

to the bill S. 601, supra; which was ordered to lie on the table.

SA 821. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 822. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 823. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 824. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 825. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 826. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 827. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 828. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 829. Mr. WICKER (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 830. Mr. WICKER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 831. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 832. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 601, supra.

SA 833. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 601, supra.

SA 834. Mr. BARRASSO (for himself, Mr. ISAKSON, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 835. Mr. INHOFE (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 601, supra.

SA 836. Mr. REED (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 837. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 838. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 839. Mrs. GILLIBRAND (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 840. Mr. WARNER (for himself and Mr. Kaine) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 841. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 842. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 843. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 844. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 845. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 846. Mr. MANCHIN (for himself, Mr. PORTMAN, Mr. ROCKEFELLER, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 847. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 848. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 849. Mr. RUBIO (for himself, Mr. SESSIONS, Mr. SHELBY, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 850. Mr. MANCHIN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 851. Mr. UDALL, of New Mexico (for himself, Mr. CARDIN, Mr. HEINRICH, and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 852. Mr. UDALL, of New Mexico (for himself, Mr. GRAHAM, Mr. HEINRICH, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 853. Mr. UDALL, of New Mexico (for himself, Mr. COWAN, Mr. HEINRICH, Ms. WARREN, Mr. CARDIN, Mr. BENNET, Mr. ROCKEFELLER, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. LEAHY, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 854. Mr. CASEY (for himself, Mr. ALEXANDER, Mr. BLUNT, Mrs. MCCASKILL, Ms. LANDRIEU, Ms. STABENOW, Mr. FRANKEN, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 855. Mr. Kaine (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 856. Mr. BROWN (for himself, Mr. GRAHAM, Mr. UDALL of New Mexico, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 857. Mr. LEVIN (for himself, Mr. SCHUMER, Ms. BALDWIN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 814.** Mr. COBURN (for himself, Mr. FLAKE, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, 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;

which was ordered to lie on the table; as follows:

At the end of title II, add the following:

#### **SEC. 2. PERIODIC BEACH RENOURISHMENT.**

Section 103(d)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(2)) is amended by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—Notwithstanding subsection (e)(1), the non-Federal cost of the periodic nourishment of the project, or any measure for shore protection or beach erosion control for the project, that is authorized for construction before, on, or after the date of enactment of the Water Resources Development Act of 2013 shall be 65 percent.”.

**SA 815.** Mr. COBURN (for himself, Mr. MCCAIN, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

Strike section 2030.

**SA 816.** Mr. COBURN (for himself, Mrs. MCCASKILL, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

In section 2049(b)(5), strike subparagraph (C).

**SA 817.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

Strike title I.

**SA 818.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

Strike section 1001 and insert the following:

#### **SEC. 1001. PURPOSES; SENSE OF CONGRESS.**

(a) PURPOSES.—The purposes of this title are—

(1) to authorize projects that—

(A) are the subject of a completed report of the Chief of Engineers containing a determination that the relevant project—

(i) is in the Federal interest;  
 (ii) results in benefits that exceed the costs of the project;  
 (iii) is environmentally acceptable; and  
 (iv) is technically feasible; and  
 (B) have been recommended to Congress for authorization by the Assistant Secretary of the Army for Civil Works;

(2) to authorize the Secretary—

(A) to review projects that require increased authorization; and  
 (B) to request an increase of those authorizations after—

(i) certifying that the increases are necessary; and

(ii) submitting to Congress reports on the proposed increases; and

(3) not to establish new precedent or congressional practices concerning the delegation of authority from Congress to the Executive Branch with respect to the authorization of water resources projects or funding amounts for projects.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress should enact legislation to reduce wasteful spending, reform the earmark and project authorization processes under law, and address the long-term fiscal challenges in the United States; and

(2) on enactment of the legislation described in paragraph (1), Congress should resume the prudent authorization of projects consistent with law.

**SA 819.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

Strike section 2049 and insert the following:

**SEC. 2049. PROJECT DEAUTHORIZATIONS.**

(a) IN GENERAL.—Section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) LIST OF PROJECTS.—

“(A) IN GENERAL.—Notwithstanding section 3003 of Public Law 104-66 (31 U.S.C. 1113 note; 109 Stat. 734), each year, after the submission of the list under paragraph (1), the Secretary shall submit to Congress a list of projects or separable elements of projects that have been authorized but that have received no obligations during the 5 full fiscal years preceding the submission of that list.

“(B) ADDITIONAL NOTIFICATION.—On submission of the list under subparagraph (A) to Congress, the Secretary shall notify—

“(i) each Senator in whose State and each Member of the House of Representatives in whose district a project (including any part of a project) on that list would be located; and

“(ii) each applicable non-Federal interest associated with a project (including any part of a project) on that list.”; and

(2) by adding at the end the following:

“(3) MINIMUM FUNDING LIST.—At the end of each fiscal year, the Secretary shall submit to Congress a list of—

“(A) projects or separable elements of projects authorized for construction for which funding has been obligated in the 5 previous fiscal years;

“(B) the amount of funding obligated per fiscal year;

“(C) the current phase of each project or separable element of a project; and

“(D) the amount required to complete those phases.

“(4) REPORT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2013, the Secretary shall compile and publish a complete list of all uncompleted, authorized projects of the Corps of Engineers, including for each project on that list—

“(i) the original budget authority for the project;

“(ii) the status of the project;

“(iii) the estimated date of completion of the project;

“(iv) the estimated cost of completion of the project; and

“(v) any amounts for the project that remain unobligated.

“(B) PUBLICATION.—

“(i) IN GENERAL.—The Secretary shall submit a copy of the list under subparagraph (A) to—

“(I) the appropriate committees of Congress; and

“(II) the Director of the Office of Management and Budget.

“(ii) PUBLIC AVAILABILITY.—Not later than 30 days after providing the report to Congress under clause (i), the Secretary shall make a copy of the list available on a publicly accessible Internet site, in a manner that is downloadable, searchable, and sortable.”.

(b) INFRASTRUCTURE DEAUTHORIZATION STUDY.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall, in consultation with the States, Chief of Engineers, water resources associations, and other stakeholders, submit a report to Congress on options for establishing an appropriate and cost effective process for identifying authorized Corps of Engineers water resources projects, including those listed in the report described in section 1001(b)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(4)), that are no longer in the Federal interest and should be deauthorized.

**SA 820.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

Strike title X and insert the following:

**TITLE X—SENSE OF CONGRESS REGARDING WATER AND WASTEWATER INFRASTRUCTURE FINANCING PROGRAMS**

**SEC. 10001. SENSE OF CONGRESS REGARDING WATER AND WASTEWATER INFRASTRUCTURE FINANCING PROGRAMS.**

It is the sense of Congress that, instead of establishing a new, unfunded water infrastructure financing program during the period of significant Federal deficits in effect on the date of enactment of this Act, Congress should, to the extent fiscally prudent—

(1) maximize funding for existing water and wastewater infrastructure financing programs, including—

(A) 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.); and

(B) the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12);

(2) abate restrictions on the use of private activity bonds on water and wastewater infrastructure projects; and

(3) take other fiscally appropriate actions to improve water and wastewater infrastructure in the United States.

**SA 821.** Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 2. IMPROVING PLANNING AND ADMINISTRATION OF WATER SUPPLY STORAGE.**

(a) IN GENERAL.—The Secretary shall carry out activities—

(1) to ensure increased uniformity and flexibility in the development and administration of storage agreements with non-Federal interests for municipal or industrial water supply at Corps of Engineers projects pursuant to section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and

(2) to enable non-Federal interests to anticipate and accurately budget for annual operations and maintenance costs and, as applicable, repair, rehabilitation, and replacements costs, including through—

(A) the formulation by the Secretary of a uniform billing statement format for those storage agreements relating to operations and maintenance costs, and as applicable, repair, rehabilitation, and replacement costs, incurred by the Secretary, which, at a minimum, shall include—

(i) a detailed description of the activities carried out relating to the water supply aspects of the project;

(ii) a clear explanation of why and how those activities relate to the water supply aspects of the project; and

(iii) a detailed accounting of the cost of carrying out those activities;

(B) a review by the Secretary of the regulations and guidance of the Corps of Engineers relating to criteria and methods for the equitable distribution of joint project costs across project purposes in order to ensure nationwide consistency in the calculation of the appropriate share of joint project costs allocable to the water supply purpose; and

(C) a review by the Secretary of the procedures and processes of the Corps of Engineers for evaluating new requests for water supply storage reallocation and for developing water supply storage plans to accommodate the needs of non-Federal interests in order to increase the flexibility of those procedures and processes and enhance the coordination within the Corps of Engineers in communicating timely and unified responses to the requests of non-Federal interests.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the findings of the reviews carried out under subparagraphs (B) and (C) of subsection (a)(1) and any subsequent actions taken by the Secretary relating to those reviews.

(2) INCLUSIONS.—The report under paragraph (1) shall include an analysis of the feasibility and costs associated with the provision by the Secretary to each non-Federal interest of not less than 1 statement each year that details for each water storage agreement described in subsection (a)(1) the estimated amount of the operations and

maintenance costs and, as applicable, the estimated amount of the repair, rehabilitation, and replacement costs, for which the non-Federal interest will be responsible in that fiscal year.

(3) **EXTENSION.**—The Secretary may delay the submission of the report under paragraph (1) for a period not to exceed 180 days after the deadline described in paragraph (1), subject to the condition that the Secretary submits a preliminary progress report to Congress not later than 1 year after the date of enactment of this Act.

**SA 822.** Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

#### **TITLE XII—MISCELLANEOUS**

##### **SEC. 12001. AMERICA THE BEAUTIFUL NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS PROGRAM.**

The Secretary may participate in the America the Beautiful National Parks and Federal Recreational Lands Pass program in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the Forest Service, and the Bureau of Reclamation, including the provision of free annual passes to active duty military personnel and dependents.

**SA 823.** Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

Section 2049(b) is amended by adding at the end the following:

(6) **APPLICATION.**—For purposes of this subsection, water resources projects shall include environmental infrastructure assistance projects and programs of the Corps of Engineers.

**SA 824.** Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

##### **SEC. 30 . BIG SUNFLOWER RIVER.**

(a) **IN GENERAL.**—With respect to the project for flood control on the Big Sunflower River, authorized by section 10 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 895, chapter 665), the Secretary may install sediment structures throughout the watershed for water quality and aquatic restoration purposes.

(b) **STRUCTURAL PRACTICES.**—In carrying out the activities authorized under subsection (a), the Secretary shall use structural practices modeled on the structural practices provided by the Natural Resources Conservation Service Environmental Quality Incentives Program of the Department of Agriculture.

**SA 825.** Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of section 3018, add the following:

(c) **EFFECTIVE DATE.**—This section and the amendments made by this section shall not take effect until the date on which the Secretary certifies in writing to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives that the Governors of the States of Louisiana and Mississippi have submitted to the Secretary a written certification that the Governors have no objections to the adoption by the Secretary of the plan described in subsection (d) of section 7002 of the Water Resources Development Act of 2007 (121 Stat. 1270) (as amended by subsection (a)).

**SA 826.** Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of section 3018, add the following:

(c) **EFFECT OF SECTION.**—Nothing in this section or an amendment made by this section constitutes an authorization for the design or construction of the East Land Bridge Levee, New Orleans.

**SA 827.** Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of section 3018, add the following:

(c) **EFFECTIVE DATE.**—This section and the amendments made by this section shall not take effect until the date on which the Secretary certifies in writing to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives that the implementation of this section and the amendments made by this section will not increase, directly or indi-

rectly, the flood risk of any property in a State other than the State of Louisiana.

**SA 828.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

##### **SEC. 50 . RIGHTS AND RESPONSIBILITIES OF CHEROKEE NATION OF OKLAHOMA REGARDING W.D. MAYO LOCK AND DAM, OKLAHOMA.**

Section 1117 of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4236) is amended to read as follows:

##### **“SEC. 1117. W.D. MAYO LOCK AND DAM, OKLAHOMA.**

“(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Cherokee Nation of Oklahoma has exclusive authorization—

“(1) to design and construct 1 or more hydroelectric generating facilities at the W.D. Mayo Lock and Dam on the Arkansas River in the State of Oklahoma, subject to the requirements of subsection (b) and in accordance with the conditions specified in this section; and

“(2) to market the electricity generated from any such hydroelectric generating facility.

“(b) **PRECONSTRUCTION REQUIREMENTS.**—

“(1) **IN GENERAL.**—The Cherokee Nation shall obtain any permit required by Federal or State law before the date on which construction begins on any hydroelectric generating facility under subsection (a).

“(2) **REVIEW BY SECRETARY.**—The Cherokee Nation may initiate the design or construction of a hydroelectric generating facility under subsection (a) only after the Secretary reviews and approves the plans and specifications for the design and construction.

“(c) **PAYMENT OF DESIGN AND CONSTRUCTION COSTS.**—

“(1) **IN GENERAL.**—The Cherokee Nation shall—

“(A) bear all costs associated with the design and construction of any hydroelectric generating facility under subsection (a); and

“(B) provide any funds necessary for the design and construction to the Secretary prior to the Secretary initiating any activities relating to the design and construction of the hydroelectric generating facility.

“(2) **USE BY SECRETARY.**—The Secretary may—

“(A) accept funds offered by the Cherokee Nation under paragraph (1); and

“(B) use the funds to carry out the design and construction of any hydroelectric generating facility under subsection (a).

“(d) **ASSUMPTION OF LIABILITY.**—The Cherokee Nation—

“(1) shall hold all title to any hydroelectric generating facility constructed under this section;

“(2) may, subject to the approval of the Secretary, assign that title to a third party;

“(3) shall be solely responsible for—

“(A) the operation, maintenance, repair, replacement, and rehabilitation of any such facility; and

“(B) the marketing of the electricity generated by any such facility; and

“(4) shall release and indemnify the United States from any claims, causes of action, or liabilities that may arise out of any activity undertaken to carry out this section.

“(e) ASSISTANCE AVAILABLE.—Notwithstanding any other provision of law, the Secretary may provide any technical and construction management assistance requested by the Cherokee Nation relating to the design and construction of any hydroelectric generating facility under subsection (a).”

“(f) THIRD PARTY AGREEMENTS.—The Cherokee Nation may enter into agreements with the Secretary or a third party that the Cherokee Nation or the Secretary determines to be necessary to carry out this section.”

**SA 829.** Mr. WICKER (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end, add the following:

#### TITLE XII—MISCELLANEOUS

##### SEC. 12001. DONALD G. WALDON LOCK AND DAM.

(a) FINDINGS.—Congress finds that—

(1) the Tennessee-Tombigbee Waterway Development Authority is a 4-State compact comprised of the States of Alabama, Kentucky, Mississippi, and Tennessee;

(2) the Tennessee-Tombigbee Authority is the regional non-Federal sponsor of the Tennessee-Tombigbee Waterway;

(3) the Tennessee-Tombigbee Waterway, completed in 1984, has fueled growth in the United States economy by reducing transportation costs and encouraging economic development; and

(4) the selfless determination and tireless work of Donald G. Waldon, while serving as administrator of the waterway compact for 21 years, contributed greatly to the realization and success of the Tennessee-Tombigbee Waterway.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, at an appropriate time and in accordance with the rules of the House of Representatives and the Senate, the lock and dam located at mile 357.5 on the Tennessee-Tombigbee Waterway should be known and designated as the “Donald G. Waldon Lock and Dam”.

**SA 830.** Mr. WICKER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

##### SEC. 30. PEARL RIVER BASIN, MISSISSIPPI.

Section 3104 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1134) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—The project for flood damage reduction, Pearl River Basin, including Shoccoe, Mississippi, authorized by section 401(e)(3) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4132), is modified to authorize the Secretary, subject to subsection (c), to construct the project generally in accordance with the plan described in the ‘Pearl River

Watershed, Mississippi, Feasibility Study and Environmental Impact Statement Main Report’, with an estimated Federal share of \$133,770,000 and an estimated non-Federal cost of \$72,030,000.”; and

(2) by striking subsection (b) and inserting the following:

“(b) COMPARISON OF ALTERNATIVES.—Before initiating construction of the project, the Secretary shall compare the level of flood damage reduction provided by the plan that maximizes national economic development benefits of the project and the locally preferred plan, to that portion of Jackson, Mississippi and vicinity, located below the Ross Barnett Reservoir Dam.”.

**SA 831.** Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end, add the following:

#### TITLE XII—MISCELLANEOUS

##### SEC. 12001. FOREST HIGHWAY PROGRAM UNOBLIGATED BALANCES.

Section 204 of title 23, United States Code, is amended by adding at the end the following:

“(d) FOREST HIGHWAY PROGRAM UNOBLIGATED BALANCES.—Until September 30, 2014, on request by a State, the Secretary or Secretary of the appropriate land management agency shall apply available and unobligated balances of funds allocated under the Forest Highway Program under subsection (b)(2), as in effect on July 6, 2012, to the non-Federal share of the cost of 1 or more projects selected under this section by the programming decisions committee of the State.”.

**SA 832.** Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 601, 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; as follows:

On page 305, strike lines 11 through 14 and insert the following:

“(i) CARGO CONTAINER.—The term ‘cargo container’ means a cargo container that is 1 Twenty-foot Equivalent Unit.

**SA 833.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 601, 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; as follows:

In section 6004(i)(2), add at the end the following:

(C) MEASURES TO ASSESS EFFECTIVENESS.—Not later than 1 year after the enactment of this Act, the Secretary shall implement quantifiable performance measures and metrics to assess the effectiveness of the grant program established in accordance with subparagraph (A).

**SA 834.** Mr. BARRASSO (for himself, Mr. ISAKSON, and Mr. CHAMBLISS) sub-

mitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

In section 2043, add at the end the following:

(f) UTILIZATION OF EROSION CONTROL MATERIALS.—The Secretary shall encourage the utilization of materials and practices that are demonstrated to produce cost savings and project acceleration, including gabions, geosynthetics, and other erosion control materials, in applications, including—

(1) shoreline protection; and

(2) the storage and transportation of canal water as recommended by the Commissioner of the Bureau of Reclamation in the report entitled “Canal-Lining Demonstration Project Year 10 Final Report”.

**SA 835.** Mr. INHOFE (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

On page 548, between lines 16 and 17, insert the following:

(10) RURAL WATER INFRASTRUCTURE PROJECT.—The term “rural water infrastructure project” means a project that—

(A) is described in section 10007; and

(B) is located in a water system that serves not more than 25,000 individuals.

On page 556, strike lines 1 through 3, and insert the following:

(2) ELIGIBLE PROJECT COSTS.—

(A) IN GENERAL.—Subject to subparagraph (B), the eligible project costs of a project shall be reasonably anticipated to be not less than \$20,000,000.

(B) RURAL WATER INFRASTRUCTURE PROJECTS.—For rural water infrastructure projects, the eligible project costs of a project shall be reasonably anticipated to be not less than \$5,000,000.

**SA 836.** Mr. REED (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

##### SEC. 20. STUDY OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDY.—

(1) STUDY REQUIRED.—The Administrator of the Federal Emergency Management Agency (referred to in this section as the “Administrator”) shall conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) CONSIDERATIONS.—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) **CONSULTATION.**—In conducting the study required under paragraph (1), the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

(b) **REPORT BY THE ADMINISTRATOR.**—

(1) **REPORT REQUIRED.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) **CONTENTS.**—The report submitted under paragraph (1) shall include recommendations for—

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

(c) **REPORT BY COMPTROLLER GENERAL.**—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(A) an analysis of the report submitted by the Administrator;

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

**SA 837.** Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 50 . CAPE ARUNDEL DISPOSAL SITE, MAINE.**

(a) **IN GENERAL.**—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 Sanctuaries Act of

1972 (33 U.S.C. 1413(b)) (referred to in this section as the “Site”) is reopened and shall remain open and available until the earlier of—

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

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

(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.

**SA 838.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 601, 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; which was ordered to lie on the table; as follows:

On page 308, strike lines 21 through 25, and insert the following:

“(II) are located in berths that are accessible to Federal channels;

“(iv) for environmental remediation related to dredging berths and Federal navigation channels; or

“(v) for capital investments in the infrastructure of eligible donor ports and goods movement corridors associated with eligible donor ports that mitigate the local impacts of the movement of goods, including traffic congestion, air pollution, infrastructure degradation, public safety threats, and other impacts identified by the Secretary.

**SA 839.** Mrs. GILLIBRAND (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**Subtitle B—Extreme Weather Resilience**

**SEC. 11101. SHORT TITLE.**

This subtitle may be cited as the “Strengthening The Resiliency of Our Nation on the Ground Act” or the “STRONG Act”.

**SEC. 11102. FINDINGS AND PURPOSE.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Extreme weather has serious economic costs for Americans, American businesses, and State and local governments. Hurricanes, droughts, floods, tornadoes, extreme heat, and extreme cold cause death, result in loss of property and well-being, especially among the most vulnerable populations, and negatively impact business activity and economic growth.

(2) Superstorm Sandy, which devastated the Eastern United States in late October 2012, resulted in more than 100 deaths, the evacuation of hundreds of thousands of people from their homes, power outages affect-

ing more than 8,500,000 homes, massive flooding, gasoline shortages, and a crippled regional energy and transportation infrastructure. As a result of this storm, Congress passed the Disaster Relief Appropriations Act, 2013, which appropriated \$50,500,000,000 for post-Sandy recovery efforts.

(3) In the past 30 years, there have been more than 130 weather-related disasters in the United States that each generated at least \$1,000,000,000 in damages or more than \$880,000,000,000 in total standardized loss. In addition, there have been many other extreme weather events that generated less than \$1,000,000,000 in damages, but still caused immeasurable harm to the Nation's citizens, infrastructure, and economy.

(4) Hurricane Katrina led to more than 1,800 deaths, property damage exceeding \$80,000,000,000, more than \$120,000,000,000 in Federal spending, and long-term impacts on the economy and livelihoods of those living in the Gulf Coast region.

(5) In 2011, one of the most severe and costly years for weather and climate on record, extreme weather hit every region in the United States, resulting in—

(A) prolonged droughts in the South and the West;

(B) deadly floods in the Southeast and Midwest;

(C) hundreds of devastating tornadoes across the United States;

(D) Hurricane Irene in the Northeast;

(E) more than \$50,000,000,000 in weather-related damages;

(F) 14 extreme weather events, which resulted in more than \$1,000,000,000 in damages each and caused a combined death toll of hundreds of people; and

(G) many other extreme weather events with lesser, but still significant, impacts.

(6) In 2012, in addition to Superstorm Sandy, the United States experienced—

(A) drought conditions in more than 60 percent of the contiguous United States at the peak of the drought, including more than 2,200 counties that have received disaster designations from the Secretary of Agriculture due to the drought;

(B) deadly floods in Minnesota, Tropical Storm Debby in Florida, and Hurricane Isaac in Louisiana;

(C) destructive wildfires on more than 9,000,000 acres across 37 States;

(D) power outages affecting more than 3,400,000 homes due to severe storms during the summer; and

(E) deadly heat waves, highlighted by July as the warmest month on record for the contiguous United States and more than 9,600 daily high temperature records broken during June, July, and August.

(7) These events and natural disaster trends, when combined with the volatility of weather, ongoing demographic changes, and development in high risk areas, indicate that the negative impacts of extreme weather events and natural disasters have the potential to increase over time. The fact that a significant number of people and assets continue to be located in areas prone to volatile and extreme weather indicates that these events will continue to be expensive and deadly if the United States fails to enhance its resiliency to such events. Recent studies show that the intensity and frequency of some types of, but not all, extreme weather events will likely increase in the future.

(8) Economic savings can be achieved by considering the impacts of extreme weather over the short- and long-term in the planning process. For example, a 2005 review of the Federal Emergency Management Agency's hazard mitigation programs, conducted by the National Institute of Building Sciences' Multi-Hazard Mitigation Council,

found that every dollar spent on hazard mitigation yields a savings of \$4 in future losses.

(9) There are several efforts currently underway at the Federal, regional, tribal, State, and local levels that have helped lay the foundation for a federally-coordinated effort to increase the Nation's resiliency to extreme weather events, such as the Hurricane Sandy Rebuilding Task Force, the Presidential Policy Directive on National Preparedness (referred to in this subtitle as "PPD-8"), the National Preparedness System, the whole community approach led by the Department of Homeland Security, and the Silver Jackets Program by the Army Corps of Engineers. Other recent reports on this subject include the National Academies of Sciences' reports "Disaster Resilience: A National Imperative" and "Building Community Disaster Resilience through Public-Private Collaboration".

(b) **PURPOSE.**—The purpose of this subtitle is to minimize the economic and social costs and future losses of life, property, well-being, business activity, and economic growth by making the United States more resilient to the impacts of extreme weather events over the short- and long-term, thereby creating business and job growth opportunities by—

(1) ensuring that the Federal Government is optimizing its use of existing resources and funding to support State and local officials, businesses, tribal nations, and the public to become more resilient, including—

(A) encouraging the consideration of, and ways to incorporate, extreme weather resilience across Federal operations, programs, policies, and initiatives;

(B) promoting improved coordination of existing and planned Federal extreme weather resilience and adaptation efforts that impact extreme weather resilience and ensuring their coordination with, and support of, State, local, regional, and tribal efforts;

(C) minimizing Federal policies that may unintentionally hinder or reduce resilience, such as damaging wetlands or other critical green infrastructure, or lead Federal agencies to operate at cross purposes in achieving extreme weather resilience; and

(D) building upon existing related efforts, such as the Hurricane Sandy Rebuilding Task Force, the PPD-8, the National Preparedness System, and the whole community approach;

(2) communicating the latest understanding and likely short- and long-term human and economic impacts and risks of extreme weather to businesses and the public;

(3) supporting decision making that improves resilience by providing forecasts and projections, data decision-support tools, and other information and mechanisms; and

(4) establishing a consistent vision and strategic plan for extreme weather resilience across the Federal Government.

#### SEC. 11103. DEFINITIONS.

In this subtitle:

(1) **EXTREME WEATHER.**—The term "extreme weather" includes severe and unseasonable weather, heavy precipitation, hurricanes, storm surges, tornadoes, other windstorms (including derechos), extreme heat, extreme cold, and other qualifying weather events as determined by the interagency group established under section 11104(a)(1).

(2) **RESILIENCE.**—The term "resilience" means the ability to prepare and plan for, absorb, recover from, and more successfully adapt to adverse events in a timely manner.

#### SEC. 11104. EXTREME WEATHER RESILIENCE GAP AND OVERLAP ANALYSIS.

(a) **INTERAGENCY WORKING GROUP.**—

(1) **IN GENERAL.**—

(A) **ESTABLISHMENT.**—The Director of the Office of Science and Technology Policy (re-

ferred to in this section as the "Director"), with input from the Department of Homeland Security, shall establish and chair an interagency working group with Cabinet-level representation from all relevant Federal agencies.

(B) **DUTIES.**—The working group shall—

(i) come together to provide a strategic vision of extreme weather resilience;

(ii) conduct a gap and overlap analysis of Federal agencies' current and planned activities related to achieving short- and long-term resilience to extreme weather and its impacts on the Nation, such as storm surge, flooding, drought, and wildfires; and

(iii) develop a National Extreme Weather Resilience Plan in accordance with section 11105(a).

(2) **ADDITIONAL REPRESENTATION FROM EXECUTIVE OFFICE OF THE PRESIDENT.**—The interagency working group established under paragraph (1) shall include representatives of the relevant offices and councils within the Executive Office of the President, including—

(A) the Office of Management and Budget;

(B) the National Security Staff;

(C) the Council of Economic Advisors;

(D) the Council on Environmental Quality; and

(E) the Domestic Policy Council.

(3) **CONSULTATION WITH TRIBAL, STATE, AND LOCAL REPRESENTATIVES.**—

(A) **IN GENERAL.**—The Federal interagency working group established under paragraph (1) shall work closely with an advisory group to take into account the needs of State and local entities across all regions of the United States. The advisory group shall consist of—

(i) 1 representative from the National Emergency Management Association;

(ii) 7 representatives from States and State associations; and

(iii) 8 representatives from local entities and associations, including representation from a tribal nation and at least 1 major metropolitan area.

(B) **KEY SECTORS.**—The representatives described in subparagraph (A) shall, in the aggregate, represent all of the key sectors set forth in subsection (b)(1).

(C) **MEETINGS.**—The Director shall meet with the representatives described in subparagraph (A) not fewer than 9 times during the development of—

(i) the gap and overlap analysis under this section; and

(ii) the National Extreme Weather Resilience Action Plan under section 11105.

(4) **COOPERATION BY FEDERAL AGENCIES.**—In carrying out the activities described in subsection (b), Federal agency representatives participating in the working group shall be forthright and shall fully cooperate with the Office of Science and Technology Policy.

(5) **DETAILEES.**—Upon the request of the Director, each agency or entity referred to in paragraph (1) shall provide the working group with a detailee, without reimbursement from the working group, to support the activities described in subsection (b), section 11105, and section 11107(a). Such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(6) **VOLUNTEER SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the working group may investigate and use such voluntary services as the working group determines to be necessary.

(b) **GAP AND OVERLAP ANALYSIS.**—In conducting the gap and overlap analysis required under subsection (a)(1), Federal agency representatives shall—

(1) develop a Federal Government-wide working vision for resilience to the impacts of extreme weather events in the short- and long-term, in accordance with the purpose

set forth in section 11102(b), through an effort led by the Director and the interagency working group, which includes goals and objectives for key sectors. Key sectors shall include—

(A) agriculture;

(B) forestry and natural resources management;

(C) water management, including supply and treatment;

(D) energy supply and transmission;

(E) infrastructure, including natural and built forms of water and wastewater, transportation, coastal infrastructure, and other landscapes and ecosystems services;

(F) public health and healthcare delivery, including mental health and hazardous materials management;

(G) communications, including wireless communications;

(H) housing and other buildings;

(I) national security;

(J) emergency preparedness;

(K) insurance; and

(L) other sectors that the Director considers appropriate;

(2) consider and identify the interdependencies among the key sectors when developing the vision referred to in paragraph (1);

(3) create summaries of the existing and planned efforts and programmatic work underway or relevant to supporting State and local stakeholders in achieving greater extreme weather resilience in the short and long term for each sector identified under paragraph (1) and across the sectors, specifically including summaries of—

(A) individual Federal agency programs, policies, regulations, and initiatives, and research and data collection and dissemination efforts;

(B) areas of collaboration and coordination across Federal agencies; and

(C) areas of coordination with State and local agencies, private entities, and regional cooperation;

(4) identify specific Federal programs, statutes, regulations, policies, and initiatives which may unintentionally hinder resilience efforts, including an analysis of disincentives, barriers, and incompatible programs, policies, or initiatives across agencies and sectors;

(5) examine how the severity and frequency of extreme weather events at the local and regional level may change in the future and communicate these potential risks to stakeholders;

(6) work together to identify and evaluate existing Federal tools and data to describe, analyze, forecast, and model the potential impacts identified under paragraph (5) and develop recommendations to strengthen their ability to provide reliable and accurate forecasts at the national, regional, State, and local levels;

(7) identify gaps and overlaps in Federal agency work, resources, and authorities that impair the ability of the United States to meet the vision for short- and long-term extreme weather resilience, by comparing the goals and objectives identified for each sector and across sectors with the summaries identified in paragraph (3), specifically identifying gaps relating to—

(A) individual Federal agency programs, policies, and initiatives, and research data collection and dissemination efforts;

(B) areas of collaboration and coordination across Federal agencies;

(C) areas of coordination with State and local agencies and private entities, and regional cooperation;

(8) determine potential measures to address the issues referred to in paragraph (4) and to address the gaps and overlaps referred to in paragraph (7) by—



(A) designating individual or multiple Federal agencies to address these gaps;

(B) building upon existing delivery mechanisms;

(C) evaluating options for programs, policies, and initiatives that may particularly benefit extreme weather resilience efforts, including the role of ecosystem-based approaches;

(D) recommending modifications to existing Federal agency programs, statutes, regulations, policies, and initiatives to better support extreme weather resiliency;

(E) requesting new authorities and resource requirements, if needed; and

(F) identifying existing Federal government processes that can be built upon to address the purpose of this subtitle; and

(9) establish, with the assistance of the General Services Administration or such other Federal agency as the Director may designate, a Federal advisory working group to provide ongoing collective input to the process.

(C) **WORKING GROUP.**—The Federal advisory working group established pursuant to subsection (b)(9) shall consist of relevant private sector, academic, State and local government, tribal nation, regional organization, vulnerable population, and nongovernmental representatives, with representation from each sector described in paragraph (1). The Director may designate an existing Federal advisory committee under which the working group would operate independently, with the same rights and privileges held by members of the advisory committee. The members of the working group established pursuant to subsection (b)(9) may not simultaneously serve as members of the advisory committee designated pursuant to this subsection. The activities of the working group should complement and not duplicate the stakeholder process conducted under PPD-8.

#### SEC. 11105. NATIONAL EXTREME WEATHER RESILIENCE ACTION PLAN.

(a) **IN GENERAL.**—Based on the results of the gap and overlap analysis conducted under section 11104, the Director, working with the interagency working group established under such section, and considering the efforts described in section 11102(a)(9), shall develop a National Extreme Weather Resilience Action Plan (referred to in this section as the “Plan”)—

(1) to build upon existing Federal Government processes referred to in section 11104(b)(8)(F)—

(A) to address the results of the gap and overlap analysis under section 11104; and

(B) to incorporate the activities required under subsection (c);

(2) to best utilize existing resources and programs through improved interagency coordination and collaboration;

(3) to improve Federal coordination with existing regional entities, State and local governments, networks, and private stakeholders;

(4) to make data and tools accessible and understandable and to help facilitate information exchange for tribal, State, and local officials, businesses, and other stakeholders in a manner that addresses the needs expressed by these stakeholders;

(5) to facilitate public-private partnerships;

(6) to improve Federal agencies’ economic analytical capacity to assess—

(A) the likelihood and potential costs of extreme weather impacts by region and nationally; and

(B) the relative benefits of potential resilience measures to multiple stakeholders;

(7) to provide tools to stakeholders—

(A) to conduct analyses similar to those described in paragraph (6); and

(B) to support decision-making;

(8) to support resiliency plans developed by State and local governments, regional entities, and tribal nations, to the extent possible; and

(9) to request further resources, if necessary, to fill in gaps to enable national resilience to extreme weather, including resilience of tribal nations, and particularly vulnerable populations, and the use of green infrastructure and ecosystem-based solutions.

(b) **COOPERATION.**—Any Federal agency representative contacted by the Director, in the course of developing the Plan, shall be forthright and shall fully cooperate with the Office of Science and Technology Policy, as requested.

(c) **REQUIRED ACTIVITIES.**—

(1) **RESPONSIBILITIES.**—The Plan shall include specific Federal agency and interagency responsibilities, identify potential new authorities, if necessary, and employ risk analysis—

(A) to address the gaps identified through the gap and overlap analysis; and

(B) to improve Federal interagency coordination and Federal coordination with State, regional, local, and tribal partners.

(2) **AVAILABLE FUNDING OPPORTUNITIES.**—

(A) **IDENTIFICATION.**—The Director shall identify—

(i) existing Federal grant programs and other funding opportunities available to support State and local government extreme weather resiliency planning efforts; or

(ii) projects to advance extreme weather resiliency.

(B) **PUBLICATION.**—The Director shall publish the information described in subparagraph (A) in the information portal identified in paragraph (3).

(C) **RESPONSIBILITIES.**—Each participating agency shall—

(i) consider incorporating criteria or guidance into existing relevant Federal grant and other funding opportunities to better support State and local efforts to improve extreme weather resiliency; and

(ii) evaluate and modify existing Federal funding opportunities, as appropriate, to maximize the return on investment for pre-disaster mitigation activities.

(3) **INFORMATION PORTAL.**—

(A) **IN GENERAL.**—The Plan shall—

(i) include the establishment of an online, publicly available information portal for use by Federal agencies, their partners, and stakeholders, that directs users to key data and tools to inform resilience-enhancing efforts; and

(ii) build off and be complementary to existing Federal efforts, including data.gov.

(B) **MAINTENANCE.**—The coordinating entity identified under paragraph (3) shall be responsible for establishing and maintaining the information portal.

(C) **INFORMATION SUPPLIED.**—Information shall be supplied as requested by Federal agencies, their partners, academia, and private stakeholders, in coordination with regional, State, local, and tribal agencies.

(D) **CONTENTS.**—The information portal established under this paragraph shall direct users to coordinated and systematic information on—

(i) best or model practices;

(ii) data;

(iii) case studies;

(iv) indicators;

(v) scientific reports;

(vi) resilience and vulnerability assessments;

(vii) guidance documents and design standards;

(viii) incentives;

(ix) education and communication initiatives;

(x) decision support tools, including risk management, short- and long-term economic analysis, and predictive models;

(xi) planning tools;

(xii) public and private sources of assistance; and

(xiii) such other information as the coordinating entity considers appropriate.

(4) **COORDINATING ENTITY.**—The Plan shall include the identification of a Federal agency, interagency council, office, or program, which participated in the gap and overlap analysis and Plan development. Such entity shall—

(A) coordinate the implementation of the Plan;

(B) track the progress of such implementation; and

(C) transfer responsibilities to another Federal agency, interagency council, office, or program to serve as the coordinating entity if the entities participating in the working group agree that circumstances necessitate such a change.

(5) **RESILIENCY OFFICER.**—Each Federal agency that assists with the gap and overlap analysis required under section 11104 shall designate, from among the agency’s senior management, a Senior Resiliency Officer, who shall—

(A) facilitate the implementation of the agency’s responsibilities under paragraph (1);

(B) monitor the agency’s progress and performance in implementing its responsibilities under paragraph (1);

(C) report the agency’s progress and performance to the head of the agency and the coordinating entity identified under paragraph (3); and

(D) serve as the agency lead in ongoing coordination efforts within the Federal agency and between the coordinating entity, other Federal agencies, public and private partners, and stakeholders.

(d) **PUBLICATION.**—

(1) **DRAFT PLAN.**—Not later than 420 days after the date of the enactment of this Act, the Director shall publish a draft of the Plan developed under this section in the Federal Register.

(2) **PUBLIC COMMENT PERIOD.**—During the 60-day period beginning on the date on which the draft Plan is published under paragraph (1), the Director shall—

(A) solicit comment from the public; and

(B) conduct a briefing for Congress to explain the provisions contained in the draft Plan.

(3) **FINAL PLAN.**—Not later than 120 days after the end of the public comment period described in paragraph (2), the Director shall publish the final Plan in the Federal Register.

(e) **IMPLEMENTATION.**—Not later than 630 days after the date of the enactment of this Act, the Director shall begin implementing the final Plan published under subsection (d)(3).

(f) **FINANCING.**—To the extent possible—

(1) Federal funding should be used to leverage private sector financing for resilience building activities, consistent with the implementation of the Plan, through public-private partnerships; and

(2) Federal grant and loan programs of the Federal agencies participating in the interagency working group for this effort shall consider extreme weather resilience as a key factor when awarding funding, including the projected extreme weather risk to a project over the course of its expected life.

(g) **TRIBAL, STATE, AND LOCAL RESPONSIBILITIES.**—The Plan may not place new unfunded requirements on State or local governments.

**SEC. 11106. AUTHORIZATION OF OTHER ACTIVITIES.**

(a) IN GENERAL.—Federal agencies are authorized to develop tools and disseminate information to improve extreme weather resilience in the key sectors set forth in section 11104(b)(1).

(b) OFFICE OF SCIENCE AND TECHNOLOGY POLICY.—In conducting the gap and overlap analysis under section 11104 and developing the National Extreme Weather Resilience Action Plan under section 11105, the Director may carry out additional activities in support of the purpose of this subtitle.

**SEC. 11107. REPORTS.**

(a) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that—

(1) identifies existing Federal Government programs and policies related to disaster relief, response, and recovery that impede improving short- and long-term extreme weather resilience; and

(2) make recommendations for how the programs or policies could be structured differently to better support short- and long-term resilience after an extreme weather event.

(b) INITIAL REPORT.—Not later than 2 years after the date of the enactment of this Act, the Director shall submit a report to Congress that contains—

(1) the results of the gap and overlap analysis;

(2) the final National Extreme Weather Resilience Action Plan;

(3) an update on the implementation of the plan; and

(4) available resources for the sustained implementation of the plan.

(c) TRIENNIAL REPORTS.—Not later than 2 years after the submission of the report under subsection (a), and every 3 years thereafter, the coordinating entity identified under section 11105(c)(3), in cooperation with the interagency working group established under section 11104(a), shall submit a report to Congress that—

(1) contains an update of the National Extreme Weather Resilience Action Plan;

(2) describes the progress of the plan's implementation;

(3) improves upon the original analysis as more information and understanding about extreme weather events becomes available;

(4) establishes criteria for prioritization of activities described in the plan;

(5) reconsiders and makes changes to the plan based on the availability of new information described in paragraph (3); and

(6) identifies cost-effective changes to laws, policies, or regulations that could advance the purpose of this subtitle.

(d) FEMA REPORTS ON FUNDING.—

(1) FINDINGS.—Congress finds the following:  
(A) The Federal Emergency Management Agency grant programs are a key vehicle that exists to fund activities related to resiliency planning and projects.

(B) In order to ensure that the United States becomes more resilient to extreme weather, it is important to ensure that sufficient resources are available to support resiliency activities

(2) REPORTS.—At the end of each fiscal year, the Director of the Federal Emergency Management Agency (FEMA) shall submit a report to Congress that—

(A) identifies the amounts that were made available to the FEMA during such fiscal year for State and local entities to use for activities that support the purposes of this subtitle;

(B) identifies the amounts disbursed by FEMA to State and local entities during such fiscal year for such activities;

(C) describes the resources requested by State and local entities for activities that support the purposes of this subtitle; and

(D) identifies the difference between the amounts disbursed by FEMA and the amounts requested from FEMA by State and local entities.

**SEC. 11108. AUTHORIZATION OF APPROPRIATIONS.**

(a) AMOUNTS FOR ANALYSIS, PLAN DEVELOPMENT AND IMPLEMENTATION, AND REPORTS.—There are authorized to be appropriated such sums as may be necessary for fiscal years 2014 through 2016—

(1) to conduct the gap and overlap analysis required under section 11104;

(2) to conduct the activities required under section 11105, including the creation and maintenance of the information portal; and

(3) to prepare the reports to Congress required under subsections (b) and (c) of section 11107.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) shall remain available for the purposes set forth in such subsection through December 31, 2016.

**SA 840.** Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

On page 216, between lines 3 and 4, insert the following:

**SEC. 3019. FOUR MILE RUN, CITY OF ALEXANDRIA AND ARLINGTON COUNTY, VIRGINIA.**

Section 84(a)(1) of the Water Resources Development Act of 1974 (Public Law 93-251; 88 Stat. 35) is amended by striking “twenty-seven thousand cubic feet per second” and inserting “18,000 cubic feet per second, which—

“(A) includes wetland and fluvial habitat features; and

“(B) does not include freeboard”.

**SA 841.** Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 20. SENSE OF CONGRESS REGARDING NAVIGATION MAINTENANCE FOR SMALL HARBORS.**

(a) FINDING.—Congress finds that the criteria used by the Secretary as of the date of enactment of this Act to determine funding for navigation maintenance projects does not allow small, remote, or subsistence harbors properly to compete for scarce navigation maintenance funds.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should revise the criteria described in subsection (a) to account for the impact of small, remote, and subsistence harbor projects on local and regional economies.

**SA 842.** Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amend-

ment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

**SEC. 1004. NAVIGATION PROJECTS.**

During the period beginning on October 1, 2012, and ending on September 30, 2017, the Secretary may carry out construction of a navigation project if—

(1) a Chief of Engineers report recommending implementation of the applicable project—

(A) is completed and submitted to Congress; and

(B) reflects a benefit-to-cost ratio of not less than 2:1; and

(2) the local sponsor of the applicable project will—

(A) advance an amount equal to the total Federal share of the cost of construction of the project; and

(B) seek reimbursement for the Federal share for future fiscal years, as described in the Chief of Engineers report.

**SA 843.** Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

**SEC. 1004. CONTINGENCY AUTHORIZATION FOR WATER AND RELATED RESOURCES PROJECTS.**

During the period beginning on October 1, 2012, and ending on September 30, 2017, the Secretary may carry out construction of a project if—

(1) a Chief of Engineers report recommending implementation of the applicable project—

(A) is completed and submitted to Congress; and

(B) reflects a benefit-to-cost ratio of not less than 2:1; and

(2) the local sponsor of the applicable project will—

(A) advance an amount equal to the total Federal share of the cost of construction of the project; and

(B) seek reimbursement for the Federal share for future fiscal years, as described in the Chief of Engineers report.

**SA 844.** Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

**SEC. 1004. NAVIGATION PROJECTS.**

During the period beginning on October 1, 2012, and ending on September 30, 2017, the



Secretary may carry out construction of a navigation project if—

(1) a Chief of Engineers report recommending implementation of the applicable project is completed and submitted to Congress; and

(2) the project is included in the initiative of the President entitled “We Can’t Wait”, as implemented by Executive Order 13604 (77 Fed. Reg. 18887 (March 28, 2012)).

**SA 845.** Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

**SEC. 1004. NAVIGATION PROJECTS.**

During the period beginning on October 1, 2012, and ending on September 30, 2017, the Secretary may carry out construction of a navigation project if a Chief of Engineers report recommending implementation of the applicable project—

(1) is completed and submitted to Congress; and

(2) reflects a benefit-to-cost ratio of not less than 2:1.

**SA 846.** Mr. MANCHIN (for himself, Mr. PORTMAN, Mr. ROCKEFELLER, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 12001. PERMITS FOR DREDGED OR FILL MATERIAL.**

(a) IN GENERAL.—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended in the first sentence by striking “The Administrator” and inserting “Until such time as a permit under this section has been issued by the Secretary, the Administrator”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on October 18, 1972.

**SA 847.** Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

On page 236, strike line 13 and insert the following:

(f) EFFECT OF SECTION.—

(1) IN GENERAL.—Nothing in this section replaces or provides a substitute for the authority to carry out projects under section 3110 of the Water Resources Development Act of 2007 (121 Stat. 1135).

(2) FUNDING.—The amounts made available to carry out this section shall be used to

carry out projects that are not otherwise carried out under section 3110 of the Water Resources Development Act of 2007 (121 Stat. 1135).

(g) AUTHORIZATION OF APPROPRIATIONS.—There is

**SA 848.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 20 . DELAY IN IMPLEMENTATION OF BIGGEST-WATERS FLOOD INSURANCE REFORM ACT OF 2012 IN CERTAIN STATES.**

(a) IN GENERAL.—The Biggest-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 916) and the amendments made by that Act shall have no force or effect in New York or New Jersey until the date that is 1 year after the date on which the Administrator of the Federal Emergency Management Agency notifies Congress that all amounts contributed by the Federal Government under the Hazard Mitigation Grant Program authorized under section 404 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C. 5170c) in response to Hurricane Sandy have been expended.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect as if enacted as part of the Biggest-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 916).

**SA 849.** Mr. RUBIO (for himself, Mr. SESSIONS, Mr. SHELBY, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

Strike section 2015 and insert the following:

**SEC. 2015. WATER SUPPLY.**

Section 301(d) of the Water Supply Act of 1958 (43 U.S.C. 390b(d)) is amended—

(1) by striking “(d) Modifications” and inserting the following:

“(d) APPROVAL OF CONGRESS OF MODIFICATIONS OF RESERVOIR PROJECTS.—

“(1) IN GENERAL.—A modification”; and

(2) by adding at the end the following:

“(2) ADDITIONAL APPROVAL.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), in addition to the approval under paragraph (1), approval by Congress shall be required for any modification that provides storage for municipal or industrial water supply at a reservoir project (other than a project located in a State in which the Bureau of Reclamation operates reservoir projects as of April 1, 2013) with a conservation storage pool exceeding 200,000 acre-feet if, when considered cumulatively with all previous modifications of the project pursuant to this section, the modification would involve an allocation or reallocation of more than 5 percent of the conservation storage pool of the project.

“(B) EXCEPTION.—Approval by Congress shall not be required under subparagraph (A) for any modification made pursuant to—

“(i) an interstate water compact approved by Congress; or

“(ii) a project-specific statutory authorization.”.

**SA 850.** Mr. MANCHIN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**TITLE XII—CLEAN WATER COOPERATIVE FEDERALISM**

**SECTION 12001. SHORT TITLE.**

This title may be cited as the “Clean Water Cooperative Federalism Act of 2013”.

**SEC. 12002. STATE WATER QUALITY STANDARDS.**

(a) STATE WATER QUALITY STANDARDS.—Section 303(c)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1313(c)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking “(4)” and inserting “(4)(A)”;

(3) by striking “The Administrator shall promulgate” and inserting the following:

“(B) The Administrator shall promulgate”; and

(4) by adding at the end the following:

“(C) Notwithstanding subparagraph (A)(ii), the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the Administrator’s determination that the revised or new standard is necessary to meet the requirements of this Act.”.

(b) FEDERAL LICENSES AND PERMITS.—Section 401(a) of such Act (33 U.S.C. 1341(a)) is amended by adding at the end the following:

“(7) With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination.”.

(c) STATE NPDES PERMIT PROGRAMS.—Section 402(c) of such Act (42 U.S.C. 1342(c)) is amended by adding at the end the following:

“(5) LIMITATION ON AUTHORITY OF ADMINISTRATOR TO WITHDRAW APPROVAL OF STATE PROGRAMS.—The Administrator may not withdraw approval of a State program under paragraph (3) or (4), or limit Federal financial assistance for the State program, on the basis that the Administrator disagrees with the State regarding—

“(A) the implementation of any water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

“(B) the implementation of any Federal guidance that directs the interpretation of the State’s water quality standards.”.

(d) LIMITATION ON AUTHORITY OF ADMINISTRATOR TO OBJECT TO INDIVIDUAL PERMITS.—Section 402(d) of such Act (33 U.S.C. 1342(d)) is amended by adding at the end the following:

“(5) The Administrator may not object under paragraph (2) to the issuance of a permit by a State on the basis of—

“(A) the Administrator’s interpretation of a water quality standard that has been

adopted by the State and approved by the Administrator under section 303(c); or

“(B) the implementation of any Federal guidance that directs the interpretation of the State’s water quality standards.”.

**SEC. 12003. PERMITS FOR DREDGED OR FILL MATERIAL.**

(a) **AUTHORITY OF EPA ADMINISTRATOR.**—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended—

(1) by striking “(c)” and inserting “(c)(1)”;

and

(2) by adding at the end the following:

“(2) Paragraph (1) shall not apply to any permit if the State in which the discharge originates or will originate does not concur with the Administrator’s determination that the discharge will result in an unacceptable adverse effect as described in paragraph (1).”.

(b) **STATE PERMIT PROGRAMS.**—The first sentence of section 404(g)(1) of such Act (33 U.S.C. 1344(g)(1)) is amended by striking “The Governor of any State desiring to administer its own individual and general permit program for the discharge” and inserting “The Governor of any State desiring to administer its own individual and general permit program for some or all of the discharges”.

**SEC. 12004. DEADLINES FOR AGENCY COMMENTS.**

Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) in subsection (m) by striking “ninetieth day” and inserting “30th day (or the 60th day if additional time is requested)”;

and

(2) in subsection (q)—

(A) by striking “(q)” and inserting “(q)(1)”;

and

(B) by adding at the end the following:

“(2) The Administrator and the head of a department or agency referred to in paragraph (1) shall each submit any comments with respect to an application for a permit under subsection (a) or (e) not later than the 30th day (or the 60th day if additional time is requested) after the date of receipt of an application for a permit under that subsection.”.

**SEC. 12005. APPLICABILITY OF AMENDMENTS.**

The amendments made by this title shall apply to actions taken on or after the date of enactment of this Act, including actions taken with respect to permit applications that are pending or revised or new standards that are being promulgated as of such date of enactment.

**SEC. 12006. REPORTING ON HARMFUL POLLUTANTS.**

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator of the Environmental Protection Agency shall submit to Congress a report on any increase or reduction in waterborne pathogenic microorganisms (including protozoa, viruses, bacteria, and parasites), toxic chemicals, or toxic metals (such as lead and mercury) in waters regulated by a State under the provisions of this title, including the amendments made by this title.

**SEC. 12007. PIPELINES CROSSING STREAMBEDS.**

None of the provisions of this title, including the amendments made by this title, shall be construed to limit the authority of the Administrator of the Environmental Protection Agency, as in effect on the day before the date of enactment of this Act, to regulate a pipeline that crosses a streambed.

**SEC. 12008. IMPACTS OF EPA REGULATORY ACTIVITY ON EMPLOYMENT AND ECONOMIC ACTIVITY.**

(a) **ANALYSIS OF IMPACTS OF ACTIONS ON EMPLOYMENT AND ECONOMIC ACTIVITY.**—

(1) **ANALYSIS.**—Before taking a covered action, the Administrator shall analyze the impact, disaggregated by State, of the covered

action on employment levels and economic activity, including estimated job losses and decreased economic activity.

(2) **ECONOMIC MODELS.**—

(A) **IN GENERAL.**—In carrying out paragraph (1), the Administrator shall utilize the best available economic models.

(B) **ANNUAL GAO REPORT.**—Not later than December 31st of each year, the Comptroller General of the United States shall submit to Congress a report on the economic models used by the Administrator to carry out this subsection.

(3) **AVAILABILITY OF INFORMATION.**—With respect to any covered action, the Administrator shall—

(A) post the analysis under paragraph (1) as a link on the main page of the public Internet Web site of the Environmental Protection Agency; and

(B) request that the Governor of any State experiencing more than a de minimis negative impact post such analysis in the Capitol of such State.

(b) **PUBLIC HEARINGS.**—

(1) **IN GENERAL.**—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in a State, the Administrator shall hold a public hearing in each such State at least 30 days prior to the effective date of the covered action.

(2) **TIME, LOCATION, AND SELECTION.**—A public hearing required under paragraph (1) shall be held at a convenient time and location for impacted residents. In selecting a location for such a public hearing, the Administrator shall give priority to locations in the State that will experience the greatest number of job losses.

(c) **NOTIFICATION.**—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in any State, the Administrator shall give notice of such impact to the State’s Congressional delegation, Governor, and Legislature at least 45 days before the effective date of the covered action.

(d) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **COVERED ACTION.**—The term “covered action” means any of the following actions taken by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1201 et seq.):

(A) Issuing a regulation, policy statement, guidance, response to a petition, or other requirement.

(B) Implementing a new or substantially altered program.

(3) **MORE THAN A DE MINIMIS NEGATIVE IMPACT.**—The term “more than a de minimis negative impact” means the following:

(A) With respect to employment levels, a loss of more than 100 jobs. Any offsetting job gains that result from the hypothetical creation of new jobs through new technologies or government employment may not be used in the job loss calculation.

(B) With respect to economic activity, a decrease in economic activity of more than \$1,000,000 over any calendar year. Any offsetting economic activity that results from the hypothetical creation of new economic activity through new technologies or government employment may not be used in the economic activity calculation.

**SA 851.** Mr. UDALL of New Mexico (for himself, Mr. CARDIN, Mr. HEINRICH, and Mr. COWAN) submitted an amendment intended to be proposed by him

to the bill S. 601, 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; which was ordered to lie on the table; as follows:

On page 101, strike lines 4 through 14 and insert the following:

“(1) **IN GENERAL.**—The project development procedures under this section apply to project studies initiated after the date on which the Secretary—

“(A) certifies to Congress that the cost to construct the water resources projects authorized for construction, but not completed on the date on which the certification is made, by the Chief of Engineers by any Act of Congress relating to water resources development, flood control, or rivers and harbors is less than \$20,000,000,000 (adjusted for inflation as of the date on which the certification is made); and

“(B) determines that an environmental impact statement is required.

**SA 852.** Mr. UDALL of New Mexico (for himself, Mr. GRAHAM, Mr. HEINRICH, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

On page 6, lines 24 and 25, strike “the date of enactment of this Act” and insert “December 31, 2016”.

**SA 853.** Mr. UDALL of New Mexico (for himself, Mr. COWAN, Mr. HEINRICH, Ms. WARREN, Mr. CARDIN, Mr. BENNET, Mr. ROCKEFELLER, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. LEAHY, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

On page 138, between lines 3 and 4, insert the following:

**SEC. 2034. TERMINATION OF AUTHORITY.**

(a) **IN GENERAL.**—The authority provided by section 2032 of this Act and section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) (as amended by section 2033 of this Act) shall constitute a pilot program, the authority for which terminates on the date that is 5 years after the date of enactment of this Act.

(b) **REPORT.**—Prior to the date on which authority is terminated under subsection (a), 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 describes the effectiveness of the authority described in subsection (a) in streamlining projects.

**SA 854.** Mr. CASEY (for himself, Mr. ALEXANDER, Mr. BLUNT, Mrs. MCCASKILL, Ms. LANDRIEU, Ms. STABENOW, Mr. FRANKEN, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

Beginning on page 289, strike line 16 and all that follows through page 291, line 11, and insert the following:

**SEC. 7005. REVISION TO THE INLAND WATERWAYS TRUST FUND FINANCING RATE.**

(a) IN GENERAL.—Subparagraph (A) of section 4042(b)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

“(A) The Inland Waterways Trust Fund financing rate is 29 cents per gallon.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to uses during calendar quarters beginning more than 60 days after the date of the enactment of this Act.

**SA 855.** Mr. KAINÉ (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 20. CONSIDERATION OF APPLICATIONS FOR DREDGED OR FILL MATERIAL.**

Section 404(b) of the Federal Water Pollution Control Act (33 U.S.C. 1344(b)) is amended—

(1) by striking “(b) Subject to subsection (c) of this section” and inserting the following:

“(b) SPECIFICATION OF DISPOSAL SITES.—

“(1) IN GENERAL.—Subject to subsection (c)”;

(2) by striking “Secretary (1) through” and inserting the following:

“Secretary—

“(A) through”;

(3) by striking “section 403(c), and (2) in any case where such guidelines under clause (1) alone” and inserting the following:

“section 403(c); and

“(B) in any case in which the guidelines described in subparagraph (A)”;

(4) by adding at the end the following:

“(2) END-USER CONSIDERATION.—For a determination of whether to issue a permit under this section, the lack of a specified end-user for a site shall not be considered under subsection (a)(3)(iv) of section 230.12 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Water Resources Development Act of 2013), to be a lack of sufficient information to make a reasonable judgment as to whether the proposed discharge will comply with the guidelines contained in subsection (a) of that section (as in effect on that date of enactment), if the jurisdiction for which the permit application is submitted—

“(A) meets all applicable requirements of paragraph (1) and section 230.12(a) of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Water Resources Development Act of 2013); and

“(B) is, or is located in, a county with a 5-year average unemployment rate of not less than 10 percent.”.

**SA 856.** Mr. BROWN (for himself, Mr. GRAHAM, Mr. UDALL of New Mexico, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

On page 6, lines 24 and 25, strike “the date of enactment of this Act” and insert “December 31, 2016”.

**SA 857.** Mr. LEVIN (for himself, Mr. SCHUMER, Ms. BALDWIN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 601, 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; which was ordered to lie on the table; as follows:

On page 71, after line 22, insert the following:

**SEC. 2024. OPERATION AND MAINTENANCE OF GREAT LAKES PROJECTS.**

(a) FINDINGS.—Congress finds that—

(1) the Great Lakes Navigation System is a unique resource that supports waterborne commerce critical to the national economy; and

(2) in managing the Great Lakes Navigation System, the Secretary, acting through the Chief of Engineers, should recognize—

(A) the connectivity and interrelationships among the projects; and

(B) the factors that threaten safe navigation conditions throughout the Great Lakes Navigation System, including lake level fluctuations and shoaling caused by major storm events.

(b) DEFINITION OF GREAT LAKES NAVIGATION SYSTEM.—In this section, the term “Great Lakes Navigation System” has the meaning given the term in section 210(c) of the Water Resources Development Act of 1986 (as added by section 8004(a)).

(c) MANAGEMENT OF THE GREAT LAKES NAVIGATION SYSTEM.—

(1) IN GENERAL.—To sustain the most effective and efficient operation and maintenance of the Great Lakes Navigation System, the Secretary, acting through the Chief of Engineers, shall manage and allocate funding for all of the individually authorized commercial navigation projects in the Great Lakes Navigation System as components of a single, comprehensive system, recognizing the interdependence of the projects.

(2) CARGO MEASUREMENTS.—Cargo measurements for the purpose of prioritizing annual operations and maintenance budget resources for the Great Lakes Navigation System, and for any of the component projects of the System, shall aggregate the tonnage of all components of the System.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. BOXER. Mr. President, I ask unanimous consent that the Com-

mittee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 8, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “The Role of Immigrants in America’s Innovation Economy.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 8, 2013, at 11:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 8, 2013, at 10 a.m. in order to conduct a hearing entitled “Curbing Federal Agency Waste and Fraud: New Steps to Strengthen the Integrity of Federal Payments.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 8, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 8, 2013, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nominations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 8, 2013, at 10 a.m. in room 106 Dirksen Senate Office building to conduct a hearing entitled “Strengthening the Entrepreneurial Ecosystem for Minority Women.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Armed Services Committee be authorized to meet during the session of the Senate on May 8, 2013, at 9:30 a.m.