementation of sediment management plans under paragraph (1) to develop guidance for sediment management at other reservoirs.

(2) OTHER AUTHORITIES NOT AFFECTED.—Nothing in this subsection affects the application of any other applicable law (including regulations).

(iii) GUIDANCE.—The Secretary shall carry out the pilot program established under this subsection in partnership with the Secretary of the Interior, and the program may apply to reservoirs managed or owned by the Bureau of Reclamation on execution of a memorandum of agreement between the Secretary of the Interior and other Federal agencies to develop and implement a sediment management plan under this subsection.

(4) COST-SHARE.—The beneficiaries requesting funding authorized under section 205 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1311) is amended by adding at the end the following:

“(C) 7/8 ECLIPSE ACT.—The Secretary and the Corps of Engineers shall be the lead agency for carrying out and coordinating the activities described in paragraph (1).”
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(2) PRIORITY.—In carrying out pilot projects under paragraph (1), the Secretary shall give priority to projects in the Upper Missouri River Basin.

(3) APPROPRIATIONS.—The pilot program under this subsection shall terminate on December 31, 2023.

SEC. 4006. CHESAPEAKE BAY OYSTER RESTORATION.

Section 706(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2265(b)(1)) is amended by striking “$50,000,000” and inserting “$100,000,000.”

SEC. 4007. NORTH ATLANTIC COASTAL REGION.

Section 4009(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1316) is amended by inserting “at Federal expense” after “study.”

SEC. 4008. RIO GRANDE.

Section 5005(f) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1318) is amended by striking “2019” and inserting “2024.”

SEC. 4009. TEXAS COASTAL AREA.

In carrying out the Coastal Texas ecosystem protection and restoration study authorized by section 4001 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366), the Secretary shall give priority to projects in the Upper Mississippi and Illinois River basins, the approaches for the Upper Mississippi River System and综合性 of protecting river approaches for system-wide benefits.

SEC. 4011. SALTON SEA, CALIFORNIA.

(a) IN GENERAL.—Section 3002 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1133) is amended—

(1) in subsection (A), by striking “PILOT PROJECTS” and inserting “PROJECTS”;

(2) in subparagraph (A), by striking “the pilot” and inserting “Salton Sea Authority”;

(b) DEADLINE.—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a) funds; or

(3) conduct all activities necessary for the implementation of the recommendations prepared under this section, together with any necessary supporting documentation.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on the Budget of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

SEC. 5001. DEAUTHORIZED.

(a) VALDEZ, ALASKA.

(1) IN GENERAL.—Subject to paragraph (2), the portions of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(b) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter on the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigational uses of the project described in paragraph (1).

(c) RED RIVER BELOW DENISON DAM, ARKANSAS-Louisiana, and SUTTER BASIN, CALIFORNIA.

(1) IN GENERAL.—The Secretary shall—

(A) the national economic development and opportunity for the regions of the Red River below Denison Dam, Arkansas-Louisiana, and Sutter Basin, California, as appropriate; and

(B) recommendations for regional economic, social, economic, and other factors in carrying out the assessment.

(2) APPROPRIATIONS.—The Secretary shall give priority to projects in communitie qualified to carry out a regionally comprehensive, systematic-based flood management plan; and

(3) enable each District or combination of Districts of the Corps of Engineers that jointly participate in the development of recommendations prepared under this section to consider regionally appropriate engineering, biological, ecological, social, economic, and other factors in carrying out the assessment.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on the Budget of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

SEC. 4012. ADJUSTMENTS.

(a) IN GENERAL.—The Secretary may conduct a study at Federal expense to determine the feasibility of carrying out projects to address systematic flood damage reduction in the upper Mississippi and Illinois River basins.

(b) PURPOSE.—The purposes of the study under subsection (a) are—

(1) to identify opportunities to support flooding, and other floodplain specific problems, needs, and opportunities; and

(2) to seek opportunities to address, in concert with flood risk management measures, other floodplain specific problems, needs, and opportunities; and

(c) STUDY COMPONENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the States within the Upper Mississippi and Illinois River basins, the appropriate levee and drainage districts, nonprofit organizations, and other interested parties;

(2) recommend projects for reconstruction of existing levee systems so as to develop and maintain a comprehensive system for flood risk reduction and floodplain management;

(3) perform a systematic analysis of critical transportation systems to determine the feasibility of protecting river approaches for land-based systems, highways, and railroads; and

(4) develop a basin-wide hydrologic model for the Upper Mississippi River System and update as changes occur and new data is available.

(d) BASIS FOR RECOMMENDATIONS.—In recommending a project under subsection (c)(2), the Secretary may justify the project based on system-wide benefits.

SEC. 5002. NEW YORK BAY FLOOD CONTROL.

(a) IN GENERAL.—In carrying out the study under subsection (a), the Secretary shall give priority to projects related to—

(1) flood risk management plan; and

(2) opportunities the existence of which is threatened or at risk due to rising sea level, including projects relating to—

(A) levee and drainage districts, non-Federal governmental agencies; and

(b) STREAMLINING.—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a)(2) funds; or

(3) conduct all activities necessary for the implementation of the recommendations prepared under this section, together with any necessary supporting documentation.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on the Budget of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

SEC. 5001. DEAUTHORIZED.

(a) VALDEZ, ALASKA.

(1) IN GENERAL.—Subject to paragraph (2), the portions of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(b) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter on the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigational uses of the project described in paragraph (1).

(c) RED RIVER BELOW DENISON DAM, ARKANSAS-Louisiana, and SUTTER BASIN, CALIFORNIA.

(1) IN GENERAL.—The Secretary shall—

(A) the national economic development and opportunity for the regions of the Red River below Denison Dam, Arkansas-Louisiana, and Sutter Basin, California, as appropriate; and

(B) recommendations for regional economic, social, economic, and other factors in carrying out the assessment.

(2) APPROPRIATIONS.—The Secretary shall give priority to projects in communitie qualified to carry out a regionally comprehensive, systematic-based flood management plan; and

(3) enable each District or combination of Districts of the Corps of Engineers that jointly participate in the development of recommendations prepared under this section to consider regionally appropriate engineering, biological, ecological, social, economic, and other factors in carrying out the assessment.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on the Budget of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

SEC. 4012. ADJUSTMENTS.

(a) IN GENERAL.—The Secretary may conduct a study at Federal expense to determine the feasibility of carrying out projects to address systematic flood damage reduction in the upper Mississippi and Illinois River basins.

(b) PURPOSE.—The purposes of the study under subsection (a) are—

(1) to identify opportunities to support flooding, and other floodplain specific problems, needs, and opportunities; and

(2) to seek opportunities to address, in concert with flood risk management measures, other floodplain specific problems, needs, and opportunities; and

(c) STUDY COMPONENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the States within the Upper Mississippi and Illinois River basins, the appropriate levee and drainage districts, nonprofit organizations, and other interested parties;

(2) recommend projects for reconstruction of existing levee systems so as to develop and maintain a comprehensive system for flood risk reduction and floodplain management;

(3) perform a systematic analysis of critical transportation systems to determine the feasibility of protecting river approaches for land-based systems, highways, and railroads; and

(4) develop a basin-wide hydrologic model for the Upper Mississippi River System and update as changes occur and new data is available.

(d) BASIS FOR RECOMMENDATIONS.—In recommending a project under subsection (c)(2), the Secretary may justify the project based on system-wide benefits.

SEC. 5002. NEW YORK BAY FLOOD CONTROL.

(a) IN GENERAL.—In carrying out the study under subsection (a), the Secretary shall give priority to projects related to—

(1) flood risk management plan; and

(2) opportunities the existence of which is threatened or at risk due to rising sea level, including projects relating to—

(A) levee and drainage districts, non-Federal governmental agencies; and

(b) STREAMLINING.—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a)(2) funds; or

(3) conduct all activities necessary for the implementation of the recommendations prepared under this section, together with any necessary supporting documentation.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on the Budget of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.
(B) previous authorizations providing for the Sacramento River and major and minor tributary projects, including

(1) section 2 of the Act of March 1, 1917 (39 Stat. 1193; Department of Interior), as modified by the

(ii) section 12 of the Act of December 22, 1948 (58 Stat. 900; chapter 655);

(iii) section 204 of the Flood Control Act of 1938 (49 Stat. 1156; April 30, 1938) and

(iv) any other Acts relating to the authorization for the Sacramento River and major and minor tributary projects along the Feather River from levee stationing 1483+83 to levee stationing 2368+00.

(d) STONINGTON HARBOR, CONNECTICUT.—

The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682,146.42, E. 1,231,212.94, running north 69.209 degrees west 390.69’ to a point N. 682,300.25, E. 1,238,856.86, is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(e) GREEN RIVER LOCK AND DAM 3, OHIO AND MIDDLEPORT COUNTIES, KENTUCKY.—

(1) IN GENERAL.—The structure and land associated with Green River Lock and Dam 3 and deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, shall be transferred under this subsection and the land shall no longer be a portion of the Green River project for navigation, built by the Commonwealth of Kentucky prior to 1886 and purchased and ceded to the Federal Government under the first section of the Act of August 11, 1888 (25 Stat. 418; chapter 860).

(2) TRANSFER.—Subject to this subsection, the Secretary shall convey to the Department of Fish and Wildlife Resources, by quitclaim deed and without consideration, all right, title, and interest in and to the land described in subparagraph (A)(i) for the purposes of removal of structures to restore natural river functions while providing green space and ecotourism development, including the provision of roads, parking, camping, and boat access; or

(ii) the Department of Fish and Wildlife Resources, Commonwealth of Kentucky, can- not fulfill the uses described in subparagraph (A)(i) shall be used for established purposes of Mammoth Cave National Park.

(f) DEPARTMENT OF FISH AND WILDLIFE RESOURCES.—

(1) IN GENERAL.—The 3 parcels of land described in subparagraph (A) may be used for the purposes of Mammoth Cave National Park.

(ii) a parcel consisting of approximately 4.19 acres of land; and

(iii) a parcel consisting of approximately 18.0 acres of land and the deauthorized lock and dam structure.

(g) USE.—

(1) IN GENERAL.—The structure and land associated with Green River Lock and Dam 5 and Butler and Warren Counties, Kentucky.

(i) PORT OF CASCADE LOCKS, OREGON.—

(1) TERMINATION OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—

(iii) the term “flowage easement” means the flowage easements identified as tracts 302E-1 and 304E-1 on the easement deeds recorded as instruments in Hood River County, Oregon, as follows:

(i) a flowage easement dated October 3, 1936, recorded December 1, 1936, book 25 at page 531 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from November 17, 1936, recorded December 1, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from October 5, 1936, recorded October 3, 1936, book 25 at page 531 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from August 10, 1937 and October 3, 1936) (previously acquired as tracts OH-36 and OH-41 and a portion of tract OH-47).

(ii) a flowage easement recorded October 17, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of United States, that affects that portion below the 94-foot contour line above main sea level (304E-1-Perpetual Flowage Easement from August 10, 1936, recorded October 3, 1936, book 25 at page 476 (previously acquired as tracts OH-42 and a portion of tract OH-47).

(iv) REVERSION.—If the Secretary determines that the land conveyed under this subsection ceases to be owned by the public or is used for any purpose that is inconsistent with paragraph (3)(B), all right, title, and interest in and to the land shall revert, at the discretion of the Secretary, to the United States.

(2) TRANSFER.—Subject to this subsection, the Secretary shall convey to the Commonwealth of Kentucky for the purposes of removal of structures to restore natural river functions while providing green space and ecotourism development, including the provision of roads, parking, camping, and boat access; or

(i) if the Department of Fish and Wildlife Resources, Commonwealth of Kentucky, cannot fulfill the uses described in subparagraph (A)(i) shall be used for established purposes of Mammoth Cave National Park.

(ii) DEPARTMENT OF FISH AND WILDLIFE RESOURCES.—

(1) IN GENERAL.—The structure and land described in subparagraph (A) shall be used for the purposes of Mammoth Cave National Park.

(ii) a parcel consisting of approximately 4.19 acres of land; and

(iii) a parcel consisting of approximately 18.0 acres of land and the deauthorized lock and dam structure.

(g) USE.—

(1) IN GENERAL.—The structure and land associated with Barren River Lock and Dam 1, Warren County, Kentucky.

(1) IN GENERAL.—The structure and land associated with Barren River Lock and Dam 1, Warren County, Kentucky, dated April 30, 2015, shall be transferred pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, shall be conveyed under this subsection and the land shall no longer be a portion of the Barren River project for navigation, built by the Commonwealth of Kentucky prior to 1886 and purchased and ceded to the Federal Government under the first section of the Act of August 11, 1888 (25 Stat. 418; chapter 860).

(2) TRANSFER.—Subject to this subsection, the Secretary shall convey to the Commonwealth of Kentucky, Department of Fish and Wildlife Resources, by quitclaim deed and without consideration, all right, title, and interest of the United States in 1 parcel of land situated on the right bank of the Barren River together with any improvements on the land.

(h) BARREN RIVER LOCK AND DAM 1, WARREN COUNTY, KENTUCKY.—

(1) IN GENERAL.—The parcel of land to be conveyed under this subsection is approximately 16.63 acres of land, located on the right bank of the Barren River and associated with the deauthorized Barren River Lock and Dam 1 in Warren County, Kentucky.

(2) USE.—The parcel of land described in subparagraph (A) may be used for the purposes of Mammoth Cave National Park.
elevation 82.4 feet (NGVD29), the ordinary high water mark.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in the public records of the United States, are as follows:

(A) Lots 3, 4, 5, and 7 of the “Port of Cascade Locks Business Park” subdivision, instrument #2014-00406.
(B) Parcels 1, 2, and 3 of Hood River County Partition plat No. 2008-25F.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the termination of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(5) DECLARATIONS OF NON-NAVIGABILITY FOR PORTIONS OF THE DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), unless the Secretary determines, after consultation with local and regional public officials (including local and regional project planning organizations), that there are substantive objections, the following portions of the Delaware River, bounded by the following lines, are declared to be non-navigable waters of the United States:

(A) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61–63, 60, 57, 55, 46, 48, 49, and 39.

(B) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: 24, 25, 27–35, 35.5, 36, 37, 38, 39, 49, 51–52, 53–57, 58–65, 66, 67, 69, 70–72, and Rivercenter.

(C) DETERMINATION.—The Secretary shall make the determination under paragraph (1) separately for each portion of the Delaware River described in subparagraphs (A) and (B) of paragraph (1), using reasonable discretion, by not later than 150 days after the date of submission of appropriate plans for that portion.

(5) LIMITS ON APPLICABILITY.—

(A) IN GENERAL.—Paragraph (1) applies only to those parts of the areas described in that paragraph that are or will be bulk-headed and filled or otherwise occupied by permanent structures, including marina and recreation facilities.

(B) OTHER FEDERAL LAWS.—Any work described in subparagraph (A) shall be subject to all applicable Federal laws (including regulations), including—

(i) sections 9 and 10 of the Act of March 3, 1899 (commonly known as the “River and Harbor Appropriation Act of 1899”) (33 U.S.C. 401, 403);

(ii) section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(iii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(k) SALT CREEK, GRAHAM, TEXAS.—

(1) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1998 (Public Law 106-53; 113 Stat. 278-279), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) CERTAIN PROJECT-RELATED CLAIMS.—The non-Federal sponsor for the project described in paragraph (1) shall hold and save the United States harmless from any claim that has arisen, or that may arise, in connection with the project.

(3) TRANSFER.—The Secretary is authorized to transfer any land acquired by the Federal Government for the project on behalf of the non-Federal sponsor that remains in Federal ownership on or after the date of enactment of this Act to the non-Federal sponsor.

(4) REVERSION.—If the Secretary determines that the land that is integral to the project described in paragraph (1) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

SEC. 5002. CONVEYANCES.

(a) PEARL RIVER, MISSISSIPPI AND LOUISIANA.—

(1) IN GENERAL.—The project for navigation, Pearl River, Mississippi and Louisiana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1033, chapter 831) and section 101 of the River and Harbor Act of 1966 (Public Law 89-769; 80 Stat. 1400), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) TRANSFER.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary is authorized to convey to a State or local interest, without consideration, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(b) SARDIS LAKE, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary is authorized to convey to the lessee, at full fair market value, all right, title and interest of the United States in and to the property identified in the leases numbered DACW38-1-15-7, DACW38-1-15-33, DACW38-1-15-34, and DACW38-1-15-38, subject to such terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(2) EASEMENT AND RESTRICTIVE COVARIANT.—The conveyance under paragraph (1) shall include—

(A) a restrictive covenant to require the approval of the Secretary for any substantial change in the use of the property; and

(B) a flowage easement.

(c) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by September 30, 2016, $31,233,401 as payment in full of amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article 5a (relating to project investment costs) of contract number DACW38-76-C-0196 as of the date of enactment of this Act.

TITLE VI—WATER RESOURCES INFRASTRUCTURE

SEC. 6001. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. LA</td>
<td>Calcasieu Lock</td>
<td>December 2, 2014</td>
<td>Federal: $16,700,000 Non-Federal: $0 Total: $16,700,000</td>
</tr>
<tr>
<td>3. NH, ME</td>
<td>Portsmouth Harbor</td>
<td>and February 8, 2015</td>
<td>Federal: $15,580,000 Non-Federal: $5,190,000 Total: $20,770,000</td>
</tr>
<tr>
<td>A. State</td>
<td>B. Name</td>
<td>C. Date of Report of Chief of Engineers</td>
<td>D. Estimated Costs</td>
</tr>
<tr>
<td>---------</td>
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</tr>
<tr>
<td>4. KY</td>
<td>Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1 Disposition</td>
<td>April 30, 2015</td>
<td>Federal: $0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Non-Federal: $0</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Total: $0</td>
</tr>
<tr>
<td>5. FL</td>
<td>Port Everglades</td>
<td>June 25, 2015</td>
<td>Federal: $220,200,000</td>
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<td></td>
<td></td>
<td></td>
<td>Non-Federal: $102,500,000</td>
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<td>Total: $322,700,000</td>
</tr>
<tr>
<td>6. AK</td>
<td>Little Diomede</td>
<td>August 10, 2015</td>
<td>Federal: $26,015,000</td>
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<td></td>
<td></td>
<td></td>
<td>Non-Federal: $2,945,000</td>
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<td>Total: $28,960,000</td>
</tr>
<tr>
<td>7. SC</td>
<td>Charleston Harbor</td>
<td>September 8, 2015</td>
<td>Federal: $224,300,000</td>
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<td></td>
<td></td>
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<td>Non-Federal: $269,000,000</td>
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<td>Total: $493,300,000</td>
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<tr>
<td>8. AK</td>
<td>Craig Harbor</td>
<td>March 16, 2016</td>
<td>Federal: $29,062,000</td>
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<td></td>
<td>Non-Federal: $3,255,000</td>
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<td>Total: $32,317,000</td>
</tr>
</tbody>
</table>

(2) FLOOD RISK MANAGEMENT.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. TX</td>
<td>Leon Creek Watershed, San Antonio</td>
<td>June 30, 2014</td>
<td>Federal: $18,314,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Non-Federal: $9,861,000</td>
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<td>Total: $28,175,000</td>
</tr>
<tr>
<td>2. MO, KS</td>
<td>Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City</td>
<td>January 27, 2015</td>
<td>Federal: $207,036,000</td>
</tr>
<tr>
<td></td>
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<td>Non-Federal: $111,481,000</td>
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<td>Total: $318,517,000</td>
</tr>
<tr>
<td>3. KS</td>
<td>City of Manhattan</td>
<td>April 30, 2015</td>
<td>Federal: $15,440,100</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Non-Federal: $8,313,900</td>
</tr>
<tr>
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<td></td>
<td>Total: $23,754,000</td>
</tr>
<tr>
<td>4. KS</td>
<td>Upper Turkey Creek Basin</td>
<td>December 22, 2015</td>
<td>Federal: $24,584,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Non-Federal: $13,238,000</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Total: $37,822,000</td>
</tr>
<tr>
<td>5. NC</td>
<td>Princeville</td>
<td>February 23, 2016</td>
<td>Federal: $14,001,000</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>Non-Federal: $7,539,000</td>
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<td></td>
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<td>Total: $21,540,000</td>
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</tbody>
</table>

(2) FLOOD RISK MANAGEMENT.—
<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
</table>
| 4. KS    | Upper Turkey Creek Basin | December 22, 2015 | Federal: $24,584,000  
Non-Federal: $13,238,000  
Total: $37,822,000 |
| 5. NC    | Princeville | February 23, 2016 | Federal: $14,001,000  
Non-Federal: $7,539,000  
Total: $21,540,000 |
| 6. CA    | West Sacramento | April 26, 2016 | Federal: $776,517,000  
Non-Federal: $414,011,000  
Total: $1,190,528,000 |
| 7. CA    | American River Watershed Common Features | April 26, 2016 | Federal: $876,478,000  
Non-Federal: $689,272,000  
Total: $1,565,750,000 |

(3) Hurricane and Storm Damage Risk Reduction.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Initial Costs and Estimated Renourishment Costs</th>
</tr>
</thead>
</table>
| 1. SC    | Edisto Beach, Colleton County | September 5, 2014 | Initial Federal: $13,733,850  
Initial Non-Federal: $7,395,150  
Initial Total: $21,129,000  
Renourishment Federal: $16,371,000  
Renourishment Non-Federal: $16,371,000  
Renourishment Total: $32,742,000 |
| 2. FL    | Flagler County | December 23, 2014 | Initial Federal: $9,218,300  
Initial Non-Federal: $4,963,700  
Initial Total: $14,182,000  
Renourishment Federal: $15,390,000  
Renourishment Non-Federal: $15,390,000  
Renourishment Total: $30,780,000 |
| 3. NC    | Bogue Banks, Carteret County | December 23, 2014 | Initial Federal: $24,263,000  
Initial Non-Federal: $13,064,000  
Initial Total: $37,327,000  
Renourishment Federal: $114,728,000  
Renourishment Non-Federal: $114,728,000  
Renourishment Total: $229,456,000 |
| 4. NJ    | Hereford Inlet to Cape May Inlet, New Jersey Shoreline Protection Project, Cape May County | January 23, 2015 | Initial Federal: $14,040,000  
Initial Non-Federal: $7,560,000  
Initial Total: $21,600,000  
Renourishment Federal: $41,215,000  
Renourishment Non-Federal: $41,215,000  
Renourishment Total: $82,430,000 |
| 5. LA    | West Shore Lake Pontchartrain | June 12, 2015 | Federal: $466,760,000  
Non-Federal: $251,330,000  
Total: $718,090,000 |
| 6. CA    | Encinitas-Solana Beach Coastal Storm Damage Reduction | March 29, 2016 | Initial Federal: $20,166,000  
Initial Non-Federal: $10,858,000  
Initial Total: $31,024,000  
Renourishment Federal: $68,215,000  
Renourishment Non-Federal: $68,215,000  
Renourishment Total: $136,430,000 |

(4) Flood Risk Management and Environmental Restoration.—
### ENVIRONMENTAL RESTORATION

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
</table>
| 1. IL, WI | Upper Des Plaines River and Tributaries | June 8, 2015 | Federal: $199,383,000  
Non-Federal: $107,094,000  
Total: $307,087,000 |
| 2. CA | South San Francisco Bay Shoreline | December 18, 2015 | Federal: $69,521,000  
Non-Federal: $104,379,000  
Total: $173,900,000 |

### PROJECT MODIFICATIONS

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Director's Report</th>
<th>D. Updated Authorization Project Costs</th>
</tr>
</thead>
</table>
| 1. KS, MO | Turkey Creek Basin | November 4, 2015 | Estimated Federal: $96,880,750  
Estimated Non-Federal: $52,954,250  
Total: $149,835,000 |
| 2. MO | Blue River Basin | November 6, 2015 | Estimated Federal: $34,537,000  
Estimated Non-Federal: $10,631,000  
Total: $45,168,000 |
| 3. FL | Picayune Strand | March 9, 2016 | Estimated Federal: $311,269,000  
Estimated Non-Federal: $311,269,000  
Total: $622,538,000 |
| 4. KY | Ohio River Shoreline | March 11, 2016 | Estimated Federal: $20,309,900  
Estimated Non-Federal: $10,936,100  
Total: $31,246,000 |

### SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Director's Report</th>
<th>D. Updated Authorization Project Costs</th>
</tr>
</thead>
</table>
| 1. KS, MO | Turkey Creek Basin | November 4, 2015 | Estimated Federal: $96,880,750  
Estimated Non-Federal: $52,954,250  
Total: $149,835,000 |
| 2. MO | Blue River Basin | November 6, 2015 | Estimated Federal: $34,537,000  
Estimated Non-Federal: $10,631,000  
Total: $45,168,000 |
| 3. FL | Picayune Strand | March 9, 2016 | Estimated Federal: $311,269,000  
Estimated Non-Federal: $311,269,000  
Total: $622,538,000 |
| 4. KY | Ohio River Shoreline | March 11, 2016 | Estimated Federal: $20,309,900  
Estimated Non-Federal: $10,936,100  
Total: $31,246,000 |

### SEC. 6003. AUTHORIZATION OF STUDY AND MODIFICATION PROPOSALS SUBMITTED TO CONGRESS BY THE SECRETARY.

(a) ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.—Section 2105 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2243) is amended—

(1) by striking “(25 U.S.C. 450b)” each place it appears and inserting “(25 U.S.C. 250b) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)” ; and

(2) by adding at the end the following: “(c) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

“(1) shall consult with the Secretary of Homeland Security and the Secretary of Defense to identify national security benefits associated with an Arctic deep draft port; and

“(2) if appropriate, as determined by the Secretary, may determine a port described in paragraph (1) is feasible based on the benefits described in that paragraph.”.

(b) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Ouachita-Black Rivers, authorized by section 101 of the River and Harbor Act of 1969 (Public Law 86–645; 74 Stat. 481) to include bank stabilization and water supply as project purposes.

(c) CACHE CREEK BASIN, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall prepare a general reevaluation report on the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the
(m) SAVANNAH RIVER BELOW AUGUSTA, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Savannah River below Augusta, Georgia, authorized by section 101(a)(19) of the Water Resources and Development Act of 1999 (Public Law 106–52; 113 Stat. 113) for the purpose of determining whether or not the study, and the process under which the study was developed, each comply with Federal law (including regulations) applicable to feasibility studies for water resources development projects.

(n) RIVERBEND, ARKANSAS.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation and shorelin...
(y) CHINCOTEAGUE ISLAND, VIRGINIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for ecosystem and flood control, Chincoteague Island, Virginia, authorized by section 8 of Public Law 89-195 (16 U.S.C. 459f-7) (commonly known as the ‘‘Assateague Island National Seashore Act’’) for—
(1) assessing the current and future function of the barrier island, inlet, and coastal bay system surrounding Chincoteague Island;
(2) developing an array of options for resource management; and
(3) evaluating the feasibility and cost associated with sustainable protection and restoration areas.
(z) BURLEY CREEK WATERSHED, WASHINGTON D.C.—For the purpose of conducting a study to determine the feasibility of carrying out projects for flood control and aquatic ecosystem restoration in the Burley Creek Watershed in Washington, D.C.,

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

SEC. 7001. DEFINITION OF ADMINISTRATOR.
In this title, the term ‘‘Administrator’’ means the Administrator of the Environmental Protection Agency.

SEC. 7002. SENSE OF THE SENATE ON APPROPRIATION LEVELS AND FINDINGS ON ECONOMIC IMPACTS.
(a) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should provide robust funding for the State revolving water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) and the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).
(b) FINDINGS.—Congress finds, based on an analysis sponsored by the Water Environment Federation and the WaterReuse Association of the nationwide impact of State revolving loan fund spending using the IMPLAN economic model developed by the Federal Government, that, in addition to the public health and environmental benefits, the Federal investment in safe drinking water and clean water provides the following benefits:
(1) Generation of significant Federal tax revenue, as provided by the following benefits:
(A) Every dollar of a Federal capitalization grant returns $0.21 to the general fund of the Treasury in the form of Federal taxes and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, every dollar of a Federal capitalization grant returns $0.21 to the State budget in Federal tax revenue.
(B) A combined $31,700,000,000 in capitalization grants for the clean water and state drinking water state revolving loan funds described in subsection (a) over a period of 5 years would generate $7,430,000,000 in Federal tax revenue and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, the Federal Government would result in $22,300,000,000 in Federal tax revenue due to State and local expenditures.
(2) An increase in employment, as evidenced by the following:
(A) Every $1,000,000 in State revolving loan fund spending generates 16.5 jobs.
(B) $34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years would result in 506,000 jobs.
(C) as designated in paragraph (1)
(1) by striking ‘‘not’’ and inserting ‘‘including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not’’; and
(2) by inserting after paragraph (B) (as designated by paragraph (1))
(A) by striking ‘‘(in

SEC. 7101. PRECONSTRUCTION WORK.
Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)) is amended—
(1) by designating the first, second, third, fourth, and fifth sentences as subparagraphs (A), (B), (D), (E), and (F), respectively; and
(2) in subparagraph (B) (as designated by paragraph (1))
(1) by striking ‘‘(not’’ and inserting ‘‘(in

SEC. 7102. PRIORITY SYSTEM REQUIREMENTS.
Section 1452(b)(3) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(3)) is amended—
(1) by redesignating subparagraph (B) as subparagraph (D)
(2) by striking subparagraph (A) and inserting the following:

SEC. 7103. ADMINISTRATION OF STATE LOAN FUNDS.
Section 1452(g)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(g)(2)) is amended by inserting before the period at the end the following: ‘‘(including implementation of source water protection plans).’’

SEC. 7104. OTHER AUTHORIZED ACTIVITIES.
Section 1452(k)(2)(D) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)(2)(D)) is amended by inserting before the period at the end the following: ‘‘(including implementation of source water protection plans).’’

SEC. 7105. NEGOTIATION OF CONTRACTS.
Section 1452(k)(2)(D) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)(2)(D)) is amended by inserting before the period at the end the following: ‘‘(including implementation of source water protection plans).’’

SEC. 7106. NEGOTIATION OF CONTRACTS.
Section 1452(k)(2)(D) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)(2)(D)) is amended by inserting before the period at the end the following: ‘‘(including implementation of source water protection plans).’’

SEC. 7107. NEGOTIATION OF CONTRACTS.
Section 1452(k)(2)(D) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)(2)(D)) is amended by inserting before the period at the end the following: ‘‘(including implementation of source water protection plans).’’

SEC. 7108. NEGOTIATION OF CONTRACTS.
Section 1452(k)(2)(D) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)(2)(D)) is amended by inserting before the period at the end the following: ‘‘(including implementation of source water protection plans).’’

SEC. 7109. NEGOTIATION OF CONTRACTS.
Section 1452(k)(2)(D) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)(2)(D)) is amended by inserting before the period at the end the following: ‘‘(including implementation of source water protection plans).’’
SEC. 1459A. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) DEFINITION OF UNDERSERVED COMMUNITY.—In this section—

"(1) In general.—The term 'underserved community' means a local political subdivision that, as determined by the Administrator, has an inadequate drinking water or wastewater system.

"(2) Inclusions.—The term 'underserved community' includes a local political subdivision—

"(A) that serves underserved communities.

(b) ESTABLISHMENT.—

"(1) IN GENERAL.—The Administrator shall establish a program under which grants are provided to eligible entities for use in carrying out projects and activities the primary purpose of which are to assist community water systems in meeting the requirements of this Act.

"(2) INCLUSIONS.—Projects and activities under paragraph (1) include—

"(A) infrastructure investments necessary to comply with the requirements of this Act,

"(B) assistance that directly and indirectly benefits the disadvantaged community on a per-household basis,

"(C) programs to provide water quality testing,

"(D) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this section is—

"(1) a community water system as defined in section 1401;

"(2) a system that is located in an area governed by an Indian Tribe (as defined in section 1401); and

"(3) a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the Administrator to be a disadvantaged community.

"(B) WAIVER.—The Administrator may establish, consistent with the application of the eligible entity; and

"(C) a municipality or State, interstate, or intermunicipal agency.

"(B) LEAD REDUCTION PROJECT.—

"(A) IN GENERAL.—The term 'lead reduction project' means a project or activity the primary purpose of which is to reduce the level of lead in water for human consumption by—

"(i) replacement of publicly owned lead service lines;

"(ii) testing, planning, or other relevant activities, as determined by the Administrator; and

"(iii) assistance to low-income homeowners to replace privately owned service lines, pipes, fittings, or fixtures that contain lead; and

"(iv) education of consumers regarding measures to reduce exposure to lead from drinking water or other sources.

"(C) LOW-INCOME ASSISTANCE.—

"(1) IN GENERAL.—Subject to paragraph (B), an eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to replace privately owned portion of a lead service line.

"(2) LIMITATION.—The amount of a grant provided to a low-income homeowner under this paragraph shall not exceed the cost of replacement of the privately owned portion of the service line.

"(D) SPECIAL CONSIDERATION FOR LEAD SERVICE LINE REPLACEMENT.—In carrying out lead service line replacement projects under this subsection, the Administrator shall—

"(1) give priority to projects that replace the lead service line replacement using a grant under this subsection, an eligible entity shall—

"(2) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system;

"(3) the cost that is equal to the difference between—

"(A) the source of lead in water for human consumption; and

"(B) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system;

"(4) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

"(2) ELIGIBILITY.—In prioritizing projects for implementation under this section, the Administrator may give priority to systems that serve communities that—

"(A) do not have household drinking water or wastewater services; and

"(B) has a drinking water system that fails to meet health-based standards under this Act, including—

"(i) a maximum contaminant level for a primary drinking water contaminant;

"(ii) a treatment technique violation; and

"(iii) an action level exceedance.

"(1) to pay not less than 45 percent of the Federal share of the cost of carrying out an eligible activity using funds from a grant provided under this section if the Administrator determines that the eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the Federal share.

"(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) $230,000,000 for fiscal year 2017; and

"(2) $230,000,000 for each of fiscal years 2018 through 2021.

"(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under section 1459A of the Safe Drinking Water Act (as added by subsection (a)), $20,000,000, to remain available until expended.

SEC. 1459B. REDUCING LEAD IN DRINKING WATER.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as added by section 142(d)(3)) is amended by adding at the end the following:

"(g) GRANT PROGRAM.—

"(1) to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; and

"(h) GRANT PROGRAM.—

"(1) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system;

"(2) to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; and

"(i) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

"(i) W AIVER.—The Administrator may—

"(1) to pay 100 percent of any operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

"(j) WAIVER.—The Administrator may waive the otherwise applicable affordability criteria established by the State under section 1459A of the Safe Drinking Water Act (as added by subsection (a)), $20,000,000, to remain available until expended.

SEC. 1459C. REDUCING LEAD IN DRINKING WATER.

(a) IN GENERAL.—

"(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) a community water system;

"(B) a system located in an area governed by an Indian Tribe; and

"(C) a nontransient noncommunity water system;

"(2) INCLUSIONS.—The term 'lead reduction project' means a project or activity the primary purpose of which is to reduce the level of lead in water for human consumption by—

"(A) the source of lead in water for human consumption at a school, daycare, or other facility that primarily serves children or another vulnerable human subpopulation; or

"(B) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

"(B) PROTECTION.—In providing grants under this subsection, the Administrator shall—

"(1) to pay 100 percent of any operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

"(2) PROTECTION.—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

"(3) PRIORITY APPLICATION.—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

"(4) COST SHARING.—

"(A) IN GENERAL.—Subject to paragraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection—

"(A) the applicant's own funds, and

"(B) proposes to—

"(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system;

"(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or another vulnerable human subpopulation; or

"(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

"(B) LIMITATION.—The amount of a grant provided to a low-income homeowner under this paragraph shall not exceed the cost of replacement of the privately owned portion of the service line.

"(C) IN GENERAL.—Subject to paragraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

"(D) WAIVER.—The Administrator may reduce or eliminate the non-Federal share under paragraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

"(E) Eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

"(f) COST SHARING.—

"(A) the applicant's own funds, and

"(B) proposes to—

"(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system.

"(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or another vulnerable human subpopulation; or

"(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

"(C) IN GENERAL.—Subject to paragraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

"(D) WAIVER.—The Administrator may reduce or eliminate the non-Federal share under paragraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

"(E) Eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

"(3) PRIORITY APPLICATION.—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

"(4) COST SHARING.—

"(A) the applicant's own funds, and

"(B) proposes to—

"(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system.

"(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or another vulnerable human subpopulation; or

"(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

"(D) WAIVER.—The Administrator may reduce or eliminate the non-Federal share under paragraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

"(E) Eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

"(3) PRIORITY APPLICATION.—In providing grants under this subsection, the Administrator shall—

"(A) the applicant's own funds, and

"(B) proposes to—

"(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system.

"(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or another vulnerable human subpopulation; or

"(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

"(D) WAIVER.—The Administrator may reduce or eliminate the non-Federal share under paragraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

"(E) Eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.
"(D) notify each customer that a planned replacement of any publicly owned portion of a lead service line that is funded by a grant made under this subsection will not be carried out; and

\(\textit{'(E) demonstrate that the eligible entity has considered additional options for reducing lead in drinking water, including an evaluation of options for corrosion control.}"

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section $60,000,000 for each of fiscal years 2017 through 2021."

(b) **FUNDING.**—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section under section 169B of the Safe Drinking Water Act (as added by subsection (a)), $20,000,000, to remain available until expended.

**SEC. 7108. REGIONAL LIASONS FOR MINORITY, TRIBAL, AND LOW-INCOME COMMUNITIES.**

(a) **IN GENERAL.**—The Administrator shall appoint not fewer than 1 employee in each relevant region of the Environmental Protection Agency to serve as a liaison to minority, tribal, and low-income communities in the relevant region.

(b) **PUBLIC IDENTIFICATION.**—The Administrator shall identify each regional liaison selected under subsection (a) on the website of—

1. the relevant regional office of the Environmental Protection Agency; and
2. the Office of Environmental Justice of the Environmental Protection Agency.

**SEC. 7109. NOTICE TO PERSONS SERVED.**

(a) **IN GENERAL.**—The Administrator shall—

1. specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation for lead contamination in drinking water;
2. carry out this subsection $20,000,000 for each of fiscal years 2017 through 2021."

(b) **CONFORMING AMENDMENTS.**—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g–3(c)) is amended by adding at the end the following:

1. **(j) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.—**
   
   (1) **DEFINITIONS.**—In this subsection:
   
   (A) by each State that has primary enforcement responsibility under section 1413, to the State or local educational agency that receives a grant under this subsection; and
   
   (B) by the appropriate State or local educational agency from any other Federal agency, a tribal education agency (as defined in section 1413(a)(2)), an educational agency that receives a grant under this subsection; and
   
   (C) the size of the public water system; and
   
   (D) the size of the community served by the public water system;

2. **(ii) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

3. **(iii) any direct implementation area.

4. **(3) APPLICATION.**—To be eligible to receive a grant under this subsection, a State or local educational agency shall—

5. **(ii) a tribal education agency (as defined in section 3 of the National Environmental Policy Act of 1969 (20 U.S.C. 5520)); and

6. **(iii) an operator of a child care program that is not less stringent than the guidance referred to in clause (i); and

7. **(B) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care programs that is not less stringent than the guidance referred to in clause (i); and

8. **(ii) notify parent, teacher, and employee organizations of the availability of the results described in clause (i).**

9. **(F) MAINTENANCE OF EFFORT.**—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall—

10. **(i) demonstrate that the funds provided under this subsection will not displace those resources.**

11. **(7) AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2017 through 2021."

**SEC. 7110. ELECTRONIC REPORTING OF DRINKING WATER INFORMATION.**

Section 1414 of the Safe Drinking Water Act (42 U.S.C. 300g–3) is amended by adding at the end the following:

1. **(j) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.—**
   
   (1) **DEFINITIONS.**—In this subsection:
   
   (A) by each State that has primary enforcement responsibility under section 1413, to the State or local educational agency that receives a grant under this subsection; and
   
   (B) by the appropriate State or local educational agency from any other Federal agency, a tribal education agency (as defined in section 1413(a)(2)), an educational agency that receives a grant under this subsection; and
   
   (C) the size of the public water system; and
   
   (D) the size of the community served by the public water system;

2. **(ii) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

3. **(iii) any direct implementation area.

4. **(3) APPLICATION.**—To be eligible to receive a grant under this subsection, a State or local educational agency shall—

5. **(ii) a tribal education agency (as defined in section 3 of the National Environmental Policy Act of 1969 (20 U.S.C. 5520)); and

6. **(i) IN GENERAL.—**
   
   (A) by each State that has primary enforcement responsibility under section 1413, to the State or local educational agency that receives a grant under this subsection; and
   
   (B) by the appropriate State or local educational agency from any other Federal agency, a tribal education agency (as defined in section 1413(a)(2)), an educational agency that receives a grant under this subsection; and
   
   (C) the size of the public water system; and
   
   (D) the size of the community served by the public water system;

7. **(ii) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

8. **(iii) any direct implementation area.

9. **(3) APPLICATION.**—To be eligible to receive a grant under this subsection, a State or local educational agency shall—

10. **(ii) a tribal education agency (as defined in section 3 of the National Environmental Policy Act of 1969 (20 U.S.C. 5520)); and

11. **(iii) an operator of a child care program that is not less stringent than the guidance referred to in clause (i); and

12. **(B) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care programs that is not less stringent than the guidance referred to in clause (i); and

13. **(ii) notify parent, teacher, and employee organizations of the availability of the results described in clause (i).**

14. **(F) MAINTENANCE OF EFFORT.**—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall—

15. **(i) demonstrate that the funds provided under this subsection will not displace those resources.**

16. **(7) AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2017 through 2021."

**SEC. 7111. LEAD TESTING IN PRESCHOOL AND CHILD CARE DRINKING WATER.**

(a) **IN GENERAL.**—Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300g–3) is amended by adding at the end the following:

1. **(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD TESTING GRANT PROGRAM.—**
   
   (1) **DEFINITIONS.**—In this subsection:
   
   (A) **CHILD CARE PROGRAM.**—The term 'child care program' has the meaning given the term 'early childhood education program' in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).
   
   (B) **LOCAL EDUCATIONAL AGENCY.**—The term 'local educational agency' means—
   
   (i) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));
including moisture control or water enhancing categories such as—

(A) efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, services, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

(B) reduce water use; and

(C) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

(D) conserve energy used to pump, heat, transport, and treat water; and

(E) preserve water resources for future generations.

SEC. 7112. WATERSENSE PROGRAM.

(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

(1) IN GENERAL.—There is established within the Environmental Protection Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, services, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

(A) efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

(i) irrigation technologies and services;

(ii) point-of-use water treatment devices;

(iii) plumbing products;

(iv) water metering technologies;

(v) landscaping and gardening products, including moisture control or water enhancing technologies;

(vi) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

(2) TO ENHANCE.—The Administrator, in coordination with the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

(3) TO PROMOTE.—The Administrator, in coordination with the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

(F) Auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

(G) WaterSense labeling through outreach, education, and other means;

(3) PRESERVE.—The Administrator, in coordination with the Secretary, shall—

(A) develop and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform at least as well as or better than less water-efficient counterparts;

(B) overseeing WaterSense certifications made by third parties;

(C) determine appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

(4) REUSE.—Notwithstanding any other provision of law, in any application for a grant or loan from the Federal Government or any using Federal assistance for a drinking water system serving 500 or fewer persons, a unit of local government or not-for-profit organization that describes, in its proposal, a plan for the use of Federal assistance to identify, provide alternative drinking water supply, drilling water delivery systems sources by publicly owned—

(A) individual wells;

(B) shared wells; and

(C) community wells.

(b) DUTIES.—The Administrator shall carry out this section, to remain available until expended—

(1) in subsection (a) shall be carried out subject to the requirements described in title VI is inconsistent with the purposes of this section.

(2) DETERMINATION OF GOVERNOR.—The requirement described in paragraph (1) shall not apply to a project that receives grant assistance under subsection (a) to the extent that the Governor of the State in which the project is located determines that a requirement described in title VI is inconsistent with the purposes of this section.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, to remain available until expended—

(1) $250,000,000 for fiscal year 2017;
section 516(b)(1)(B).''; and
recent survey—
sewer overflow controls and sanitary sewer
needs of the State for municipal combined
share of the amounts based on the total
administrator shall use the amounts made
thereafter, subject to subsection (h), the Ad-
ministrator may use amounts made available to carry
out this section to provide grants to municipalities and
municipal entities under subsection (a)(2).

(A) in accordance with the priority cri-
teria described in subsection (b); and
(B) with additional priority given to pro-
posed projects that involve the use of—
(i) nonstructural, low-impact develop-
ment;
(ii) water conservation, efficiency, or reuse;
and
(iii) other decentralized stormwater or wastewater approaches to minimize flows
into the sewer systems.

For fiscal year 2019 and THEREAFTER.—
For fiscal year 2019 and each fiscal year
thereafter, subject to subsection (b), the Ad-
ministrator shall use the amounts made available to carry out this section to provide grants to municipalities combined
sewer overflow controls and sanitary sewer
overflow controls, as identified in the most
recent survey—
(i) conducted under section 210; and
(ii) included in a report required under
section 516(b)(1)(B); and
by striking subsection (i).

(a) General.—Title II of the Federal
Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

SEC. 7202. SMALL AND MEDIUM TREATMENT WORKS.

(a) In General.—Title II of the Federal
Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

SEC. 222. TECHNICAL ASSISTANCE FOR SMALL
TREATMENT WORKS.

(a) Definitions.—In this section:

(i) small treatment works means a publicly
owned treatment works serving not more than
10,000 individuals;

(ii) medium treatment works means a publicly
owned treatment works serving not fewer than
10,000 and not more than 100,000 individuals.

(b) Technical Assistance.—The Adminis-
trator may use amounts made available to carry
out this section to provide grants or cooperative
agreements to qualified nonprofit small treatment
works technical assistance providers to provide to owners and operators of small
treatment works onsite technical assistance, cir-
cuit-rider technical assistance programs, multi-State, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining fi-
ancing under this Act for eligible projects.

(c) Authorization of Appropriations.—
There are authorized to be appropriated to carry
out this section $15,000,000 for each of fiscal years 2017 through 2021.

(b) Water Pollution Control Revolving
Loan Funds.—

(1) In General.—Section 603 of the Federal
Water Pollution Control Act (33 U.S.C. 1333) is amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (i), by
inserting “and as provided in subsection (e)” after “State law”;

(ii) by redesigning subsections (e) through (i) as subsections (f) through (j), re-
spectively; and

(iii) by inserting after subsection (d) the fol-
lowing:

(‘‘e) Additional Use of Funds.—A State
may use an additional 2 percent of the funds
annually allotted to the State under this section for qualified nonprofit technical assis-
tance providers (as defined in section 222) to
provide technical assistance to public water systems serving not more than 100,000 individuals.

(2) Conforming Amendment.—Section
221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking “section 603(h)” and inserting “section 603(i)”.

SEC. 7203. INTEGRATED PLANS.

(a) Integrated Plans.—Section 402 of the Federal
Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

(c) Municipal Discharge.—

(i) In General.—The term ‘‘municipal discharge’’ means a discharge from a treatment works (as defined in section 212) or a dis-
charge from a municipal storm sewer under
subsection(p).

(ii) Inclusion.—The term ‘‘municipal discharge’’ includes a discharge of storm water collected from multiple municip-
aldies if the discharge is covered by the
same permit issued under this section.

(d) Integrated Plan.—

(A) General.—The term ‘‘integrated plan’’ has the
meanings given in Part III of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued by the Environmental Protec-
tion Agency and dated May 2012.

(B) Municipal Discharge.—

(i) In General.—The term ‘‘municipal dis-
charge’’ means a discharge from a treatment
works (as defined in section 212) or a dis-
charge from a municipal storm sewer under
subsection(p).

(ii) Inclusion.—The term ‘‘municipal dis-
charge’’ includes a discharge of storm water collected from multiple municip-
aldies if the discharge is covered by the
same permit issued under this section.

(e) Scope of Permit Incorporating In-
tegrated Plan.—A permit issued under this dis-
subsection that incorporates an integrated plan may incorporate all requirements under this Act addressed in the integrated plan, in-
cluding requirements relating to—

(i) a combined sewer overflow;

(ii) a capacity, management, operation, and maintenance program for sanitary sewer collection systems;

(iii) a municipal stormwater discharge;

(iv) a municipal wastewater discharge; and

(v) a water quality-based effluent limita-
tion to implement an applicable wastewater allocation in a total maximum daily load.

(S) Compliance Schedules.—
schedule of compliance, under which actions taken to meet any applicable water quality-based effluent limitation may be implemented over more than 1 permit term if the compliance schedule is approved by the Administrator under State water quality standards.

"(b) Inclusion.—Actions subject to a compliance schedule under subparagraph (A) may include modifications of the terms of the discharge permit that implement as part of a water quality-based effluent limitation.

"(c) Review.—A schedule of compliance may be reviewed each time the permit is renewed.

"(d) Existing authorities retained.—(A) In General.—Nothing in this subsection modifies any obligation to comply with applicable technology and water quality-based effluent limitations under this title or under this Act.

"(B) Flexibility.—Nothing in this subsection reduces or eliminates any flexibility available under this Act, including the authority of a State to revise a water quality standard under a use attainability analysis under section 131.10(g) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), subject to the approval of the Administrator under section 303(c).

"(e) Clarification of state authority.—(A) In General.—Nothing in section 301(b)(1)(C) precludes a State from authorizing in the water quality standards of the State the issuance of a schedule of compliance under a water quality-based effluent limitation in permits that incorporate provisions of an integrated plan.

"(B) Transition Rule.—In any case in which a discharge is subject to a judicial order or consent decree as of the date of enactment of this subsection, the administrative order or consent decree is modified by agreement of the parties and the court.

"(3) Actions Required.—The municipal ombudsman shall work with appropriate offices at the headquarters and regional offices of the Environmental Protection Agency; and

"(c) Use of Median Household Income.—In establishing financial capability assessment for Financial Capability Assessment and Schedule Development, the Municipal Ombudsman shall use median household income as the sole indicator of affordability concerns relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

"(d) Consideration and Consultation.—(1) Consideration.—In revising the guidance, the Administrator shall consider:

"(B) the use of green infrastructure into, permitting programs, planning efforts, research, technical assistance, and funding guidance.

"(2) Duties.—The municipal ombudsman shall ensure that the Office of Water, the Office of Enforcement and Compliance Assurance, the Office of Research and Development, and the Office of Policy of the Environmental Protection Agency promote the use of green infrastructure in and coordinate the integration of green infrastructure with permitting programs, planning efforts, research, technical assistance, and funding guidance.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

"(1) by redesigning section 519 (33 U.S.C. 1251 note) as section 520; and

"(2) by inserting after section 518 (33 U.S.C. 1377) the following:

"SEC. 519. ENVIRONMENTAL PROTECTION AGENCY GREEN INFRASTRUCTURE PROMOTION.

"(a) In General.—The Administrator shall ensure that the Office of Water, the Office of Enforcement and Compliance Assurance, the Office of Research and Development, and the Office of Policy of the Environmental Protection Agency promote the use of green infrastructure and coordinate the integration of green infrastructure with permitting programs, planning efforts, research, technical assistance, and funding guidance.

"(B) Duties.—The Administrator shall ensure that the Office of Water—

"(1) promotes the use of green infrastructure in the programs of the Environmental Protection Agency; and

"(2) coordinates efforts to increase the use of green infrastructure with—

"(A) other Federal departments and agencies; and

"(B) State, tribal, and local governments; and

"(C) the private sector.

"(B) Green Infrastructure Promotion.—The Administrator shall direct each regional office of the Environmental Protection Agency, as appropriate based on local factors, to develop, with the requirements of this Act, to promote and integrate the use of green infrastructure within the region that includes—

"(1) outreach and training regarding green infrastructure implementation for State, tribal, and local governments, tribal communities, and the private sector; and

"(2) the incorporation of green infrastructure into permitting and other regulatory programs, codes, and ordinance development, including the consideration of cost, adverse impacts, and other factors when considering cost-effectiveness of a permit, which may include green infrastructure guidance.

"(c) Implementation of Integrated Plans Through Enforcement Tools.—

"(1) In General.—In conjunction with an enforcement action under subsection (a) or (b) relating to municipal discharges, the Administrator shall inform a municipality of the opportunity to develop an integrated plan, as defined in section 402(e).

"(2) Modification.—Any municipality under an enforcement action order under subsection (a) or settlement agreement under subsection (b) that has developed an integrated plan consistent with section 402(e) may request a modification of the administrative order or settlement agreement based on that integrated plan.

"(d) Financial Capability Assessment and Schedule Development.—

"(1) In General.—In conjunction with an enforcement action order under subsection (a) or (b) relating to municipal discharges, the Administrator shall inform a municipality of the opportunity to develop an integrated plan, as defined in section 402(e).

"(2) Modification.—Any municipality under an enforcement action order under subsection (a) or settlement agreement under subsection (b) that has developed an integrated plan consistent with section 402(e) may request a modification of the administrative order or settlement agreement based on that integrated plan.

"(e) Enforcement Tools.—The Administrator shall—

"(1) reduce water pollution; and

"(2) protect water resources; and

"(3) comply with regulatory requirements; and

"(4) achieve other environmental, public health, and community goals.

SEC. 7205. FINANCIAL CAPABILITY GUIDANCE.

"(a) Definitions.—In this section:

"(1) Affordability.—The term ‘affordability’ means, with respect to payment of a water utility bill, a measure of whether an individual customer or household can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending of the household, as determined by the Administrator.

"(2) Financial Capability.—The term ‘financial capability’ means the financial capability of a community to make investments necessary to make water quality or drinking water improvements.

"(3) Guidance.—The term ‘guidance’ means the guidance published by the Administrator entitled ‘Cleaned Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development’ and dated February 1997, as applicable to the combined sewer overflows and sanitary sewer overflows guidance published by the Administrator entitled ‘Financial Capability Assessment Framework’ and dated November 21, 2014.

"(b) Use of Median Household Income.—The Administrator shall not use median household income as the sole indicator of affordability for a residential consumer.

"(c) Updating.—Not later than 1 year after the date of completion of the National Academies of Public Administration study to establish a definition and framework for community affordability required by Senate Report 114-70, accompanying S. 1645 (114th Congress), the Administrator shall revise the guidance.

"(d) Consideration and Consultation.—(1) Consideration.—In revising the guidance, the Administrator shall consider:

"(A) the recommendations of the study referred to in subsection (c) and any other relevant study, as determined by the Administrator; and

"(B) local economic conditions, including site-specific local conditions that should be taken into consideration in analyzing financial capability; and

"(C) other essential community investments;

"(D) potential adverse impacts on distressed populations, including the percentage of low-income ratepayers within the service area of a utility and impacts in communities with disparate economic conditions throughout the entire service area; and

"(E) the degree to which rates of low-income consumers would be affected by water infrastructure investments and the use of rate structures to address the rates of low-income consumers;

"(F) an evaluation of an array of factors, the relative importance of which may vary across regions and localities; and

"(G) the appropriate weight for economic, public health, and environmental benefits associated with improved water quality.

"(2) Consultation.—(A) The Administrator shall consult with interested parties to replace the guidance published in the Federal Register and submit to the Committee on Environment and Public Works of the Senate and the Committee on Financial Services of the House of Representatives the updated guidance.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

SEC. 7301. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

"Section 501(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113-121) is amended by striking ‘‘Any activity undertaken under
this section is authorized only to the extent and inserting “Nothing in this section obligates the Secretary to expend funds unless”.

SEC. 7302. WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 2014.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Section 502(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(2)) is amended by striking “carry out” and inserting “provide financial assistance to carry out”.

(b) PROJECTS ELIGIBLE FOR ASSISTANCE.—Section 502(b)(3) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(3)) is amended—

(1) by striking “desalination project” and inserting “desalination project, including chloride control”; and

(2) by striking “or a water recycling project” and inserting “a water recycling project, or a project to provide alternative water supplies to reduce aquifer depletion”.

(c) TERMS AND CONDITIONS.—Section 502(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)) is amended—

(1) in paragraph (7),

(A) by striking “The Secretary” and inserting the following: “(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary”; and

(B) by adding at the end the following:

“(B) P R O J E C T S ELIGIBLE FOR ASSISTANCE.—On request of a community with a population of not more than 10,000 individuals, the Secretary, or the Administrator, as applicable, shall allow the fees under subparagraph (A) to be financed as part of the loan.”; and

(2) by adding at the end the following:

“(19) CREDIT.—Any eligible project costs incurred in compliance with any of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided as federal-aid funding other than a loan under this subtitle (as described in paragraph (2A)(A).)”.

(d) REMOVAL OF PILOT DESIGNATION.—

(1) Subtitle C of title V of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3901 et seq.) is amended by striking the subtitle designation and heading and inserting the following:

“Subtitle C—Innovative Financing Projects”.

(2) Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902) is amended by striking “pilot” each place it appears.

(3) Section 5034 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3913) is amended by striking the section designation and heading and inserting the following:

“SEC. 5304. REPORTS ON PROGRAM IMPLEMENTATION.”

(4) The table of contents for the Water Resources Reform and Development Act of 2014 (Public Law 113–121) is amended—

(A) by striking the item relating to subtitle C of title V and inserting the following: “Subtitle C—Innovative Financing Projects”; and

(B) by striking the item relating to section 5034 and inserting the following:

“Sec. 5304. Reports on program implementation.”

(e) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) appropriated funds made available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) should be in addition to robust funding for the State water pollution control revolving funds authorized under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300–12); and

(2) the appropriations made available for the funds referred to in paragraph (1) should not decrease for any fiscal year.

SEC. 7303. WATER INFRASTRUCTURE INVESTMENT TRUST FUND.

(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the “Water Infrastructure Investment Trust Fund”. Consistent with such amounts as may be appropriated or credited to such fund as provided in this section.

(b) TRANSFER TO TRUST FUND.—There are hereby appropriated to the Water Infrastructure Investment Trust Fund amounts equivalent to the fees received in the Treasury before January 1, 2017 (section 1(B)).

(c) EXPENDITURES.—Except as provided by subsection (d), amounts in the Water Infrastructure Investment Trust Fund shall be available, without further appropriation, as follows:

(1) $50 of the amounts shall be available to the Administrator for making capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381).

(2) $50 of the amounts shall be available to the Administrator for making capitalization grants under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300–12).

(d) INVESTMENT.—Amounts in the Water Infrastructure Investment Trust Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interests, and proceeds from, any such investment shall be available for expenditure in accordance with this Act and the amendments made by this Act.

(e) LIMITATION ON EXPENDITURES.—Amounts in the Water Infrastructure Investment Trust Fund may not be made available for a fiscal year unless the funds appropriated to the Clean Water State Revolving Fund through annual capitalization grants is not less than the average of the annual amounts provided in capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381) for the 5-fiscal-year period immediately preceding such fiscal year.

(f) VOLUNTARY LABELING SYSTEM.—

(1) IN GENERAL.—The Secretary of the Treasury shall, in collaboration with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Secretary provides a label for a fee of 3 cents per unit.

(2) FEE.—

(A) IN GENERAL.—The Secretary shall provide a label for a fee of 3 cents per unit.

(B) DEPOSIT.—Amounts received by the Secretary under subparagraph (A) shall be deposited in the general fund of the Treasury.

(g) EPA STUDY ON WATER PRICING.—

(1) STUDY.—The Administrator, with participation by the States, shall conduct a study of water pricing.

(A) assess the affordability gap faced by low-income populations located in urban and rural areas in obtaining services from clean water systems and wastewater systems; and

(B) analyze options for programs to provide incentives for rate adjustments at the local level to achieve “full cost” or “true value” pricing for such services, while protecting low-income ratepayers from undue burden.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall transmit to the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study.

SEC. 7304. INNOVATIVE WATER TECHNOLOGY GRANT PROGRAM.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term “eligible entity” means—

(1) a public utility, including publicly owned treatment works and clean water systems;

(2) a unit of local government, including a municipality or a joint powers authority;

(3) a private entity, including a farmer or manufacturer;

(4) an institution of higher education;

(5) a research institution or foundation;

(6) a State;

(7) a regional organization; or

(b) GRANT PROGRAM AUTHORIZED.—The Administrator shall carry out a grant program for purposes described in this section to accelerate the development of innovative water technologies that address pressing water challenges.

(c) GRANTS.—In carrying out the program under subsection (b), the Administrator shall make grants to entities that—

(1) finance projects to develop, deploy, test, and improve emerging water technologies in—

(A) municipal drinking water and wastewater treatment systems;

(B) states served by private wells;

(C) water supply systems in arid areas that are experiencing, or have recently experienced, prolonged drought conditions; and

(D) in a manner that reduces ratepayer or community costs over time, including the costs of future capital investments; or

(2) support technologies that, as determined by the Administrator—

(A) improve water quality of a water source;

(B) improve the safety and security of a drinking water delivery system;

(C) minimize contamination of drinking water and drinking water sources, including contamination by lead, bacteria, chlorides, and nitrates;

(D) improve the quality and timeliness and decrease the cost of drinking water quality tests, especially technologies that can be deployed within water systems and at individual faucets to provide accurate real-time testing of water quality with respect to lead, bacteria, and nitrate content;

(E) increase water supplies in arid areas that are experiencing, or have recently experienced, prolonged drought conditions;

(F) treat edge-of-field runoff to improve water quality;

(G) treat agricultural, municipal, and industrial wastewater;

(H) recycle or reuse water;

(I) manage urban storm water runoff;

(J) reduce sewer or stormwater overflows;

(K) evaluate water use;

(L) improve water quality by reducing salinity;

(M) mitigate air quality impacts associated with declining water sources; and

(N) address urgent water quality and human health needs.
(d) Priority Funding.—In making grants under this section, the Administrator shall give priority to projects that have the potential—
(1) to provide substantial cost savings across a sector;
(2) to significantly improve human health or the environment; or
(3) to provide demonstration water supplies with minimal environmental impact.
(e) Cost-Sharing.—The Federal share of the cost incurred by the grantee for the project that has been carried out using a grant made under this section shall be not more than 65 percent.
(f) Limitation.—The maximum amount of a grant provided to a project under this section shall be $5,000,000.
(g) Report.—Each year, the Administrator shall report to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

(b) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $50,000,000 for each fiscal year.

(1) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator for the grants to eligible entities under this section $10,000,000, to remain available until expended.

SEC. 7306. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) Congressional Findings and Declarations.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended—
(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;
(2) in paragraph (8) (as so redesignated), by striking “and” at the end and inserting “; and”;
(3) in subsection (b), by striking “water-related phenomena” and inserting “water resources”; and
(4) in subparagraph (B)(i), by striking “water-use efficiency and conservation; and”.

(1) in subsection (a)—
(2) in subparagraph (B)(i), by striking “water-related phenomena” and inserting “water resources”; and
(3) in subparagraph (D), by striking the period at the end and inserting “; and”;

(b) in subsection (c)—
(1) by striking “From the” and inserting the following:
(2) “In General.—From the”;
(3) by striking “and” at the end and inserting “; and”;
(4) in subsection (b)—
(5) in paragraph (1), by striking “$5,000,000” and inserting “$7,500,000”; and
(6) by striking “$6,000,000 for each of fiscal years 2017 through 2011” and inserting “$7,500,000 for each of fiscal years 2017 through 2021”.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) In General.—The Administrator, in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Director of the National Oceanic and Atmospheric Administration, and other appropriate Federal agencies, and in coordination with the Secretary of the Treasury, the Secretary of Defense, and the Secretary of Transportation, shall—
(1) establish drought resilience guidelines, including—
(A) the identification of drought-related preparedness and mitigation strategies, the effectiveness of those strategies, and the costs and benefits of implementing guidelines and shall issue guidelines; and
(B) the identification of drought-related drought preparedness and mitigation planning and implementation activities, the effectiveness of those activities, and the costs and benefits of implementing guidelines and shall issue guidelines; and
(2) in States that have authorized funding for research and development of drought resilience guidelines, the Administrator shall—
(A) establish priorities for future Federal investments in drought resilience; and
(B) develop national drought resilience guidelines that—
(i) provide recommendations for a period of 10 years that—
(I) address a broad range of potential actions, including—
(aa) an analysis of the impacts of the changing frequency and duration of drought on the future effectiveness of water management tools; and
(bb) the identification of drought-related water management challenges in a broad range of fields, including—

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(1) in the first sentence of subsection (a)—
(A) by striking “$5,000,000” and inserting “$8,000,000”; and
(B) by striking “2013” and inserting “2021”; and
(2) in subsection (b), by striking “for each of fiscal years 2012 through 2013” and inserting “for each of fiscal years 2017 through 2021”.
(i) public health and safety; (ii) municipal and industrial water supply; (iii) agricultural water supply; (iv) water quality; (v) water conservation; and (vi) water supply planning; (C) water management tools to reduce drought-related impacts, including— (i) water loss through gallons per capita reduction goals, appliance efficiency standards, water pricing incentives, and other measures; (ii) water recycling; (iii) groundwater clean-up and storage; (iv) new technologies, such as behavioral water efficiency; and (v) water reuse and reuse; (D) water-related energy and greenhouse gas reduction strategies; and (E) public education and engagement; and (2) include recommendations relating to the processes that Federal, State, and local governments and water utilities should consider when developing drought resilience preparedness and plans, including— (A) the establishment of planning goals; (B) the evaluation of institutional capacity; (C) the assessment of drought-related risks and vulnerabilities, including the integration of climate-related impacts; (D) the establishment of a development process for water evaluation of the cost-effectiveness of potential strategies; (E) the inclusion of private entities, technical advisors, and other stakeholders in the development process; (F) implementation and financing issues; and (G) evaluation of the plan, including any updates, to the eligible State.

SEC. 7108. INNOVATION IN CLEAN WATER STATE REVOLVING FUND.

(a) In General.—Subsection (j)(1)(B) (as redesignated by section 7202(b)(1)(A)(ii)) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended— (1) in clause (iii), by striking “or” and inserting “and”, and (2) in clause (iv), by striking the period at the end and inserting “; or” and; (3) by adding at the end the following: “(v) to encourage the use of innovative water technologies related to any of the issues identified in clauses (i) through (iv) or, as determined by the State, any other eligible project and activity eligible for assistance under subsection (c)”.

(b) INNOVATIVE WATER TECHNOLOGIES.—Section 610 of the Water Pollution Control Act (33 U.S.C. 1383) (as amended by section 7202(b)(1)(A)(ii)) is amended by adding at the end the following: “(k) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for innovation in the deployment of clean water technologies.

REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes— (1) the amount of financial assistance provided by State loan funds to deploy innovative water technologies; (2) the barriers impacting greater use of innovative water technologies; and (3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

SEC. 7401. DRINKING WATER INFRASTRUCTURE.

(a) Definitions.—In this section: (1) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(b) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that has been subject to an emergency declaration referred to in paragraph (1).

STATE REVOLVING LOAN FUND ASSISTANCE.— (1) IN GENERAL.—An eligible system shall be (A) considered to be a disadvantaged community under section 152 of the Safe Drinking Water Act (42 U.S.C. 300f-12); and (B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f-12(a)(2)) and (ii) by striking the heading and inserting “ADDITIONAL ASSISTANCE”;

B) (2) in paragraph (1)— (i) by striking “suspended” and inserting “Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible project, the eligible State may provide any innovative water technology (including technologies to improve water treatment to ensure compliance with this title and to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.”;

(C) in paragraph (2)— (i) by striking “For each fiscal year” and inserting the following: “(A) IN GENERAL.—For each fiscal year,” and (ii) by adding at the end the following: “(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidy that may be made by a eligible State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.”;

(D) in paragraph (3), in the first sentence, by inserting “or portion of a service area,” after “service area” and; (2) by adding at the end the following: “(1) TECHNICAL ASSISTANCE.—The Administrator shall provide technical assistance to facilitate and encourage the provision of financial assistance for innovation in the deployment of clean water technologies.

SEC 7309. INNOVATION IN THE DRINKING WATER STATE REVOLVING FUND.

Section 1502(b) of the Safe Drinking Water Act (42 U.S.C. 300f-12) (as amended by section 7106) is amended— (1) in subsection (d)— (A) by striking the heading and inserting “ADDITIONAL ASSISTANCE”;

B) (2) in paragraph (1)— (i) by striking “suspended” and inserting “Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible project, the eligible State may provide any innovative water technology (including technologies to improve water treatment to ensure compliance with this title and to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.”;

(C) in paragraph (2)— (i) by striking “For each fiscal year” and inserting the following: “(A) IN GENERAL.—For each fiscal year,” and (ii) by adding at the end the following: “(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidy that may be made by a eligible State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.”;

(D) in paragraph (3), in the first sentence, by inserting “or portion of a service area,” after “service area” and; (2) by adding at the end the following: “(1) TECHNICAL ASSISTANCE.—The Administrator shall provide technical assistance to facilitate and encourage the provision of financial assistance for innovation in the deployment of clean water technologies.

SEC. 7402. ADDITIONAL ASSISTANCE.

The Secretary of the Treasury shall make available to the Administrator a total of $100,000,000 to provide additional grants to eligible States pursuant to section 152 of the Safe Drinking Water Act (42 U.S.C. 300f-12) to be available during the period of fiscal years 2016 and 2017 for the purposes described in subsection (b)(2).

(c) ADMINISTRATION OF GRANTS.—From funds made available under paragraph (A), the Administrator shall obligate...
to an eligible State such amounts as are necessary to meet the needs identified in a supplemented intended use plan by not later than 30 days after the date on which the eligible State submits to the Administrator a requested project plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)), that includes a description of the project, the estimated cost of the project, and the projected start date for construction of the project.

(3) ELIGIBLE AMOUNTS.—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 18 months after the date on which the amounts are made available shall be available to provide additional grants to States to capitalize State loan funds as provided under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIPIA FUNDING.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator $70,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) with a goal of providing secured loans totaling at least $700,000,000.

(B) APPLICABILITY.—Any amounts made available under paragraph (A) shall be available to carry out activities described in subsection (c)(1)(A).

(C) EXCLUSION.—Of the amounts made available under subparagraph (A), $20,000,000 shall not be used to provide assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act.

(1) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under paragraph (c) of section 351 of the Internal Revenue Code of 1986.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3001 et seq.) shall apply to funding provided under this subsection.

(1) HEALTH EFFECTS EVALUATION.—

(1) IN GENERAL.—Pursuant to section 104(c)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601(c)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultation and comments to the Health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

SEC. 7402. LOAN FORGIVENESS.

The matter under the heading ‘‘STATE AND THIRAL ASSISTANCE GRANTS’’ under the heading ‘‘ENVIRONMENTAL PROTECTION AGENCY’’ in title XVI of the Consolidated Appropriations Act, 2016 (Public Law 114–113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following:

‘‘to require lead screening; or if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in the drinking water supply, before the date of enactment of this Act: Provided further, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water Revolving Fund capitalization grants to provide an additional subsidy to eligible recipients:’’.

SEC. 7403. REGISTRY FOR LEAD EXPOSURE AND ADVISORY COMMITTEE.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term ‘‘City’’ means a city exposed to lead contamination in the local drinking water supply.

(2) COMMITTEE.—The term ‘‘Committee’’ means the Advisory Committee established under subsection (c).

(3) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Health and Human Services.

(b) LEAD EXPOSURE REGISTRY.—

The Secretary shall establish within the Agency for Toxic Substances and Disease Registry or another relevant agency at the discretion of the Secretary, or establish through a grant awarded to a Federal, State, or local government agency, the lead exposure registry to collect data on the lead exposure of residents of a City on a voluntary basis.

(c) ADVISORY COMMITTEE.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Secretary shall establish an Advisory Committee in coordination with the Director of the Centers for Disease Control and Prevention and other relevant agencies as determined by the Secretary consisting of Federal members and non-Federal members, and which shall include—

(i) an epidemiologist;

(ii) a toxicologist;

(iii) a physician of appropriate specialty;

(iv) a pediatrician;

(v) an early childhood education expert; and

(vi) a dietician;

(B) REQUIREMENTS.—Membership in the Committee shall not exceed 15 members and not less than 1⁄2 of the members shall be Federal members.

(2) CHAIR.—The Secretary shall designate a chair from among the Federal members appointed to the Committee.

(3) TERMS.—Members of the Committee shall serve for a term of not more than 3 years and the Secretary may reappoint members for consecutive terms.

(4) APPLICATION OF FACA.—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(b) PROVISIONS.—The Committee shall, at a minimum, provide a report that includes—

(A) review the Federal programs and services available to individuals and communities exposed to lead poisoning and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with the Secretary as appropriate, the lead exposure registry as established in subsection (b); and

(B) review current research on lead poisoning to identify additional research needs;

(C) review and identify best practices, or the need for research, for lead screening and the prevention of lead poisoning;

(D) identify effective services, including services relating to healthcare, education, and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with the Secretary as appropriate, the lead exposure registry as established in subsection (b); and

(E) undertake any other review or activities that the Secretary determines to be appropriate.

(6) REPORT.—Annually for 5 years and thereafter as determined necessary by the Secretary, or as required by Congress, the Committee shall submit to the Secretary, the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry, the Committees on Appropriations, the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report that includes—

(A) an evaluation of the effectiveness of the Federal programs and services available to individuals and communities exposed to lead poisoning;

(B) an evaluation of additional lead poisoning research needs;

(C) an assessment of any effective screening tools or best practices developed to prevent or screen for lead poisoning;

(D) input and recommendations for improved access to effective services relating to healthcare, education, and nutrition for individuals and communities impacted by lead exposure; and

(E) any other recommendations for communities affected by lead exposure, as appropriate.

(d) MANDATORY FUNDING.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary, to be available during the period of fiscal years 2016 through 2020—

(A) $17,500,000 to carry out subsection (b); and

(B) $2,500,000 to carry out subsection (c).

(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out subsections (b) and (c) the funds transferred under paragraphs (A) and (B) of paragraph (1), respectively, without further appropriation.

SEC. 7404. ADDITIONAL FUNDING FOR CERTAIN CHILDCARE HEALTH PROGRAMS.

(a) CHILDHOOD LEAD POISONING PREVENTION PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Director of the Centers for Disease Control and Prevention, to be available during the period of fiscal years 2017 and 2018, $10,000,000 for the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b–1).

(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out the purposes of this program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b–1) the funds transferred under paragraph (1), without further appropriation.

(b) HEALTHY HOMES PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Housing and Urban Development, to be available during the period of fiscal years 2017 and 2018, $30,000,000 for the Healthy Homes Initiative of the Department of Housing and Urban Development.
President to take any actions to prevent a failure of infrastructure that could cause a major water quality or quantity problem that would seriously affect the public health or welfare of the United States.

The United States shall submit to Congress a report on the groundwater contamination in the area, and shall make such other reports to Congress as the Secretary of State or the Comptroller General of the United States shall require, including the transparency and timeliness of the response, as well as the capacity of the State and City to manage the drinking water system; and.

Subtitle E—Report on Groundwater Contamination

SEC. 7501. DEFINITIONS. In this subtitle:

(A) the remediation of the plume under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and
(B) corrective action under the Solid Waste Disposal Act (42 U.S.C. 9601 et seq.).

(2) WATER.—The term "groundwater" means water in a saturated zone or stratum beneath the surface of land or water.

(3) PLUME.—The term "plume" means any hazardous waste (as defined in section 1004 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) or hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) found in the groundwater supply.

(4) SITE.—The term "site" means the site located at 830 South Oyster Bay Road, Bethpage, New York, 11714 (Environmental Protection Agency identification number NYD002947867).

SEC. 7502. REPORT ON GROUNDWATER CONTAMINATION. Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Navy shall submit to Congress a report on the groundwater contamination from the site that includes:

(1) a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including—
(A) detailed mapping of the movement of the plume over time; and
(B) precipitation and runoff rates of the plume;
(2) an analysis of the current and future impact of the movement of the plume on drinking water supplies.

(3) a comprehensive strategy to prevent the groundwater contaminants from the site contaminating drinking water wells that, as of the date of the submission of the report, have not been affected by the migration of the plume.

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION INITIATIVE

SEC. 7611. GREAT LAKES RESTORATION INITIATIVE. Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1288(c)) is amended by striking paragraph (7) and inserting the following:

'(7) GREAT LAKES RESTORATION INITIATIVE.—

(A) ESTABLISHMENT.—There is established in the Agency a Great Lakes Restoration Initiative referred to in this paragraph as the "Initiative." Each Federal department or agency shall, to the maximum extent practicable—
(B) FOCUS AREAS.—Each fiscal year under a Great Lakes Restoration Initiative, the Initiative shall prioritize programs and projects, carried out in coordination with non-Federal entities or partnerships, that address priority areas, such as—
(i) the remediation of toxic substances and areas of concern;
(ii) the prevention and control of invasive species and the impacts of invasive species;
(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;
(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation;
(v) accountability, monitoring, evaluation, communication, and partnership activities.

(C) PROJECTS.—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration.

(D) ACTIVITIES BY OTHER FEDERAL AGENCIES.—Each relevant Federal department or agency shall, to the maximum extent practicable—
(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and
(ii) identify new activities and projects to support the environmental goals of the Initiative and the Great Lakes Water Quality Agreement.

(E) FUNDING.—(1) IN GENERAL.—There is authorized to be appropriated to carry out this paragraph $300,000,000 for each of fiscal years 2017 through 2021.

(ii) LIMITATION.—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—
(i) this section;
(ii) the Initiative Action Plan; or
(iii) the Great Lakes Water Quality Agreement.

PART II—LAKE TAHOE RESTORATION

SEC. 7621. FINDINGS AND PURPOSES. The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

'(a) FINDINGS.—Congress finds that—
(1) Lake Tahoe—
  
  (A) is one of the largest, deepest, and clearest lakes in the world;
  
  (B) has a cobalt blue color, a biologically diverse fish setting, and remarkable water clarity; and
  
  (C) is recognized nationally and worldwide as a natural resource of special significance;

(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States;
  
  (A) offers skiing, water sports, hiking, camping, and hiking to millions of visitors each year; and
  
  (B) contributes significantly to the economies of California, Nevada, and the United States;

(3) the economy in the Lake Tahoe Basin is dependent on the conservation and restoration of the natural beauty and recreation opportunities in the area;

(4) the ecological health of the Lake Tahoe Basin continues to be challenged by the impacts of land use and transportation patterns developed in the last century;

(5) wetlands, meadows, and stream zone habitat have compromised the capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

(6) forests in the Lake Tahoe Basin suffer from over a century of fire damage and periodic drought, which have resulted in widespread mortality; and

(7) a large quantity of combustible forest fuels, which significantly increases the threat of catastrophic fire and insect infestation;

(8) the establishment of several aquatic and terrestrial invasive species (including perennial pepperweed, milfoil, and Asian clam) threatens the ecosystem of the Lake Tahoe Basin;

(9) there is an ongoing threat to the economy and ecosystem of the Lake Tahoe Basin of the introduction and establishment of other invasive species (such as yellow starthistle, New Zealand mud snail, Zebra mussel, and quagga mussel);

(10) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government; and

(11) the Federal Government has a long history of environmental stewardship at Lake Tahoe, including—

  (A) congressional consent to the establishment of the Planning Agency by Public Law 91-149 (83 Stat. 360); and
  
  (B) the enactment in 1980 of Public Law 96-551 (94 Stat. 3233);

(B) to ensure that Federal, State, local, and private sources are necessary—

  (A) to restore and sustain the ecological health of the Lake Tahoe Basin;
  
  (B) to adapt to the impacts of fluctuating water temperature and precipitation; and
  
  (C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and

(C) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least $100,000,000 annually for the Forest Risk Reduction and Forest Management Program; and

(D) nonnative invasive species management and—

(E) other activities consistent with Forest Service practices, as the Secretary determines to be appropriate.

(10) MAPS.—The term ‘maps’ means the maps—

  (A) entitled—

  (i) ‘LTRA USFS-CA Land Exchange/North Shore’;
  
  (ii) ‘USFS-CA Land Exchange/West Shore’;
  
  (iii) ‘USFS-CA Land Exchange/South Shore’; and

  (B) dated April 12, 2013, and on file and available for public inspection in the appropriate offices of—

  (i) the Forest Service;
  
  (ii) the California Tahoe Conservancy; and

  (iii) the California Department of Parks and Recreation.

(11) NATIONAL WILDLAND FIRE CODE.—The term ‘national wildland fire code’ means—

  (A) the most recent publication of the National Fire Protection Association codes numbered 1141, 1142, 1143, and 1144; and

  (B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or
‘(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).


‘(13) Priority List.—The term ‘Priority List’ means the environmental restoration priority list developed under section 5(b).

‘(14) Secretary.—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Chief of the Forest Service.

‘(15) Stream Environment Zone.—The term ‘Stream Environment Zone’ means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

‘(16) Total Maximum Daily Load.—The term ‘total maximum daily load’ means the maximum amount of a pollutant or combination of pollutants that an aquatic environment can receive without violating water quality standards and the National Ambient Water Quality Standards.

‘(17) Watercraft.—The term ‘watercraft’ means motorized and non-motorized watercraft, including boats, seaplanes, personal watercraft, kayaks, and canoes.’.

‘(A) Water pollution control act.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

‘(B) private ownership, appropriation, or disposal under the public land laws;

‘(C) location, entry, and patent under the mining laws; and

‘(D) disposition under all laws relating to mineral and geothermal leasing.

‘(1) In General.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

‘(A) this Act; or

‘(B) Public Law 96-556 (94 Stat. 3381) (commonly known as the ‘Santini-Burton Act’).

‘(2) Exception.—The term ‘total maximum daily load’ means the environmental threshold carrying capacities.

‘(1) In General.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator, the State and local agencies and organizations, including local fire departments and volunteer groups.

‘(B) Goals.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public and private entities.

‘(C) Multiple Benefits.—

‘(A) In General.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

‘(i) except as provided in subparagraph (B), retains multiple ecosystem benefits, including—

‘(I) improving water quality, including in Stream Environment Zones; and

‘(II) increasing resilience to changing water temperature and precipitation; and

‘(II) multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

‘(3) Ground Disturbance.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

‘(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

‘(B) provide for monitoring to ascertain the attainment of the post-program conditions.

‘(11) Withdrawal of Federal land.—

‘(2) In General.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

‘(A) the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for each program category described in subsection (d).

‘(2) Criteria.—The ranking of the Priority List shall be based on the best available science and the following criteria:

‘(A) the computer program threshold carrying capacity evaluation.

‘(B) The ability to measure progress or success of the program.

‘(C) The ability of the program to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

‘(D) The ability of a program to provide multiple benefits.

‘(E) The ability of a program to leverage non-Federal contributions.

‘(F) Stakeholder support for the program.

‘(G) The justification of Federal interest.

‘(H) Agency priority.

‘(I) Cost-effectiveness.

‘(K) Federal funding history.

‘(L) Revisions.—The Priority List submitted under paragraph (1) shall be revised every 2 years.

‘(4) Funding.—Of the amounts made available under section 10(a), $300,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

‘(5) Restrictions.—The Administrator shall use not more than 3 percent of the funds provided under subsection (a) for administering the programs described in paragraph (1) and (2) of this section.

‘(1) Fire Risk Reduction and Forest Management Programs.—

‘(A) In General.—Of the amounts made available under section 10(a), $150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

‘(i) Programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

‘(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted new model fire codes to implement the applicable portion of the 10-year plan described in clause (i).

‘(iii) Biomass programs, including feasibility assessments.

‘(iv) Angora Fire Restoration under the jurisdiction of the Secretary.

‘(v) Washoe Tribe programs on tribal lands within the Lake Tahoe Basin.

‘(vi) Development of an updated Lake Tahoe Basin multipurpose federal fuels management and wildfire protection plans by local fire districts.

‘(vii) Municipal water infrastructure that significantly improves the firefighting capability of local government within the Lake Tahoe Basin.


‘(B) Minimum Allocation.—Of the amounts made available to the Secretary to carry out subparagraph (A), at least $100,000,000 shall be used by the Secretary for programs under subparagraph (A)(i).

‘(C) Priority.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

‘(D) Cost-Sharing Requirements.—

‘(i) In General.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25-percent match.

‘(ii) Matches.—The term “match” means—

‘(I) in general.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions including funding for labor, equipment, supplies, space, and other operational needs.

‘(II) Credit for Certain Dedicated Funding.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or yardwork chipping.

‘(III) Documentation.—Communities and local fire districts shall—
“(aa) maintain a record of in-kind contributions that describes—

“(AA) the monetary value of the in-kind contributions; and

“(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

“(bb) document in all requests for Federal funding in the total Federal budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

“(2) AQUATIC SPECIES MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), $45,000,000 shall be made available to the Director of the United States Forest Service, the Secretaries of the Interior and the Army, the United States Fish and Wildlife Service, the Cooperative Institute for the Study of Environmental Systems, the Aquatic Invasive Species Program and the watercraft inspections described in subparagraph (B).

“(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

“(C) CRITERIA.—The strategies referred to in paragraph (B) shall include a method to decontaminate watercraft not be allowed to launch in waters of the Lake Tahoe region if the watercraft has not been inspected in accordance with the Lake Tahoe Aquatic Invasive Species Management Plan.

“(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe region.

“(E) APPLICABILITY.—The strategies and criteria developed under this paragraph shall apply to watercraft not be launched on water within the Lake Tahoe region.

“(F) PERS.—The Director of the United States Fish and Wildlife Service may collect and spend funds made available under section 10(a), $45,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.

“SEC. 7625. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

“The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2381) is amended by striking section 6 and inserting the following:

“SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

“(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

“(1) IN GENERAL.—Of the amounts made available under section 10(a), not less than $5,000,000 shall be made available to the Secretary to carry out this section.

“(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

“(b) CERTIFICATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Department of Agriculture, the Department of Commerce, the Department of the Interior, the Department of Labor, the Department of the Treasury, the Department of Transportation, the Environmental Protection Agency, the Forest Service, the Fish and Wildlife Service, and the National Park Service, and include in the total program contributions assist in accomplishing program goals and objectives.

“(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

“(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with the Forest Service and the Fish and Wildlife Service to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

“(2) LOCAL COOPERATION AGREEMENTS.—

“(A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

“(B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—

“(i) describe the nature of the technical assistance;

“(ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

“(iii) include cost-sharing provisions in accordance with subparagraph (C).

“(C) FEDERAL SHARE.—

“(i) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 55 percent of the program costs.

“(ii) FORM.—The Federal share may be in the form of reimbursements of program costs.

“(d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Secretary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—

“(1) develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program;

“(2) include funds in each year funded under this section for monitoring and assessment of results at the program level; and

“(3) use the integrated multiagency performance measures established under this section.

“(e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—

“(A) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—

“(i) the program scope; and

“(ii) the budget for the program; and

“(f) ENSURE THAT THE STATE GOVERNMENTS AND THE PRIVATE SECTOR PROVIDE PROGRAMS FOR THE ENVIRONMENTAL IMPROVEMENT PROGRAM.

“(g) ACCOMPLISHMENTS IN THE PRECEDING FISCAL YEAR.—To implement the Environmental Improvement Program;

“(h) ACCOMPLISHMENTS IN THE PRECEDING FISCAL YEAR—

“(1) In carrying out this Act, the Secretaries and the Directors shall submit a report regarding each Federal agency involved in the Environmental Improvement Program Program.

“(2) In carrying out this Act, the Secretaries and the Directors shall submit a report regarding the performance measures and other monitoring and assessment activities; and

“(i) public education and outreach efforts undertaken to implement programs authorized under this Act.

“(j) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit a plan regarding each Federal agency involved in the Environmental Improvement Program Program (including the Forest Service, the Environmental Protection Agency, the Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

“(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

“(2) a detailed accounting of all amounts received and obligated by Federal agencies for the preceding fiscal year under the goals of the Environmental Improvement Program.
“(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin; and

SEC. 7626. CONFORMING AMENDMENTS; UPDATES TO RELATED LAWS.

(a) LAKE TAHOE RESTORATION ACT.—The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesigning sections 10, 11, and 12 as sections 8, 9, and 10, respectively; and

(3) in section 9 (as redesignated by paragraph (2)) by inserting “Secretary” after “Administrator, or the Directors for enforcement”.

(b) TAHOE REGIONAL PLANNING COMPACT.—Subsection (c) of Article V of the Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3280) is amended in the third sentence—

“maintain the regional plan”.

(c) TREATMENT UNDER TITLE 49, UNITED STATES CODE.—Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by striking “and 2 square miles of land area” after “145,000”; and

(2) by inserting “and 12 square miles of land area” after “55,000”.

SEC. 7627. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 10 (as redesignated by section (a)) and inserting the following:

**SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $145,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Water Resources Development Act of 2016.

“(b) EFFECT ON OTHER FUNDS.—Amounts authorized under paragraph (a) and any amendments made by this Act—

“(1) shall be in addition to any other amounts made available to the Secretary, the Administrator, or the Directors for reclamation in the Lake Tahoe Basin; and

“(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Conservation, or the United States Fish and Wildlife Service.

“(c) COST-SHARING REQUIREMENT.—Except as provided in paragraph (a) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

“(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts 5% of the costs of relocating facilities in connection with—

“(1) environmental restoration programs under sections 5 and 6; and

“(2) environmental conservation programs under section 2 of Public Law 96–586 (94 Stat. 3381).

“(e) SIGNAGE.—To the maximum extent practicable, a program provided assistance under this Act shall include appropriate signage at the program site that—

“(1) provides information to the public on—

“(A) the amount of Federal funds being provided to the program; and

“(B) this Act; and

“(2) displays the visual identity mark of the Environmental Improvement Program.”

SEC. 7628. LAND TRANSFERS TO IMPROVE MANAGEMENT EFFICIENCIES OF FEDERAL AND STATE LAND.

Section 3 of Public Law 96–586 (94 Stat. 3384) (commonly known as the “Santini-Buron Act”) is amended—

(1) by striking “(b) Lands” and inserting the following:

“(b) ADMINISTRATION OF ACQUIRED LAND.—

“(1) IN GENERAL.—Land; and

“(2) by adding the following:

“(2) CALIFORNIA CONVEYANCES.—

“(A) IN GENERAL.—If the State of California (acting through the California Tahoe Conservancy and the California Department of Parks and Recreation) offers to donate to the United States acceptable title to the non-Federal land described in subparagraph (B)(i), the Secretary—

“(I) may accept the offer; and

“(ii) not later than 180 days after the date on which the conditions acceptable title to the non-Federal land described in subparagraph (B)(i), convey to the State of California, subject to valid existing rights and for no consideration, the interest of the United States in and to the Federal land that is acceptable to the State of California.

“(B) DESCRIPTION OF LAND.—

“(I) NON-FEDERAL LAND.—The non-Federal land referred to in subparagraph (A) includes—

“(i) the approximately 1,981 acres of land administered by the California Tahoe Conservancy and identified on the Maps as ‘Conservancy to the United States Forest Service’; and

“(ii) the approximately 187 acres of land administered by California State Parks and identified on the Maps as ‘State Parks to the U.S. Forest Service’.

“(ii) FEDERAL LAND.—The Federal land referred to in subparagraph (A) includes the approximately 1,965 acres of Forest Service land identified on the Maps as ‘U.S. Forest Service to Conservancy and State Parks’.

“(C) CONDITIONS.—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies; and

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(D) ADMINISTRATION.—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2) or (3), the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

“(E) FUNDING.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351), $2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2) and (3).

“(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be transferred to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).

PART III—LONG ISLAND SOUND RESTORATION

SEC. 7631. RESTORATION AND STewardSHIP PROGRAMS.

(a) LONG ISLAND SOUND RESTORATION PROGRAM.—Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) in subsection (b), by striking the sub-section designation and heading and all that follows through “The Office shall” and inserting the following:

“(B) OFFICE.—

“(i) Establishment.—The Administrator shall—

“(A) continue to carry out the conference study; and

“(B) establish an office, to be located on or near Long Island Sound.

“(2) ADMINISTRATION AND STAFFING.—The Office shall—

“(A) establish an office, to be located on or near Long Island Sound.

“(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be transferred to the California Tahoe Conservancy to facilitate the conveyance of land identified on the Maps as ‘State Parks to the U.S. Forest Service’.

“(C) CONDITIONS.—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies; and

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(A) to ensure compliance with this Act; and

“(B) to ensure that the transfer of development rights associated with the conveyed parcels shall not be recognized or available for transfer under chapter 51 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(D) NEVADA CONVEYANCES.—

“(1) IN GENERAL.—If the State of Nevada, or the Secretary, as the case may be, accepts an offer to acquire a parcel of land from a private party for a consideration, subject to appropriate deed restrictions to protect the environmental quality and public recreational use of the land transferred.

“(2) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) includes—

“(A) the approximately 38.68 acres of Forest Service land identified on the Maps as ‘Van Sickle Unit USFS Inholding’; and

“(B) the approximately 38.68 acres of Forest Service land identified on the Maps as ‘Lake Tahoe Nevada State Park USFS Inholding’.

“(E) CONVEYANCES.—If the Secretary accepts an offer of a parcel of land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies; and

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(F) ADMINISTRATION.—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2) or (3), the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

“(G) FUNDING.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351), $2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2) and (3).

“(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be transferred to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).
(C) by striking paragraph (4) and inserting the following:

"(4) develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of Long Island Sound;"

(D) in paragraph (5), by inserting "study" after "as appropriate";

(E) in paragraph (6)—

(i) by inserting "(including on the Internet)" after "the public"; and

(ii) by inserting "study" after "conference"; and

(F) by striking paragraph (7) and inserting the following:

"(7) The progress toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring system for the ecological health and water quality conditions of Long Island Sound; and"

(3) in subsection (d)(3), in the second sentence, by striking "50 percent" and inserting "60 percent";

(4) by redesignating subsection (f) as subsection (e); and

(5) by inserting after subsection (e) the following:


(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Director of the Office, in consultation with the Governor of each Long Island Sound State, shall submit to Congress a report that—

(A) summarizes and assesses the progress made by the Office and the Long Island Sound States in implementing the Long Island Sound Comprehensive Conservation and Management Plan, including an assessment of the actions toward meeting the performance goals and milestones contained in the Plan;

(B) assesses the key ecological attributes that reflect the health of the ecosystem of the Long Island Sound watershed;

(C) describes any substantive modifications to the Long Island Sound Comprehensive Conservation and Management Plan made during the 2-year period following the date of submission of the report;

(D) provides specific recommendations to improve the monitoring, protecting and restoring the Long Island Sound watershed, including, as appropriate, proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan;

(E) identifies priority actions for implementation of the Long Island Sound Comprehensive Conservation and Management Plan during the 2-year period following the date of submission of the report; and

(F) describes the means by which Federal funding and actions will be coordinated with the actions of the Long Island Sound States and other entities.

(2) PUBLIC AVAILABILITY.—The Administrator shall make the report described in paragraph (1) available to the public, including on the Internet.

(g) ANNUAL BUDGET.—The President shall submit, together with the annual budget of the United States Government submitted under section 1105(a) of title 31, United States Code, information regarding each Federal department and agency involved in restoration and protection of the Long Island Sound watershed, including—

(1) an interagency crosscut budget that displays the amount of funds that the individual department and agency obligated during the preceding fiscal year for protection and restoration projects and studies relating to the watershed;

(2) the estimated budget for the current fiscal year for protection and restoration projects and studies relating to the watershed;

(3) the proposed budget for succeeding fiscal years for protection and restoration projects and studies relating to the watershed; and

(4) a summary of any proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan for the following fiscal year.

(h) FEDERAL ENTITIES.—

(1) COORDINATING COMMITTEE.—The Administrator shall coordinate the actions of all Federal departments and agencies that impact water quality in the Long Island Sound watershed in order to improve the water quality and living resources of the watershed.

(2) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

(A) enter into interagency agreements; and

(B) make intergovernmental personnel appointments.

(i) CONSISTENCY WITH COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN.—To the maximum extent practicable, the head of each Federal department and agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall participate in regional and subwatershed planning, protection, and restoration activities with respect to the watershed.

(j) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

(A) enter into interagency agreements; and

(B) make intergovernmental personnel appointments.

(3) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

(4) FEDERAL PARTICIPATION IN WATERSHED PLANNING.—A Federal department or agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall ensure that the property and all activities carried out by the department or agency are consistent with the Long Island Sound Comprehensive Conservation and Management Plan (including any related subsequent agreements and plans).

(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM—

(1) LONG ISLAND SOUND STEWARDSHIP ADVISORY COMMITTEE.—Section 8 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) in subsection (a) by inserting "2011", and inserting "2021"; and

(B) by adding at the end the following:

"(C) by adding at the end the following:

"(D) by adding at the end the following:

"(E) by the following:

"(F) by the following:

"(G) by the following:

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"(T) by the following:

"(U) by the following:

"(V) by the following:

"(W) by the following:

"(X) by the following:

"(Y) by the following:

"(Z) by the following:

(2) REPORTS.—Section 9(b)(1) of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) by striking the authors, and inserting in their stead "2021"; and

(B) by adding at the end the following:

"(C) by striking the following:

"(D) by striking the following:

"(E) by striking the following:

"(F) by striking the following:

"(G) by striking the following:

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"(W) by striking the following:

"(X) by striking the following:

"(Y) by striking the following:

"(Z) by striking the following:

(3) AUTHORIZATION.—Section 11 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) by striking subsection (a); and

(B) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (a) (as so redesignated), by striking "under this section each" and inserting "to carry out this Act for a".

(f) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2011.

SEC. 7632. REAUTHORIZATION.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act—

(1) section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269), other than subsection (d) of that section; and


(b) LONG ISLAND SOUND GRANTS.—There is authorized to be appropriated to the Administrator to carry out the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) $25,000,000 for each of fiscal years 2017 through 2021.

Subtitle G—Offset

SEC. 7701. OFFSET.

None of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.

AMENDMENT NO. 4979

(Purpose: In the nature of a substitute.)

Mr. McCONNELL. Mr. President, I call up the Inhofe-Boxer substitute amendment No. 4979.

Mr. INHOFE. Mr. President, I withdraw the committee-reported amendments.

The PRESIDING OFFICER. The amendments are withdrawn.

AMENDMENT NO. 4979

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is printed in today’s RECORD under “Text of Amendments.”

AMENDMENT NO. 4980 TO AMENDMENT NO. 4979

Mr. INHOFE. Mr. President, I call up amendment No. 4980.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell], for Mr. Inhofe, proposes an amendment numbered 4979.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is printed in today’s RECORD under “Text of Amendments.”

AMENDMENT NO. 4980 TO AMENDMENT NO. 4979

Mr. INHOFE. Mr. President, I call up amendment No. 4980. The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. Inhofe] proposes an amendment numbered 4980 to amendment No. 4979.

Mr. INHOFE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make a technical correction)

Strike section 6002 and insert the following:

"SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be...
The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent I be recognized for as much time as I shall consume.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. Mr. President, first of all, let me say something about this. I would ask if Senator BOXER would like to be heard before I make some remarks on this or if we can have a colloquy, in which case I would ask a question. We have done some good things in our committee, and we have two different people who don’t think alike on a lot of issues. However, we both agree that infrastructure is important. We got through a highway bill that many people said couldn’t be done. It hadn’t been done since 1998, and we were able to do that significantly. We got through the chemical bill, about which a lot of people said “No, that is not going to be done,” and yet we did.

I look at this, and we have many things right now that should go into a WRDA bill. Initially, the Water Resources Development Act was going to be coming up every 2 years. We went through a period of time when that wasn’t the case. Both the minority and the majority of our committee, the Environment and Public Works Committee, have agreed that we should get back to that 2-year cycle. That is what we are doing today.

I would ask Senator BOXER: Do you agree that we have done a pretty good job on some of these and we need to keep going?

Mrs. BOXER. If I might respond to my friend through the Chair, he speaks for me on a lot of these infrastructure issues. It does shock a lot of people because they know that the most conservative, the most progressive—how could they ever get along? What I tell people is that we respect each other’s points of view. When we can’t agree, we don’t get personal about it; we accept each other’s opinion. Where we can work together, we find the sweet spot, and we have done it several times.

In terms of water infrastructure, I want to say that the people in this country have a right to have clean water. They have to have ports that work and the dredging is kept up with. They have to have ecosystem restoration where our marshlands are—we are losing them, and they are flood controlled. And many, many Corps of Engineers reports that have been done—we don’t want them to sit around because, as my dear friend knows, if we don’t pass WRDA, there is no authority for the Corps to move forward.

We have these projects all over. So this bill is about saving lives from floods, saving lives from lead in water. It is about major economic benefits to our Nation.

I would say, with my friend’s support and my support back to him, we created this WIFIA program that we based on the TIFIA program—transportation infrastructure financing. Now we have water infrastructure financing. What this does is allow communities to leverage the funds that they have, get a very low-interest loan, and move forward and make sure that they modernize their water systems.

I am so pleased that we were able to have this agreement. This is another one of our usual “Perils of Pauline” where we think we are going to the bill, and then we are not. Everybody acted in good faith—Senator REID, Senator MCCONNELL, Senator INHOFE and I, and Senators from Michigan and Senators from all over the country.

As I wind down my days here, I am so honored to have this opportunity to once again work with my dear friend, and what a pleasure it is. People don’t get it. They don’t get the fact that we actually can set aside our differences, which are great, and come together. I know he is going to be—regardless of what happens in the election, I think the Senator is going to be I think the chairman of Armed Services. Is that correct? Maybe—or maybe ranking.

Mr. INHOFE. A lot of things have not transpired yet.

Mrs. BOXER. We don’t know where he is going to land. What I want to say is that wherever he does land, it is going to be a fortunate thing for the Democrat who is his partner.

Working with Senator INHOFE has been so amazing and so productive, and this bill is a great symbol of the work we have done together. I am so thrilled. I hope that our colleagues will work with us because we want to help everybody, but we also want to make sure there are no poison pills and no crazy amendments that set us back. We will work together on that in good faith.

WATER RESOURCES DEVELOPMENT ACT

Mr. President, I rise today to speak in support of S. 2848, the Water Resources Development Act of 2016—WRDA—a bill that will repair our aging infrastructure, grow the economy, and create jobs. This legislation is the latest in a long list of bipartisan infrastructure bills produced by the

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<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Director’s Report</th>
<th>D. Updated Authorization Project Costs</th>
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<td>2. MO</td>
<td>Blue River Basin</td>
<td>November 6, 2015</td>
<td>Estimated Federal: $34,860,000  Estimated Non-Federal: $11,620,000  Total: $46,480,000</td>
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<td>Picayune Strand</td>
<td>March 9, 2016</td>
<td>Estimated Federal: $308,983,000  Estimated Non-Federal: $308,983,000  Total: $617,967,000</td>
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<td>Ohio River Shoreline</td>
<td>March 11, 2016</td>
<td>Estimated Federal: $20,309,900  Estimated Non-Federal: $10,936,100  Total: $31,246,000</td>
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<td>5. TX</td>
<td>Houston Ship Channel</td>
<td>May 13, 2016</td>
<td>Estimated Federal: $381,032,000  Estimated Non-Federal: $127,178,000  Total: $508,210,000</td>
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<td>7. MO</td>
<td>Swope Park Industrial Area, Blue River</td>
<td>April 21, 2016</td>
<td>Estimated Federal: $20,205,250  Estimated Non-Federal: $10,879,750  Total: $31,085,000</td>
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Environment and Public Works Committee. In April, this bill passed out of the EPW Committee with overwhelming support—19 to 1. We have a long track record of passing these infrastructure bills into law, and I am confident we can do it again with WRDA 2016.

This bill is desperately needed. As I have often said in recent months, the drinking water crisis in Flint, MI, puts a spotlight on our Nation’s infrastructure challenges. The American Society of Civil Engineers rates the Nation’s infrastructure a D-plus—hardly a grade to be proud of.

WRDA 2016 responds to our nation’s infrastructure crisis. It allows additional investment to strengthen levees, dams, and navigation channels. It also addresses lead contamination in Flint and similar cities across the country that are dealing with aging lead pipes, such as Jackson, MS, Sebring, OH, and Durham, NC.

The American people have a right to expect safe, clean water when they turn on their faucets, and sadly, millions of homes across America still receive their water from crumbling pipes containing toxins such as lead. The American Society of Civil Engineers estimates that as many as 22 million people live in homes that receive water from lead service lines.

This bill begins the much-needed work to ensure safe, reliable drinking water across the Nation. It provides $100 million in State Revolving Fund loans and grants for communities with a declared drinking water emergency. It also provides more than $700 million in loans under the Water Infrastructure Finance and Innovation Act, or WIFIA, for projects to replace crumbling infrastructure. The WRDA bill helps those communities dealing with the horrible effects of lead poisoning by investing in public health programs to help identify children with lead poisoning.

The bill also changes the law to require that communities are quickly notified if high lead levels are found in their drinking water to help prevent the mistakes made in Flint from being repeated. This bill is a comprehensive response to the national infrastructure crisis that was brought to light by the disaster in Flint.

This WRDA bill will also provide many other important benefits to the American people, business, and the Nation’s economy through the critical programs of the U.S. Army Corps of Engineers. For example, the bill authorizes over $12 billion for 29 Chief’s Reports in 18 States. These projects address critical needs for flood management, coastal storm damage reduction, and ecosystem restoration.

The bill authorizes important projects to maintain vital navigation routes for commerce and the movement of goods, and builds on the provisions to the Harbor Maintenance Trust Fund, HMTF, in the 2014 WRDA bill. These include permanently extending prioritization for donor and energy transfer ports and emerging harbors, allowing additional ports to qualify for these funds, and making clear that the Corps can maintain harbors of refuge. Our ports and waterways—which are essential to the U.S. economy—moved 2.3 billion tons of goods in 2014.

In addition to providing major economic benefits, this legislation will save lives. Storms and floods in recent years have resulted in the loss of life, causing tens of dollars of damage, and wiped out entire communities. This bill will help rebuild critical levee systems around the country, including levees to protect the capital of my State and surrounding communities.

WRDA also authorizes over $1.3 billion in dollars and reserves at FEMA to fund the repair of high hazard dams that present a public safety threat. These hazardous dams are threatening numerous communities across the country.

This bill authorizes and updates programs to advance the restoration of some of the nation’s most iconic ecosystems, such as Lake Tahoe, the Great Lakes, Long Island Sound, the Delaware River Basin, and Puget Sound. It will also help to revitalize the Los Angeles River, restore wetlands in San Francisco Bay, and provide critical habitat and improve air quality near the Salton Sea in California.

WRDA also responds to the serious challenges many of our communities are facing from ongoing drought. It expands opportunities for local communities to work with the Corps to implement innovative approaches and leverage state and private dollars to increase water supplies and better conserve existing water resources.

The bill also builds on legislation I introduced called the Water in the 21st Century Act, or W21, to provide essential support for development of innovative water technologies, such as desalination and water recycling. The bill allows States to provide additional incentives for the use of innovative technologies through Revolving Fund programs, establishes a new innovative water technology grant program, and reauthorizes successful existing programs, such as the Water Desalination Act.

WRDA 2016 will invest in our Nation’s water infrastructure, create jobs in the construction industry, protect our people from flooding, enable commerce to move through our ports, encourage innovative financing, and begin the hard work of preparing for and responding to extreme weather.

WRDA 2016 is a truly bipartisan bill that benefits every region of this country.

Let me close by thanking my EPW chairman, Senator INHOFE, for his work on this bill. While we do not always agree on every issue, I am glad we were able to come together on this vital legislation to pass it out of our committee with an overwhelmingly bipartisan vote.

I urge the Senate to quickly pass this critical legislation, and the House to follow suit, so that we can send this bill to the President’s desk.

With that, I yield the floor back to my friend. I thank him for yielding to me. I look forward to rolling up our sleeves and getting this done.

MR. INHOFE. Let me yield the Senator from California. Let’s continue this productivity. We have a chance to do it now on this very significant bill.

We had a conversation with the leadership, and I think she and I and the leaders have some limitations on amendments. I have been over here asking for our Members to bring amendments several times now. Actually, we started this about 3 weeks ago. I don’t have them in my hands yet. I would suggest since we have this tentative agreement that all amendments would go through the managers—that is, through Senator BOXER and me—that we go ahead and say they have to be germane, and if they are not in by noon on Friday, no more amendments are allowed.

It seems as though we always have to have deadlines around here to get things done. I will be proposing that after I make a few remarks, and I think our Members can depend on that being a condition.

Does that sound reasonable to the Senator?

Mrs. BOXER. It sounds very fair to me actually.

MR. INHOFE. That’s good.

Let’s talk a little bit about this because yesterday I talked about what is going to happen if we don’t pass a WRDA bill. Keep in mind that we have gone sometimes as long as 7 or 8 years without passing one. We are supposed to do it every 2 years, and I think this could be the time that it will become a reality.

I will repeat what I said yesterday: What will happen if we don’t have a bill? I think every Member, Democrat and Republican, will be affected by this and will be concerned if we don’t get this legislation passed. First of all, there are 29 navigation flood control and environmental restoration projects that will not happen unless we pass this bill. There will be no new Corps reforms that will let local sponsors improve infrastructure at their own expense. I will talk a little bit about that because it is not very often that we have a bill where we have to encourage people to let other people pay for what the government would normally be paying for. We have come to an agreement in this bill, which is a good thing, and it is a good provision.

If we don’t pass the bill, there is not going to be any FEMA assistance to the States that need to rehabilitate the unsafe dams.

If we don’t pass the bill, there will be no reforms to help communities address clean and safe drinking water infrastructures. I come from a State where we have a lot of small rural communities, which don’t have an abundance of resources. Back when I was mayor of Tulsa, the biggest enemy I
had been unfunded mandates. The Federal Government would come along and say “You have to do this,” and yet we had to figure out a way to pay for it. That is what we are trying to get away from, and this bill helps us do that.

If the bill, there will not be new assistance for innovative approaches to clean water and drinking water needs, and there will be no protection for the coal utilities from runaway coal-ash lawsuits. We have specifically addressed that.

I have no problem that there are a lot of things we worked out in this bill that Democrats like and the Republicans don’t like and Republicans don’t like and Democrats like, but that is how we got things done. Sooner or later there is an outcry out there for us to get things done, and this is certainly a good way to encourage these people to understand that there is hope in what we are doing.

I have some charts, and the first one I want to show is the map of the inland waterway system. There are 40 States that are directly served by ports and waterways maintained by the Corps of Engineers. This system handles over 2.3 billion tons of freight each year, and this commerce is critical to the United States.

I invite everyone to look at this chart. This is Tulsa, OK. Everyone knows where Oklahoma is. It is kind of in the middle of the United States. How many people in America know that we are navigable in Tulsa, OK? We have a navigation way that goes all the way up and down. We are fighting to keep the navigation way strong, and that is what this bill is all about. If you look at all of the things that are being serviced here—that is what this bill is all about. That is how far-reaching it is.

We have to keep our water transportation system operational. For example, the senior vice president of Marathon Petroleum Corporation told the Environmental Protection Committee, my committee, that they have a number of situations up and down the Ohio River where lock gates have failed to function and Marathons’s barges were stopped for 50 or 60 days at the cost of millions and millions of dollars. He told us there was one lock where the gate literally fell off and took months to repair.

The second chart we have is the Ohio lock repair. This chart, I can’t tell you how old it is, but this is what it looks like when you get down there. When we have lock problems in my State of Oklahoma, I go out there and get down there with them and look to see what we can do. But that is fairly recent in Oklahoma.

Looking at the Ohio River, I can’t tell you how old it is, but you can see the repairs that need to take place. This problem is not exclusive to the Ohio River. It exists in most major locks throughout the inland waterway. These projects are experiencing a slow creep of Federal inaction.

Under the current law, a local sponsor, such as a port, has to wait for the Corps to get Federal appropriations and issue Federal contracts before locks, dams, and ports can be maintained. Even when a lock gate is literally falling off, under current law, they are not allowed to use their own money to help out.

If the bill, the maintenance budget is stretched thin so WRDA 2016 comes up with a solution, and this is a logical solution. In WRDA, the bill that we are going to consider and will hopefully pass, we allow ports, even give money to the Corps to carry out maintenance or do their own maintenance using their own dollars. This is an opportunity. These are not taxpayer dollars, but the need is so critical that there are people out there willing to do this, and we will be able to do that with the passage of this bill.

We also have to modernize our ports. We have to invest in our Nation’s ports now so that American ports can handle larger post-Panamax vessels. The new vessels that are sailing through the Panama Canal now are vessels that require a greater depth. Here is a comparison. The top is the post-Panamax, and the bottom is what we are using today. You can get an idea of the number of containers that they can transport.

This picture shows the current Panamax vessel on the bottom and the new post-Panamax vessel on top. As you can see, the post-Panamax vessel can handle double the cargo of their predecessor. This increase in cargo volume means cheaper shipping costs, which translates into cheaper costs for consumers, but in order to achieve this, we have to deepen our Nation’s strategic ports to accommodate it. WRDA 2016, the bill we are talking about now, has a number of provisions that will ensure that we grow the economy, increase our competitiveness in the global marketplace, and promote waterways all along the length of the Ohio River. The provisions include important harbor deepening projects for Charleston, SC, Port Everglades, FL, Brownsville, TX, and throughout America.

This chart shows the Charleston Harbor. It is authorized to be deepened under this bill. Right now it is 45 feet deep. In order to use the Panamax to come into that particular port, it has to be closer to 51 feet instead of 45 feet. What happens if that doesn’t happen? If it does not happen, we no longer can go to someplace in the Caribbean where they offload the large vessel and divide it up into smaller vessels, which dramatically increases the costs. Anyone who is concerned about low costs has to keep in mind that this is a major opportunity not just for Charleston Harbor, but for harbors throughout the United States.

Let’s talk about flood control. Let’s start with the levees. The Corps built 14,700 miles of levees that protect billions of dollars of infrastructure and homes. We have some of these levees in my hometown of Tulsa, OK. The Corps projects prevent nearly $50 billion a year in damages. Many of these levees were built a long time ago, and some have recently failed.

This chart shows the Iowa River levee breach. This is a levee in Iowa that was overtopped and eventually breached by disastrous floodwaters. In many cases levees like this were constructed by the engineers decades ago and no longer meet the Corps post-Katrina engineering design guidelines. Also, FEMA has decided that many of these levees don’t meet FEMA flood insurance standards. So, through these breaches, a levee district needs permission from the Corps to upgrade a levee to meet FEMA standards. Several Members of this body have told me that their local levee districts are caught up in a bureaucratic nightmare when they try to get that permission from the Corps.

Well, you shouldn’t have to do that. Everyone benefits from this. We are streamlining the process to allow levee districts to improve their own levees by using their own money to do it in WRDA. That is non-taxpayer money, and I don’t know who could oppose this effort.

There is also an issue with how the Corps rebuilds levees that have been damaged by flood. Right now the Corps will rebuild only to the preexisting level protection, which may be inadequate and may not meet FEMA standards. Einstein defined insanity as doing the same thing over and over again and expecting to have different results. To stop this insanity of wasting Federal dollars by rebuilding the same inadequate levee over and over again, WRDA 2016 allows local levee districts to increase the level of flood protection at their expense when the Corps is rebuilding a levee after a flood. No one can argue with that one.

Let’s talk about dams. According to the Corps National Inventory of Dams, there are 14,726 high hazard potential dams in the United States. A high hazard potential dam is defined as a dam that will result in the loss of lives. If you look at this, this is a dam that broke. When that happens downstream, you know people are going to die. This is an area where we can’t imagine that anyone would object to it.

This is a picture of a dam in Iowa that failed in June of 2010 after the area received 10 inches of rain. We can avoid disasters like this by making the necessary investments in our water resources infrastructure. By not passing WRDA, we leave communities like this one, and many others throughout the country, vulnerable to catastrophic events. WRDA 2016 helps avoid disasters like this by providing two new dam safety programs.

Keep in mind, we are talking about 14,000 high hazard potential dams—life-threatening dams—right now. One is operated by FEMA to support State dam programs, and one is administered by the Bureau of Indian Affairs to support tribes. Those are the two efforts that we are making.
Let’s talk about the EPA clean water and drinking water mandates. Communities around the country are trying to keep up with more and more of the Federal mandates coming from the EPA. I had to deal with this when I was the mayor of Tulsa. It was the unfunded mandates that were the greatest problems that we had, and one of the goals I had in coming to Congress was to stop the mandates. We thought we had done that at one time. This is going to be a great help. Even though our water was much cleaner than it was 30 or 40 years ago, back when I was mayor of Tulsa, the EPA keeps adding more and more regulations, and these new mandates drive up our water and sewer bills to the point that they become unaffordable to many families. Under the threat of EPA penalties, communities can be forced to choose between meeting new, unfunded Federal mandates or keeping up with basic maintenance repair and replacement activity for our drinking water and wastewater operational.

Our seventh chart here is the Philadelphia main break that took place. If we don’t maintain our infrastructure, it will not be long before this water main breaks as it did in Philadelphia. If we don’t replace our infrastructure, aging sewer pipes will leak and result in sewer overflows. Atlanta, Omaha, Baltimore, Cincinnati, Houston, and communities all around the country are facing these problems.

This chart shows the tunnel-boring machine for DC’s $2.6 billion sewer. You can see what is involved in this project. These sewer projects are huge and very costly. For example, there is a picture of a tunnel that is being built here in DC as part of a $2.6 billion project to address sewer overflows. The WRDA bill, S. 2648, addresses these issues in two ways. It targets Federal assistance and tools to empower local governments.

As far as Federal assistance, our 2016 WRDA bill provides $70 million to capitalize WIFIA. You heard the Senator from California, Mrs. BOXER, talk about how we used TIFIA in our high-way bill. We are using WIFIA in the same way. The $70 million of Federal funds can provide up to $4.2 billion in secured loans. It is something that worked in the highway bill, and it will work in this one. Those loans have gotten a match by another $4.4 billion, so there is $70 billion in Federal investment that will result in some $8.6 billion in infrastructure. That is in this bill.

This funding is fully offset by reductions in DOE’s Advanced Technology Vehicles Manufacturing Program. I might add that the Senator from Michigan has assured me that they are very supportive of this, in spite of the fact that that is where a lot of the manufacturing of our vehicles takes place.

While the Federal assistance in this bill is targeted, all communities need tools to fight back when EPA enforce-
Prince of Bahrain. According to the emails, after the Clinton Foundation staffer intervened, a meeting was quickly put together. The Washington Post has noted that the Crown Prince spent upwards of $32 million on an education program connected with—you guessed it—the Clinton Foundation.

Another is from a person whom we will identify as just a sports executive trying to get an expedited visa for a British soccer player. He donated between $5 million and $10 million to the Clinton Foundation.

Several other requests were for last-minute meetings and other favors, including one business executive who apparently got quick access to Secretary Clinton. He donated between $5 million and $10 million to the Clinton Foundation.

So what do all of these examples have in common? Obviously they are asking for help through Secretary Clinton’s direct line at the State Department that was million-dollar donors to the foundation. These obviously were big-time donors.

Let me add that I don’t know a lot about the details involving these donations because the Clinton Foundation doesn’t disclose the date and exact amount but just ranges.

Here is the point: Secretary Clinton and her team were quick to prioritize these big donors and respond to them quickly and even, if possible, follow through on requests that were made of them. It is clear that major Clinton Foundation donors enjoyed great access to Secretary Clinton while she was serving as our Nation’s premier diplomat. The Clinton Foundation interfered with official day-to-day work at the State Department when the Secretary and her staff should have been focused on keeping Americans safe and making sound foreign policy.

One of the reasons I bring this up today is that this was an original concern of mine before Secretary Clinton was even confirmed as Secretary of State. After President Obama’s election in 2008, during the Senate confirmation process, I objected to fast-tracking a vote on her nomination because I saw the real and myriad possibilities for conflicts of interest in the relationship between Secretary Clinton as Secretary of State and the Clinton family foundation. I told then-Secretary Clinton that we needed greater transparency and we needed more assurances as to the integrity of this whole arrangement. When I questioned her about it, I was assured by Secretary Clinton herself that the Clinton Foundation would take steps necessary to mitigate my concerns about conflicts of interest.

I would note that this was not just my concern; it was a concern raised by the then-chairman of the Foreign Relations Committee, Senator Richard Lugar. It was also raised by President Obama and his White House itself. And what was produced out of those concerns was a very lawyerly-like memorandum of understanding between the Clinton Foundation and the Obama administration. In fact, I believe this is a pre-condition to Secretary Clinton getting the nomination from President Obama, because he didn’t want the conflict of interest to arise as a result of the foundation’s activities to impugn the integrity of the Obama administration.

This memorandum of understanding assured the President and the American people that the foundation would follow certain transparency measures to make sure that Secretary Clinton conducted American diplomacy with the utmost integrity. In doing so, the foundation agreed it would make public the names of all donors, including new ones.

What was the result? In the ensuing years, Secretary Clinton and her family foundation made a habit of regularly crossing the lines that were supposed to serve as safeguards against understanding and with her verbal arrangements and understanding with me. Even though the foundation agreed to disclose all foreign donations—this is from foreign countries to a family foundation made by the Secretary of State of the U.S. Government. So even though they agreed to disclose all foreign contributions, they didn’t, and even though some foreign donations were supposed to be submitted to the State Department, they weren’t.

According to reports, at least one organization within the foundation failed to annually disclose its list of donors, and today the American people still lack basic information about many of the donations, like the exact amounts that were donated to the foundation, as I already mentioned.

I don’t know anybody who feels comfortable with or who can defend these obvious conflicts of interest between the Secretary of State and her family foundation soliciting and receiving multimillion-dollar donations from heads of state of foreign countries, not to mention other people who obviously were trying to get the help of Secretary Clinton in some official capacity. Secretary Clinton was performing her job as Secretary of State, and at the same time, the Clinton Foundation was shaking down donors who at least had the notion of giving access. I don’t know how to describe that in any other terms other than it is deplorable and it completely undercuts the integrity of our democratic process.

This isn’t funny, as former President Clinton suggested. Lying to the American people doesn’t make you some nice person. It doesn’t make you more trustworthy. It doesn’t make you somebody that the American people can have come to trust her and believe that she is simply incapable in many instances of telling the truth.

I hope the American people keep asking questions of Secretary Clinton and her foundation. I hope that we all get some answers. The American people deserve complete unobstructed transparency into this matter, and it is clear they won’t get that from Secretary Clinton herself.

Regarding the vote to confirm Secretary Clinton, it did occur. In reliance upon her assurances of transparency and to maintain the independence of her office of Secretary of State from the activities of the foundation, I, among many others of my colleagues, voted to confirm Secretary Clinton as Secretary of State, but my belief today is that she simply did not keep up her end of the bargain. Thus, if that vote were held today, I could not and would not vote to confirm her as Secretary of State.

MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, as the Senate reconvenes after several weeks of work in our home States. I am back for the 145th time asking my colleagues to wake up to the pressing reality of climate change. We are sleepwalking through this moment, willfully ignoring the warning signs of an already altered Earth, largely because of a decades-long corporate campaign of misinformation on the dangers of carbon pollution.

Just last week, while we were back home, scientists at the International Geological Congress presented the beginning of the Anthropocene. Transitions between geological epochs are marked by a signal—a signal in the global geologic record, like the traces of the meteorite that wiped out the dinosaurs at the end of the Cretaceous epoch.

What are the signals of the beginning of the Anthropocene?

Humans—anthropods—have increased carbon dioxide in the Earth’s atmosphere from 280 parts per million before the Industrial Revolution to 400 parts per million today—a pace of increase not seen for 66 million years and a level never seen before in human history on this planet.