

Calendar No. 539

117TH CONGRESS
2D SESSION**S. 4176****[Report No. 117–188]**

To amend the Infrastructure Investment and Jobs Act to modify the eligibility requirements for certain small water storage and groundwater storage projects and to authorize the use of funds for certain additional Carey Act projects, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 10, 2022

Mr. RISCH introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 18, 2022

Reported under authority of the order of the Senate of October 14, 2022, by
Mr. MANCHIN, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend the Infrastructure Investment and Jobs Act to modify the eligibility requirements for certain small water storage and groundwater storage projects and to authorize the use of funds for certain additional Carey Act projects, and for other purposes.

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

1 **SECTION 1. ELIGIBILITY UNDER THE INFRASTRUCTURE IN-**
 2 **VESTMENT AND JOBS ACT OF SMALL WATER**
 3 **STORAGE AND GROUNDWATER STORAGE**
 4 **PROJECTS FOR CERTAIN GRANTS AND ADDI-**
 5 **TIONAL CAREY ACT PROJECTS FOR CERTAIN**
 6 **FUNDS.**

7 (a) SMALL WATER STORAGE AND GROUNDWATER
 8 STORAGE PROJECTS.—Section 40903(b)(1)(B)(i) of the
 9 Infrastructure Investment and Jobs Act (43 U.S.C.
 10 3203(b)(1)(B)(i)) is amended by striking “2,000” and in-
 11 serting “~~2~~ 200”.

12 (b) CAREY ACT PROJECTS.—Section 40904(b) of the
 13 Infrastructure Investment and Jobs Act (43 U.S.C.
 14 3204(b)) is amended—

15 (1) in paragraph (3), by redesignating subpara-
 16 graphs (A) through (C) as clauses (i) through (iii),
 17 respectively, and indenting appropriately;

18 (2) by redesignating paragraphs (1) through
 19 (4) as subparagraphs (A) through (D), respectively,
 20 and indenting appropriately;

21 (3) in the matter preceding subparagraph (A)
 22 (as so redesignated), by striking “The Secretary”
 23 and inserting the following:

24 “(1) IN GENERAL.—The Secretary”; and

25 (4) by adding at the end the following:

26 “(2) ADDITIONAL PROJECTS.—

1 “(A) IN GENERAL.—On making the af-
2 firmative determinations described in subpara-
3 graph (B), the Secretary shall use amounts
4 made available under section 40901(2)(B) to
5 fund the rehabilitation, reconstruction, or re-
6 placement of any dams that were developed
7 pursuant to, and continue to operate as dams
8 under, section 4 of the Act of August 18, 1894
9 (commonly known as the ‘Carey Act’) (43
10 U.S.C. 641; 28 Stat. 422, chapter 301).

11 “(B) DETERMINATIONS DESCRIBED.—The
12 determinations referred to in subparagraph (A)
13 are—

14 “(i) a determination by the Secretary
15 that any dams that meet the criteria de-
16 scribed in paragraph (1) have received the
17 necessary funding to complete rehabilita-
18 tion, reconstruction, or replacement activi-
19 ties under this subsection; and

20 “(ii) a determination by the Secretary
21 that amounts made available under section
22 40901(2)(B) remain available.”.

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