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

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

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

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

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

I yield the floor.

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

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

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

The PRESIDING OFFICER. The Senator from California.

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

With that, I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

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

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I think we have a broad bipartisan agreement here that we would like to pass the bill. Nobody wants to be unreasonable. We have heard from both the chairman and the ranking member that whatever interest there is in the bill is related to the bill. What I am going to propound here is an opportunity for us to get onto the bill and to move forward. I think this is as close to a good-faith situation as I can imagine, and I hope we trust each other enough to go forward and complete a bill that almost everybody seems to be in favor of. I don't know how to reassure my good friend, the Democratic leader, but I hope I have.

Mr. REID. Mr. President, I do not understand why we can't have the two managers agree that they will do their best to work out these amendments of ours and of theirs. But if we can't, I want to at least have a vote, and you can vote it down if you have to, but I want to make sure that Blumenthal is protected. If we can't work something out, then we have a vote on it—one vote.

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

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

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

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

Mrs. BOXER. I will stop.

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

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

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

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

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the motion to proceed.

The motion was agreed to.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

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

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

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

S. 2848

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

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

TITLE I—PROGRAM REFORMS

Sec. 1001. Study of water resources development projects by non-Federal interests.
Sec. 1002. Advanced funds for water resources development studies and projects.
Sec. 1003. Authority to accept and use materials and services.
Sec. 1004. Partnerships with non-Federal entities to protect the Federal investment.
Sec. 1005. Non-Federal study and construction of projects.
Sec. 1006. Munitions disposal.
Sec. 1007. Challenge cost-sharing program for management of recreation facilities.

Sec. 1008. Structures and facilities constructed by the Secretary.
Sec. 1009. Project completion.
Sec. 1010. Contributed funds.
Sec. 1011. Application of certain benefits and costs included in final feasibility studies.
Sec. 1012. Leveraging Federal infrastructure for increased water supply.
Sec. 1013. New England District headquarters.
Sec. 1014. Buffalo District headquarters.
Sec. 1015. Completion of ecosystem restoration projects.
Sec. 1016. Credit for donated goods.
Sec. 1017. Structural health monitoring.
Sec. 1018. Fish and wildlife mitigation.
Sec. 1019. Non-Federal interests.
Sec. 1020. Discrete segment.
Sec. 1021. Funding to process permits.
Sec. 1022. International Outreach Program.
Sec. 1023. Wetlands mitigation.
Sec. 1024. Use of Youth Service and Conservation Corps.
Sec. 1025. Debris removal.
[Sec. 1026. Oyster aquaculture study.]
Sec. 1026. Aquaculture study.
Sec. 1027. Levee vegetation.
Sec. 1028. Planning assistance to States.
Sec. 1029. Prioritization.
Sec. 1030. Kennewick Man.
Sec. 1031. Review of Corps of Engineers assets.
Sec. 1032. Review of reservoir operations.
Sec. 1033. Transfer of excess credit.
Sec. 1034. Surplus water storage.
Sec. 1035. Hurricane and storm damage reduction.
Sec. 1036. Fish hatcheries.
Sec. 1037. Feasibility studies and watershed assessments.
Sec. 1038. Shore damage prevention or mitigation.

TITLE II—NAVIGATION

Sec. 2001. Projects funded by the Inland Waterways Trust Fund.
Sec. 2002. Operation and maintenance of fuel-taxed inland waterways.
Sec. 2003. Funding for harbor maintenance programs.
Sec. 2004. Dredged material disposal.
Sec. 2005. Cape Arundel disposal site, Maine.
Sec. 2006. Maintenance of harbors of refuge.
Sec. 2007. Aids to navigation.
Sec. 2008. Beneficial use of dredged material.
Sec. 2009. Operation and maintenance of harbor projects.
Sec. 2010. Additional measures at donor ports and energy transfer ports.
Sec. 2011. Harbor deepening.
Sec. 2012. Operations and maintenance of inland Mississippi River ports.
Sec. 2013. Implementation guidance.
Sec. 2014. Remote and subsistence harbors.
Sec. 2015. Non-Federal interest dredging authority.
Sec. 2016. Transportation cost savings.
Sec. 2017. Dredged material.

TITLE III—SAFETY IMPROVEMENTS

Sec. 3001. Rehabilitation assistance for non-Federal flood control projects.
Sec. 3002. Rehabilitation of existing levees.
Sec. 3003. Maintenance of high risk flood control projects.
Sec. 3004. Rehabilitation of high hazard potential dams.

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

Sec. 4001. Gulf Coast oyster bed recovery plan.
Sec. 4002. Columbia River.
Sec. 4003. Missouri River.
Sec. 4004. Puget Sound nearshore ecosystem restoration.
Sec. 4005. Ice jam prevention and mitigation.
Sec. 4006. Chesapeake Bay oyster restoration.
Sec. 4007. North Atlantic coastal region.
Sec. 4008. Rio Grande.
Sec. 4009. Texas coastal area.
Sec. 4010. Upper Mississippi and Illinois Rivers flood risk management.
Sec. 4011. Salton Sea, California.
Sec. 4012. Adjustment.
Sec. 4013. Coastal resiliency.
Sec. 4014. Regional intergovernmental collaboration on coastal resilience.

TITLE V—DEAUTHORIZATIONS

Sec. 5001. Deauthorizations.
Sec. 5002. Conveyances.

TITLE VI—WATER RESOURCES INFRASTRUCTURE

Sec. 6001. Authorization of final feasibility studies.
Sec. 6002. Authorization of project modifications recommended by the Secretary.
Sec. 6003. Authorization of study and modification proposals submitted to Congress by the Secretary.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

Sec. 7001. Definition of Administrator.
Sec. 7002. Sense of the Senate on appropriations levels and findings on economic impacts.

Subtitle A—Drinking Water

Sec. 7101. Preconstruction work.
Sec. 7102. Priority system requirements.
Sec. 7103. Administration of State loan funds.
Sec. 7104. Other authorized activities.
Sec. 7105. Negotiation of contracts.
Sec. 7106. Assistance for small and disadvantaged communities.
Sec. 7107. Reducing lead in drinking water.
Sec. 7108. Regional liaisons for minority, tribal, and low-income communities.
Sec. 7109. Notice to persons served.
Sec. 7110. Electronic reporting of drinking water data.
Sec. 7111. Lead testing in school and child care drinking water.
Sec. 7112. WaterSense program.
Sec. 7113. Water supply cost savings.

Subtitle B—Clean Water

Sec. 7201. Sewer overflow control grants.
Sec. 7202. Small treatment works.
Sec. 7202. Small and medium treatment works.
Sec. 7203. Integrated plans.
Sec. 7204. Green infrastructure promotion.
Sec. 7205. Financial capability guidance.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

Sec. 7301. Water infrastructure public-private partnership pilot program.
Sec. 7302. Water infrastructure finance and innovation.
Sec. 7303. Water Infrastructure Investment Trust Fund.
Sec. 7304. Innovative water technology grant program.
Sec. 7305. Water Resources Research Act amendments.
Sec. 7306. Reauthorization of Water Desalination Act of 1996.
Sec. 7307. National drought resilience guidelines.
Sec. 7308. Innovation in Clean Water State Revolving Funds.
Sec. 7309. Innovation in the Drinking Water State Revolving Fund.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

Sec. 7401. Drinking water infrastructure.
Sec. 7402. Loan forgiveness.
Sec. 7403. Registry for lead exposure and advisory committee.
Sec. 7404. Additional funding for certain childhood health programs.
Sec. 7405. Review and report.

Subtitle E—Report on Groundwater Contamination

Sec. 7501. Definitions.
Sec. 7502. Report on groundwater contamination.

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION INITIATIVE

Sec. 7611. Great Lakes Restoration Initiative.

PART II—LAKE TAHOE RESTORATION

Sec. 7621. Findings and purposes.
Sec. 7622. Definitions.
Sec. 7623. Improved administration of the Lake Tahoe Basin Management Unit.
Sec. 7624. Authorized programs.
Sec. 7625. Program performance and accountability.
Sec. 7626. Conforming amendments; updates to related laws.
Sec. 7627. Authorization of appropriations.
Sec. 7628. Land transfers to improve management efficiencies of Federal and State land.

PART III—LONG ISLAND SOUND RESTORATION

Sec. 7631. Restoration and stewardship programs.
Sec. 7632. Reauthorization.

Subtitle G—Offset

Sec. 7701. Offset.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Army.

SEC. 3. LIMITATIONS.

Nothing in this Act—

(1) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act;

(2) supersedes or authorizes any amendment to a multistate water control plan, including the Missouri River Master Water Control Manual (as in effect on the date of enactment of this Act);

(3) affects any water right in existence on the date of enactment of this Act;

(4) preempts or affects any State water law or interstate compact governing water; or

(5) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within the State.

TITLE I—PROGRAM REFORMS

SEC. 1001. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended by adding at the end the following:

''(e) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance relating to any aspect of the feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.''.

SEC. 1002. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

The Act of October 15, 1940 (33 U.S.C. 701h–1), is amended—

(1) in the first sentence—

(A) by striking ''Whenever any'' and inserting the following:

''(a) IN GENERAL.—Whenever any'';

(B) by striking ''a flood-control project duly adopted and authorized by law'' and inserting ''an authorized water resources development study or project,''; and

(C) by striking ''such work'' and inserting ''such study or project'';

(2) in the second sentence—

(A) by striking ''The Secretary of the Army'' and inserting the following:

''(b) REPAYMENT.—The Secretary of the Army''; and

(B) by striking ''from appropriations which may be provided by Congress for flood-control work'' and inserting ''if specific appropriations are provided by Congress for such purpose''; and

(3) by adding at the end the following:

''(c) DEFINITION OF STATE.—In this section, the term 'State' means—

''(1) a State;

''(2) the District of Columbia;

''(3) the Commonwealth of Puerto Rico;

''(4) any other territory or possession of the United States; and

''(5) a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).''.

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

Section 1024 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a) is amended—

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

''(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials, services, or funds contributed by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—

''(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and

''(2) acceptance of the materials and services or funds is in the public interest.''; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking ''Not later than 60 days after initiating an activity under this section,'' and inserting ''Not later than February 1 of each year after the first fiscal year in which materials, services, or funds are accepted under this section,''; and

(B) by striking ''a report'' and inserting ''an annual report''.

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

(a) IN GENERAL.—Subject to subsection (c), the Secretary is authorized to partner with a non-Federal interest for the maintenance of a water resources project to ensure that the project will continue to function for the authorized purposes of the project.

(b) FORM OF PARTNERSHIP.—Under a partnership referred to in subsection (a), the Secretary is authorized to accept and use funds, materials, and services contributed by the non-Federal interest.

(c) NO CREDIT OR REIMBURSEMENT.—Any entity that contributes materials, services, or funds under this section shall not be eligible for credit, reimbursement, or repayment for the value of those materials, services, or funds.

SEC. 1005. NON-FEDERAL STUDY AND CONSTRUCTION OF PROJECTS.

(a) IN GENERAL.—The Secretary may accept and expend funds provided by non-Federal interests to undertake reviews, inspections, monitoring, and other Federal activities related to non-Federal interests carrying out the study, design, or construction of water resources development projects under section 203 or 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232) or any other Federal law.

(b) INCLUSION IN COSTS.—In determining credit or reimbursement, the Secretary may include the amount of funds provided by a non-Federal interest under this section as a cost of the study, design, or construction.

[SEC. 1006. MUNITIONS DISPOSAL.

[Section 1027(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e–2(b)) is amended by striking ''funded'' and inserting ''reimbursed''.]

SEC. 1006. MUNITIONS DISPOSAL.

Section 1027 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e–2) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting '', at full Federal expense,'' after ''The Secretary may''; and

(2) in subsection (b), by striking ''funded'' and inserting ''reimbursed''.

SEC. 1007. CHALLENGE COST-SHARING PROGRAM FOR MANAGEMENT OF RECREATION FACILITIES.

Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

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

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

''(c) USER FEES.—

''(1) COLLECTION OF FEES.—

''(A) IN GENERAL.—The Secretary may allow a non-Federal public or private entity that has entered into an agreement pursuant to subsection (b) to collect user fees for the use of developed recreation sites and facilities, whether developed or constructed by that entity or the Department of the Army.

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

''(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—

''(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and

''(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

''(3) TERMS AND CONDITIONS.—The authority of a non-Federal public or private entity under this subsection shall be subject to such terms and conditions as the Secretary determines necessary to protect the interests of the United States.''.

SEC. 1008. STRUCTURES AND FACILITIES CONSTRUCTED BY THE SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) (commonly known as the ''Rivers and Harbors Act of 1899''), is amended—

(1) by striking ''That it shall not be lawful'' and inserting the following:

''(a) PROHIBITIONS AND PERMISSIONS.—It shall not be lawful''; and

(2) by adding at the end the following:

''(b) LOCAL FLOOD PROTECTION WORKS.—Permission under subsection (a) for alterations to a Federal levee, floodwall, or flood risk management channel project [and associated features] may be granted by a District Engineer of the Department of the Army [or an authorized representative.]

''(c) CONCURRENT REVIEW.—

''(1) IN GENERAL.—In any case in which an activity subject to this section requires a review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), review and approval under this section shall, to the maximum extent practicable, occur concurrently with any review and decisions made under that Act.

''(2) CORPS OF ENGINEERS AS A COOPERATING AGENCY.—If the Corps of Engineers is not the lead Federal agency for an environmental review described in paragraph (1), the Chief of Engineers shall, to the maximum extent practicable—

''(A) participate in the review as a cooperating agency (unless the Chief of Engineers does not intend to submit comments on the project); and

''(B) adopt and use any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the lead agency to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

''(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(ii) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).''.

SEC. 1009. PROJECT COMPLETION.

For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), the authorization of appropriations is increased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than $4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

SEC. 1010. CONTRIBUTED FUNDS.

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

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

''(b) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that—

''(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the 'Flood Control Act of 1936'); and

''(2) includes information on the projects and amounts of contributed funds referred to in paragraph (1).''.

SEC. 1011. APPLICATION OF CERTAIN BENEFITS AND COSTS INCLUDED IN FINAL FEASIBILITY STUDIES.

(a) IN GENERAL.—For a navigation project authorized after November 7, 2007, involving offshore oil and gas fabrication ports, the recommended plan by the Chief of Engineers shall be the plan that uses the value of future energy exploration and production fabrication contracts and the transportation savings that would result from a larger navigation channel in accordance with section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282).

(b) SPECIAL RULE.—In addition to projects described in subsection (a), this section shall apply to—

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

(2) at the request of the non-Federal sponsor, any ongoing feasibility study for which the benefits under section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282) may apply.

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

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

(1) modification of a water resources project;

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

(3) accessing water released from a project.

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

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

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

(A) to recharge groundwater;

(B) to aquifer storage and recovery; or

(C) to any other storage facility;

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

(4) construction of facilities to access water; and

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

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

(1) sections 203 and 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232);

(2) section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a);

(3) section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and

(4) section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Appropriation Act of 1899'') (33 U.S.C. 408).

(d) COST SHARE.—

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

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

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

(f) STUDIES AND ENGINEERING.—

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

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

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

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

(g) EXCLUSION.—This section shall not apply to reservoirs owned and operated by the Corps of Engineers in—

(1) the Upper Missouri River;

(2) the [Apalachicola-Chattahoochee] *Apalachicola-Chattahoochee-Flint* river system; and

(3) the Alabama-Coosa-Tallapoosa river system.

SEC. 1013. NEW ENGLAND DISTRICT HEADQUARTERS.

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

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

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

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

SEC. 1014. BUFFALO DISTRICT HEADQUARTERS.

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

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

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

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

SEC. 1015. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS.

Section 2039 of the Water Resources Development Act of 2007 (33 U.S.C. 2330a) is amended by adding at the end the following:

''(d) INCLUSIONS.—A monitoring plan under subsection (b) shall include a description of—

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

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

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

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

''(e) CONCLUSION OF OPERATION AND MAINTENANCE RESPONSIBILITY.—The responsibility of the non-Federal sponsor for operation, maintenance, repair, replacement, and rehabilitation of the ecosystem restoration project shall cease 10 years after the date on which the Secretary makes a determination of success under subsection (b)(2).''.

SEC. 1016. CREDIT FOR DONATED GOODS.

Section 221(a)(4)(D)(iv) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)(D)(iv)) is amended—

(1) by inserting ''regardless of the cost incurred by the non-Federal interest,'' before ''shall not''; and

(2) by striking ''costs'' and inserting ''value''.

SEC. 1017. STRUCTURAL HEALTH MONITORING.

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

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures; [and]

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

(4) identifying risks due to sea level rise.

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

(1) consult with academic and other experts; and

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

SEC. 1018. FISH AND WILDLIFE MITIGATION.

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

(1) in subsection (h)—

(A) in paragraph (4)—

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

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

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

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

(2) by adding at the end the following:

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

SEC. 1019. NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting ''or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' after ''Indian tribe''.

SEC. 1020. DISCRETE SEGMENT.

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

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

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

(3) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C),

respectively, and indenting appropriately; and

(B) by striking the subsection designation and all that follows through ''In this section, the'' and inserting the following:

''(a) DEFINITIONS.—In this section:

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

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

(4) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''project, or separate element thereof'' and inserting ''project, separable element, or discrete segment of a project''; and

(5) in subsection (d)—

(A) in paragraph (3)(B), in the matter preceding clause (i), by striking ''project'' and inserting ''project, separable element, or discrete segment'';

(B) in paragraph (4), in the matter preceding subparagraph (A), by striking ''project, or a separable element of a water resources development project,'' and inserting ''project, separable element, or discrete segment of a project''; and

(C) by adding at the end the following:

''(5) REPAYMENT OF REIMBURSEMENT.—If the non-Federal interest receives reimbursement for a discrete segment of a project and fails to complete the entire project or separable element of the project, the non-Federal interest shall repay to the Secretary the amount of the reimbursement, plus interest.''.

SEC. 1021. FUNDING TO PROCESS PERMITS.

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

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

''(C) RAIL CARRIER.—The term 'rail carrier' has the meaning given the term in section 10102 of title 49, United States Code.'';

(2) in paragraph (2), by striking ''or natural gas company'' and inserting '', natural gas company, or rail carrier'';

(3) in paragraph (3), by striking ''or natural gas company'' and inserting '', natural gas company, or rail carrier''; and

(4) in paragraph (5), by striking ''and natural gas companies'' and inserting '', natural gas companies, and rail carriers, including an evaluation of the compliance with all requirements of this section and, with respect to a permit for those entities, the requirements of all applicable Federal laws''.

SEC. 1022. INTERNATIONAL OUTREACH PROGRAM.

Section 401 of the Water Resources Development Act of 1992 (33 U.S.C. 2329) is amended by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Secretary may engage in activities to inform the United States of technological innovations abroad that could significantly improve water resources development in the United States.

''(2) INCLUSIONS.—Activities under paragraph (1) may include—

''(A) development, monitoring, assessment, and dissemination of information about foreign water resources projects that could significantly improve water resources development in the United States;

''(B) research, development, training, and other forms of technology transfer and exchange; and

''(C) offering technical services that cannot be readily obtained in the private sector to be incorporated into water resources projects if the costs for assistance will be recovered under the terms of each project.''.

SEC. 1023. WETLANDS MITIGATION.

Section 2036(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2317b) is amended by adding at the end the following:

''(4) MITIGATION BANKS.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall issue implementation guidance that provides for the consideration of the entire amount of potential credits available at in-kind, in-basin mitigation banks and in-lieu fee programs for water resource development project feasibility studies.

''(B) REQUIREMENTS.—All potential mitigation bank and in-lieu fee credits shall be considered a reasonable alternative for planning purposes if the applicable mitigation bank—

''(i) has an approved mitigation banking instrument; and

''(ii) has completed a functional analysis of the potential credits using the approved Corps of Engineers certified habitat assessment model specific to the region.''.

SEC. 1024. USE OF YOUTH SERVICE AND CONSERVATION CORPS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by adding at the end the following:

''(d) YOUTH SERVICE AND CONSERVATION CORPS.—The Secretary shall encourage each district of the Corps of Engineers to enter into cooperative agreements authorized under this section with qualified youth service and conservation corps to perform appropriate projects.''.

SEC. 1025. DEBRIS REMOVAL.

Section 3 of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 (33 U.S.C. 603a), is amended—

(1) by striking ''$1,000,000'' and inserting ''$5,000,000''; [and]

(2) by [inserting] striking ''accumulated snags and other debris'' and inserting ''accumulated snags, obstructions, and other debris located in or adjacent to a Federal channel''*; and*

(3) by striking ''or flood control'' and inserting '', flood control, or recreation''.

[SEC. 1026. OYSTER AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the oyster aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number, structure, funding, and regulation of oyster hatcheries in each State;

(3) the number of oyster aquaculture leases in place in each relevant district of the Corps of Engineers;

(4) the period of time required to secure an oyster aquaculture lease from each relevant jurisdiction; and

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

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

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) Puget Sound.

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

SEC. 1026. AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the shellfish aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number of shellfish aquaculture leases, verifications, or permits in place in each relevant district of the Corps of Engineers;

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

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

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

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) The State of Washington.

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

SEC. 1027. LEVEE VEGETATION.

(a) IN GENERAL.—Section 3013(g)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121) is amended—

(1) by inserting ''remove existing vegetation or'' after ''the Secretary shall not''; and

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

(b) REPORT.—Not later than 30 days after the enactment of this Act, the 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—

(1) describes the reasons for the failure of the Secretary to meet the deadlines in subsection (f) of section 3013 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121); and

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

SEC. 1028. PLANNING ASSISTANCE TO STATES.

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a)(1)) is amended—

(1) by inserting '', a group of States, or a regional or national consortia of States'' after ''working with a State''; and

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

SEC. 1029. PRIORITIZATION.

Section 1011 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2341a) is amended—

(1) in subsection (a)—

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

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''the date of enactment of this Act'' and inserting ''the date of enactment of the Water Resources Development Act of 2016''; and

(ii) in subparagraph (A)(ii), by striking ''that—'' and all that follows through ''(II)'' and inserting ''that''; and

(2) in subsection (b)—

(A) in paragraph (1), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking ''For'' and inserting the following:

''(1) IN GENERAL.—For''; and

(D) by adding at the end the following:

''(2) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROGRAMMATIC AUTHORITIES.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

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

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

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

''(B) a plan for expeditiously completing the projects under the authorities described in subparagraph (A), subject to available funding.''.

SEC. 1030. KENNEWICK MAN.

(a) DEFINITIONS.—In this section:

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

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

(3) HUMAN REMAINS.—The term ''human remains'' means the human remains that—

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

(B) are part of archaeological collection number 45BN495.

(b) TRANSFER.—Notwithstanding any other provision of Federal law or law of the State of Washington, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) COST.—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) LIMITATIONS.—

(1) IN GENERAL.—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) CORPS OF ENGINEERS.—The Corps of Engineers shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SEC. 1031. REVIEW OF CORPS OF ENGINEERS ASSETS.

Section 6002(b) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1349) is amended by adding at the end the following:

''(6) The extent to which the property has economic, cultural, historic, or recreational significance or impacts at the national, State, or local level.''.

SEC. 1032. REVIEW OF RESERVOIR OPERATIONS.

(a) IN GENERAL.—The Secretary, in consultation with the heads of other Federal agencies, as appropriate, shall review the operation of a reservoir, including the water control manual and rule curves, using the best available science, including improved weather forecasts and run-off forecasting methods in any case in which the Secretary receives a request for such a review from a non-Federal entity.

(b) PRIORITY.—In conducting reviews under subsection (a), the Secretary shall give priority to reservoirs—

(1) located in areas with prolonged drought conditions; and

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

(c) DESCRIPTION OF BENEFITS.—In conducting the review under subsection (a), the Secretary shall determine if a change in operations, including the use of improved weather forecasts and run-off forecasting methods, will enhance 1 or more existing authorized project purposes, including—

(1) flood risk reduction;

(2) water supply;

(3) recreation; and

(4) fish and wildlife protection and mitigation.

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

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

(2) individuals and entities with storage entitlements; and

(3) local agencies with flood control responsibilities downstream of a facility.

(e) RESULTS REPORTED.—Not later than 90 days

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

⟦(e)⟧*(f)* MANUAL UPDATE.—As soon as practicable, but not later than 3 years after the date on which a report under subsection ⟦(d)⟧ *(e)* is posted on the Internet, pursuant to the procedures required under existing authorities, if the Secretary determines based on that report that using the best available science, including improved weather and run-off forecasting methods, improves 1 or more existing authorized purposes at a reservoir, the Secretary shall—

(1) incorporate those methods in the operation of the reservoir; and

(2) as appropriate, update or revise operational documents, including water control plans, water control manuals, water control diagrams, release schedules, rule curves, and operational agreements with non-Federal entities.

⟦(f)⟧*(g)* FUNDING.—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to fund all or a portion of the cost of carrying out a review under subsection (a) or an update or revision of operational documents under subsection ⟦(e)⟧ *(f)*, including any associated environmental documentation.

⟦(g)⟧*(h)* EFFECT.—

(1) MANUAL UPDATES.—An update under subsection ⟦(e)(2)⟧ *(f)(2)* shall not interfere with the authorized purposes of a project.

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

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

(B) affects or modifies any obligation of the Secretary under Federal or State law.

⟦(h)⟧*(i)* EXCLUSION.—This section shall not apply to reservoirs owned and operated by the Corps of Engineers in—

(1) the Upper Missouri River;

(2) the ⟦Apalachicola-Chattahoochee⟧ *Apalachicola-Chattahoochee-Flint* river system; and

(3) the Alabama-Coosa-Tallapoosa river system.

SEC. 1033. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through ''Subject to subsection (b)'' and inserting the following:

''(a) APPLICATION OF CREDIT.—

''(1) IN GENERAL.—Subject to subsection (b)''; and

(B) by adding at the end the following:

''(2) REASONABLE INTERVALS.—On request from a non-Federal interest, the credit described in subsection (a) may be applied at reasonable intervals as those intervals occur and are identified as being in excess of the required non-Federal cost share prior to completion of the study or project if the credit amount is verified by the Secretary.'';

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

SEC. 1034. SURPLUS WATER STORAGE.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1254) is amended by adding at the end the following:

''(5) TIME LIMIT.—

''(A) IN GENERAL.—If the Secretary has documented the volume of surplus water available, not later than 60 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall issue a decision on the request.

''(B) OUTSTANDING INFORMATION.—If the Secretary has not documented the volume of surplus water available, not later than 30 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall provide to the requester—

''(i) an identification of any outstanding information that is needed to make a final decision;

''(ii) the date by which the information referred to in clause (i) shall be obtained; and

''(iii) the date by which the Secretary will make a final decision on the request.''.

SEC. 1035. HURRICANE AND STORM DAMAGE REDUCTION.

Section 3(c)(2)(B) of the Act of August 13, 1946 (33 U.S.C. 426g(c)(2)(B)) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

SEC. 1036. FISH HATCHERIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may operate a fish hatchery for the purpose of restoring a population of fish species located in the region surrounding the fish hatchery that is listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or a similar State law.

(b) COSTS.—A non-Federal entity, another Federal agency, or a group of non-Federal entities or other Federal agencies shall be responsible for 100 percent of the additional costs associated with managing a fish hatchery for the purpose described in subsection

(a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 1037. FEASIBILITY STUDIES AND WATERSHED ASSESSMENTS.

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

''(3) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any feasibility study for which the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided under this section, including an identification of the specific 1 or more factors used in making the determination that the project is complex.''.

(b) COST SHARING.—Section 105(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(A)) is amended—

(1) by striking the subparagraph designation and heading and all that follows through ''The Secretary'' and inserting the following:

''(A) REQUIREMENT.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Secretary''; and

(2) by adding at the end the following:

''(ii) EXCEPTION.—For the purpose of meeting or otherwise communicating with prospective non-Federal sponsors to identify the scope of a potential water resources project feasibility study, identifying the Federal interest, developing the cost sharing agreement, and developing the project management plan, the first $100,000 of the feasibility study shall be a Federal expense.''.

(c) NON-FEDERAL SHARE.—Section 729(f)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(f)(1)) is amended by inserting before the period at the end '', except that the first $100,000 of the assessment shall be a Federal expense''.

SEC. 1038. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in subsection (b), by striking ''measures'' and all that follows through ''project'' and inserting ''measures, including a study, shall be cost-shared in the same proportion as the cost-sharing provisions applicable to construction of the project''; and

(2) by adding at the end the following:

''(e) REIMBURSEMENT FOR FEASIBILITY STUDIES.—Beginning on the date of enactment of this subsection, in any case in which the Secretary implements a project under this section, the Secretary shall reimburse or credit the non-Federal interest for any amounts contributed for the study evaluating the damage in excess of the non-Federal share of the costs, as determined under subsection (b).''.

TITLE II—NAVIGATION

SEC. 2001. PROJECTS FUNDED BY THE INLAND WATERWAYS TRUST FUND.

Beginning on June 10, 2014, and ending on the date that is 15 years after the date of enactment of this Act, section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) shall not apply to any project authorized to receive funding from the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

SEC. 2002. OPERATION AND MAINTENANCE OF FUEL-TAXED INLAND WATERWAYS.

Section 102(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(c)) is amended by adding at the end the following:

''(3) CREDIT OR REIMBURSEMENT.—The Federal share of operation and maintenance carried out by a non-Federal interest under this subsection after the date of enactment of the Water Resources Reform and Development Act of 2014 shall be eligible for reimbursement or for credit toward—

''(A) the non-Federal share of future operation and maintenance under this subsection; or

''(B) any measure carried out by the Secretary under section 3017(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121).''.

SEC. 2003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

Section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) is amended—

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

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

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

''(c) EXCEPTION.—If the target total budget resources for a fiscal year described in subparagraphs (A) through (J) of subsection (b)(1) is lower than the target total budget resources for the previous fiscal year, then the target total budget resources shall be adjusted to be equal to the lesser of—

''(1) 103 percent of the total budget resources appropriated for the previous fiscal year; or

''(2) 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.''.

SEC. 2004. DREDGED MATERIAL DISPOSAL.

Disposal of dredged material shall not be considered environmentally acceptable if the disposal violates applicable State water quality standards approved by the Administrator of the Environmental Protection Agency under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

SEC. 2005. CAPE ARUNDEL DISPOSAL SITE, MAINE.

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

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

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

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

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

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

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

SEC. 2006. MAINTENANCE OF HARBORS OF REFUGE.

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

SEC. 2007. AIDS TO NAVIGATION.

(a) IN GENERAL.—The Secretary shall—

(1) consult with the Commandant of the Coast Guard regarding navigation on the Ouachita-Black Rivers; and

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

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

SEC. 2008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)) is amended by adding at the end the following:

''(3) SPECIAL RULE.—Disposal of dredged material under this subsection may include a single or periodic application of sediment for beneficial use and shall not require operation and maintenance.

''(4) DISPOSAL AT NON-FEDERAL COST.—The Secretary may accept funds from a non-Federal interest to dispose of dredged material as provided under section 103(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(1)).''.

SEC. 2009. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

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

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

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

SEC. 2010. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is amended—

(1) in subsection (a)(4)(A), by striking ''Code of Federal Regulation'' and inserting ''Code of Federal Regulations''; and

(2) in subsection (f)—

(A) in paragraph (1), by striking ''2018'' and inserting ''2025''; and

(B) in paragraph (3)—

(i) by striking ''2015 through 2018'' and inserting ''2016 through 2020''; and

(ii) by striking ''2019 through 2022'' and inserting ''2021 through 2025''.

SEC. 2011. HARBOR DEEPENING.

[Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—]

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

(1) in the matter preceding subparagraph (A), by striking ''the date of enactment of this Act'' and inserting ''the date of enactment of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1193)'';

(2) in subparagraph (B), by striking ''45 feet'' and inserting ''50 feet''; and

(3) in subparagraph (C), by striking ''45 feet'' and inserting ''50 feet''.

(b) DEFINITION OF DEEP-DRAFT HARBOR.—Section 214(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2241(1)) is amended by striking ''45 feet'' and inserting ''50 feet''.

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

(a) DEFINITIONS.—In this section:

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

(2) SHALLOW DRAFT.—The term ''shallow draft'' means a project that has a depth of less than 14 feet.

(b) DREDGING ACTIVITIES.—The Secretary shall carry out dredging activities on shallow draft ports located on the inland Mississippi River to the respective authorized

widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section $25,000,000.

SEC. 2013. IMPLEMENTATION GUIDANCE.

Section 2102 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1273) is amended by adding at the end the following:

''(d) GUIDANCE.—Not later than 90 days after the date of enactment of the Water Resources Development Act of 2016 the Secretary shall publish on the website of the Corps of Engineers guidance on the implementation of this section and the amendments made by this section.''.

SEC. 2014. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

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

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''or of a community that is located in the region to be served by the project and that will rely on the project'' after ''community'';

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

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

SEC. 2015. NON-FEDERAL INTEREST DREDGING AUTHORITY.

(a) IN GENERAL.—The Secretary may permit a non-Federal interest to carry out, for an authorized navigation project (or a separable element of an authorized navigation project), such maintenance activities as are necessary to ensure that the project is maintained to not less than the minimum project dimensions.

(b) COST LIMITATIONS.—Except as provided in this section and subject to the availability of appropriations, the costs incurred by a non-Federal interest in performing the maintenance activities described in subsection (a) shall be eligible for reimbursement, not to exceed an amount that is equal to the estimated Federal cost for the performance of the maintenance activities.

(c) AGREEMENT.—Before initiating maintenance activities under this section, the non-Federal interest shall enter into an agreement with the Secretary that specifies, for the performance of the maintenance activities, the terms and conditions that are acceptable to the non-Federal interest and the Secretary.

(d) PROVISION OF EQUIPMENT.—In carrying out maintenance activities under this section, a non-Federal interest shall—

(1) provide equipment at no cost to the Federal Government; and

(2) hold and save the United States free from any and all damage that arises from the use of the equipment of the non-Federal interest, except for damage due to the fault or negligence of a contractor of the Federal Government.

[(e) REIMBURSEMENT ELIGIBILITY LIMITATIONS.—Costs that are directly related to the operation and maintenance of a dredge, based on the period of time the dredge is used in the performance of work for the Federal Government during a given fiscal year, are eligible for reimbursement under this section.]

(e) REIMBURSEMENT ELIGIBILITY LIMITATIONS.—Costs that are eligible for reimbursement under this section are those costs directly related to the costs associated with operation and maintenance of the dredge based on the lesser of the period of time for which—

(1) the dredge is being used in the performance of work for the Federal Government during a given fiscal year; and

(2) the actual fiscal year Federal appropriations identified for that portion of maintenance dredging that are made available.

(f) [MONITORING] AUDIT.—Not earlier than 5 years after the date of enactment of this Act, the Secretary may conduct an audit on any maintenance activities for an authorized navigation project (or a separable element of an authorized navigation project) carried out under this section to determine if permitting a non-Federal interest to carry out maintenance activities under this section has resulted in—

(1) improved reliability and safety for navigation; and

(2) cost savings to the Federal Government.

(g) TERMINATION OF AUTHORITY.—The authority of the Secretary under this section terminates on the date that is 10 years after the date of enactment of this Act.

[SEC. 2016. TRANSPORTATION COST SAVINGS.

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

(1) in clause (iii), by striking ''and'' at the end;

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

(3) by adding at the end the following:

''(v) identifies, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.''.]

SEC. 2016. TRANSPORTATION COST SAVINGS.

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

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B) ADDITIONAL REQUIREMENT.—For the first report following the date of enactment of the Water Resources Development Act of 2016, in the report submitted under subparagraph (A), the Secretary shall identify, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.''.

SEC. 2017. DREDGED MATERIAL.

(a) IN GENERAL.—Notwithstanding part 335 of title 33, Code of Federal Regulations, the Secretary may place dredged material from the operation and maintenance of an authorized Federal water resources project at another authorized water resource project if the Secretary determines that—

(1) the placement of the dredged material would—

(A)(i) enhance protection from flooding caused by storm surges or sea level rise; or

(ii) significantly contribute to shoreline resiliency, including the resilience and restoration of wetland; and

(B) be in the public interest; and

(2) the cost associated with the placement of the dredged material is reasonable in relation to the associated environmental, flood protection, and resiliency benefits.

(b) ADDITIONAL COSTS.—If the cost of placing the dredged material at another authorized water resource project exceeds the cost of depositing the dredged material in accordance with the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)), the Secretary shall not require a non-Federal entity to bear any of the increased costs associated with the placement of the dredged material.

TITLE III—SAFETY IMPROVEMENTS

SEC. 3001. REHABILITATION ASSISTANCE FOR NON-FEDERAL FLOOD CONTROL PROJECTS.

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

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

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

(2) by adding at the end the following:

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

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

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

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

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

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

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

(b) PROJECTS IN COORDINATION WITH CERTAIN REHABILITATION REQUIREMENTS.—

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

(2) COST-SHARING.—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 3002. REHABILITATION OF EXISTING LEVEES.

Section 3017 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121) is amended—

(1) in subsection (a), by striking ''if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified'';

(2) in subsection (b)—

(A) by striking ''This section'' and inserting the following:

''(1) IN GENERAL.—This section''; and

(B) by adding at the end the following:

''(2) REQUIREMENT.—A measure carried out under subsection (a) shall be implemented in the same manner as the repair or restoration of a flood control work pursuant to section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).'';

(3) in subsection (c)(1), by striking ''The non-Federal'' and inserting ''Notwithstanding subsection (b)(2), the non-Federal''; and

(4) by adding at the end the following:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $125,000,000.''.

SEC. 3003. MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.

In any case in which the Secretary is responsible, as of the date of enactment of this Act, for the maintenance of a project classified as class III under the Dam Safety Action Classification of the Corps of Engineers, the Secretary shall continue to be responsible for the maintenance until the earlier of the date that—

(1) the project is modified to reduce that risk and the Secretary determines that the project is no longer classified as class III under the Dam Safety Action Classification of the Corps of Engineers; and

(2) is 15 years after the date of enactment of this Act.

SEC. 3004. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

(a) DEFINITIONS.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (9), (11), (13), (14), (15), and (16), respectively;

(2) by inserting after paragraph (3) the following:

''(4) ELIGIBLE HIGH HAZARD POTENTIAL DAM.—

''(A) IN GENERAL.—The term 'eligible high hazard potential dam' means a non-Federal dam that—

''(i) is located in a State with a State dam safety program;

''(ii) is classified as 'high hazard potential' by the State dam safety agency in the State in which the dam is located;

''(iii) has an emergency action plan approved by the relevant State dam safety agency; and

''(iv) the State in which the dam is located determines—

''(I) fails to meet minimum dam safety standards of the State; and

''(II) poses an unacceptable risk to the public.

''(B) EXCLUSION.—The term 'eligible high hazard potential dam' does not include—

''(i) a licensed hydroelectric dam; or

''(ii) a dam built under the authority of the Secretary of Agriculture.'';

(3) by inserting after paragraph (9) (as redesignated by paragraph (1)) the following:

''(10) NON-FEDERAL SPONSOR.—The term 'non-Federal sponsor', in the case of a project receiving assistance under section 8A, includes—

''(A) a governmental organization; and

''(B) a nonprofit organization.'' and

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

''(12) REHABILITATION.—The term 'rehabilitation' means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.''.

(b) PROGRAM FOR REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

''SEC. 8A. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

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

''(b) ELIGIBLE ACTIVITIES.—A grant awarded under this section for a project may be used for—

''(1) repair;

''(2) removal; or

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

''(c) AWARD OF GRANTS.—

''(1) APPLICATION.—

''(A) IN GENERAL.—A non-Federal sponsor interested in receiving a grant under this section may submit to the Administrator an application for the grant.

''(B) REQUIREMENTS.—An application submitted to the Administrator under this section shall be submitted at such time, be in such form, and contain such information as the Administrator may prescribe by regulation pursuant to section 3004(c) of the Water Resources Development Act of 2016.

''(2) GRANT.—

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

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

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

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

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

''(ii) $7,500,000.

''(d) REQUIREMENTS.—

''(1) APPROVAL.—A grant awarded under this section for a project shall be approved by the relevant State dam safety agency.

''(2) NON-FEDERAL SPONSOR REQUIREMENTS.—To receive a grant under this section, the non-Federal sponsor shall—

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

''(B) have in place a hazard mitigation plan that—

''(i) includes all dam risks; and

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

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

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

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

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

''(E) comply with section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)) (as in effect on the date of enactment of this section) with respect to projects receiving assistance under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Administrator for emergency preparedness purposes.

''(e) FLOODPLAIN MANAGEMENT PLANS.—

''(1) IN GENERAL.—As a condition of receipt of assistance under this section, the non-Federal entity shall demonstrate that a floodplain management plan to reduce the impacts of future flood events in the area protected by the project—

''(A) is in place; or

''(B) will be—

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

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

''(2) INCLUSIONS.—A plan under paragraph (1) shall address—

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

''(B) plans for flood fighting and evacuation; and

''(C) public education and awareness of flood risks.

''(3) TECHNICAL SUPPORT.—The Administrator may provide technical support for the development and implementation of floodplain management plans prepared under this subsection.

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

''(g) FUNDING.—

''(1) COST SHARING.—

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

''(B) IN-KIND CONTRIBUTIONS.—The non-Federal share under subparagraph (A) may be provided in the form of in-kind contributions.

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

''(A) EQUAL DISTRIBUTION.—⅓ shall be distributed equally among the States in which the projects for which applications are submitted under subsection (c)(1) are located.

''(B) NEED-BASED.—⅔ shall be distributed among the States in which the projects for which applications are submitted under subsection (c)(1) are located based on the proportion that—

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

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

''(h) USE OF FUNDS.—None of the funds provided in the form of a grant or otherwise made available under this section shall be used—

''(1) to rehabilitate a Federal dam;

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

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

''(4) to increase water supply storage capacity; or

''(5) to make any other modification to a dam that does not also improve the safety of the dam.

''(i) CONTRACTUAL REQUIREMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), as a condition on the receipt of a grant under this section of an amount greater than $1,000,000, a non-Federal sponsor that receives the grant shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded under—

''(A) chapter 11 of title 40, United States Code; or

''(B) an equivalent qualifications-based requirement prescribed by the relevant State.

''(2) NO PROPRIETARY INTEREST.—A contract awarded in accordance with paragraph (1) shall not be considered to confer a proprietary interest upon the United States.

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

''(1) $10,000,000 for fiscal years 2017 and 2018;

''(2) $25,000,000 for fiscal year 2019;

''(3) $40,000,000 for fiscal year 2020; and

''(4) $60,000,000 for each of fiscal years 2021 through 2026.''.

(c) RULEMAKING.—

(1) PROPOSED RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding applications for grants of assistance under the amendments made by subsection (b) to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(2) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate a final rule regarding the amendments described in paragraph (1).

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

SEC. 4001. GULF COAST OYSTER BED RECOVERY PLAN.

(a) DEFINITION OF GULF STATES.—In this section, the term ''Gulf States'' means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(b) GULF COAST OYSTER BED RECOVERY PLAN.—The Secretary, in coordination with the Gulf States, shall develop and implement a plan to assist in the recovery of oyster beds on the coast of Gulf States that were damaged by events including—

(1) Hurricane Katrina in 2005;

(2) the Deep Water Horizon oil spill in 2010; and

(3) floods in 2011 and 2016.

(c) INCLUSION.—The plan developed under subsection (b) shall address the beneficial use of dredged material in providing substrate for oyster bed development.

(d) SUBMISSION.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee of Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under subsection (b).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $2,000,000, to remain available until expended.

SEC. 4002. COLUMBIA RIVER.

(a) ECOSYSTEM RESTORATION.—Section 536(g) of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2662; 128 Stat. 1314) is amended by striking ''$50,000,000'' and inserting ''$75,000,000''.

(b) WATERCRAFT INSPECTION STATIONS, COLUMBIA RIVER BASIN.—Section 104(d) of the River and Harbor Act of 1958 (33 U.S.C. 610(d)) is amended—

(1) in paragraph (1), by striking ''stations in the Columbia River Basin to be located in the States of Idaho, Montana, Oregon, and Washington'' and inserting ''stations to protect the Columbia River Basin''; and

(2) in paragraph (3), by striking subparagraph (A) and inserting the following:

''(A) the Governor of each State in which a station is established under paragraph (1);''.

(c) TRIBAL HOUSING.—

(1) DEFINITION OF REPORT.—In this subsection, the term ''report'' means the final report of the Portland District, Corps of Engineers, entitled ''Columbia River Treaty Fishing Access Sites, Oregon and Washington: Fact-finding Review on Tribal Housing'' and dated November 19, 2013.

(2) ASSISTANCE AUTHORIZED.—As replacement housing for Indian families displaced due to the construction of the Bonneville Dam, on the request of the Secretary of the Interior, the Secretary may provide assistance [to relocate to] *on* land transferred by the Department of the Army to the Department of the Interior pursuant to title IV of Public Law 100–581 (102 Stat. 2944; 110 Stat. 766; 110 Stat. 3762; 114 Stat. 2679; 118 Stat. 544) *for* the number of families [identified] *estimated in the report* as having received no relocation assistance [in the report.]

(3) STUDY.—The Secretary shall—

(A) conduct a study to determine the number of Indian people displaced by the construction of the John Day Dam; and

(B) identify a plan for suitable housing to replace housing lost to the construction of the John Day Dam.

(d) COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WASHINGTON AND OREGON.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Columbia and Lower Willamette Rivers below Vancouver, Washington and Portland, Oregon, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87–874; 76 Stat. 1177) to address safety risks.

SEC. 4003. MISSOURI RIVER.

(a) RESERVOIR SEDIMENT MANAGEMENT.—

(1) DEFINITION OF SEDIMENT MANAGEMENT PLAN.—In this subsection, the term ''sediment management plan'' means a plan for preventing sediment from reducing water storage capacity at a reservoir and increasing water storage capacity through sediment removal at a reservoir.

(2) UPPER MISSOURI RIVER BASIN PILOT PROGRAM.—The Secretary shall carry out a pilot program for the development and implementation of sediment management plans for reservoirs owned and operated by the Secretary in the Upper Missouri River Basin, on request by project beneficiaries.

(3) PLAN ELEMENTS.—A sediment management plan under paragraph (2) shall—

(A) provide opportunities for project beneficiaries and other stakeholders to participate in sediment management decisions;

(B) evaluate the volume of sediment in a reservoir and impacts on storage capacity;

(C) identify preliminary sediment management options, including sediment dikes and dredging;

(D) identify constraints;

(E) assess technical feasibility, economic justification, and environmental impacts;

(F) identify beneficial uses for sediment; and

(G) to the maximum extent practicable, use, develop, and demonstrate innovative, cost-saving technologies, including structural and nonstructural technologies and designs, to manage sediment.

(4) COST SHARE.—The beneficiaries requesting the plan shall share in the cost of development and implementation of a sediment management plan allocated in accordance with the benefits to be received.

(5) CONTRIBUTED FUNDS.—The Secretary may accept funds from non-Federal interests and other Federal agencies to develop and implement a sediment management plan under this subsection.

(6) GUIDANCE.—The Secretary shall use the knowledge gained through the development and implementation of sediment management plans under paragraph (2) to develop guidance for sediment management at other reservoirs.

(7) PARTNERSHIP WITH THE SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—The Secretary shall carry out the pilot program established under this subsection in partnership with the Secretary of the Interior, and the program may apply to reservoirs managed or owned by the Bureau of Reclamation on execution of a memorandum of agreement between the Secretary and the Secretary of the Interior establishing the framework for a partnership and the terms and conditions for sharing expertise and resources.

(B) LEAD AGENCY.—The Secretary that has primary jurisdiction over the reservoir shall take the lead in developing and implementing a sediment management plan for that reservoir.

(8) OTHER AUTHORITIES NOT AFFECTED.—Nothing in this subsection affects sediment management or the share of costs paid by Federal and non-Federal interests relating to sediment management under any other provision of law (including regulations).

(b) SNOWPACK AND DROUGHT MONITORING.—Section 4003(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1311) is amended by adding at the end the following:

''(5) LEAD AGENCY.—The Corps of Engineers shall be the lead agency for carrying out and coordinating the activities described in paragraph (1).''.

SEC. 4004. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION.

Section 544(f) of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2675) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

SEC. 4005. ICE JAM PREVENTION AND MITIGATION.

(a) IN GENERAL.—The Secretary may carry out projects under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), including planning, design, construction, and monitoring of structural and nonstructural technologies and measures for preventing and mitigating flood damages associated with ice jams.

(b) INCLUSION.—The projects described in subsection (a) may include the development and demonstration of cost-effective technologies and designs developed in consultation with—

(1) the Cold Regions Research and Engineering Laboratory of the Corps of Engineers;

(2) universities;

(3) Federal, State, and local agencies; and

(4) private organizations.

(c) PILOT PROGRAM.—

(1) AUTHORIZATION.—In addition to the funding authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary is authorized to expend $30,000,000 to carry out pilot projects to demonstrate technologies and designs developed in accordance with this section.

(2) PRIORITY.—In carrying out pilot projects under paragraph (1), the Secretary shall give priority to projects in the Upper Missouri River Basin.

(3) SUNSET.—The pilot program under this subsection shall terminate on December 31, 2026.

SEC. 4006. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)(1)) is amended by striking ''$60,000,000'' and inserting ''$100,000,000''.

SEC. 4007. NORTH ATLANTIC COASTAL REGION.

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

SEC. 4008. RIO GRANDE.

Section 5056(f) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1214; 128 Stat. 1315) is amended by striking ''2019'' and inserting ''2024''.

SEC. 4009. TEXAS COASTAL AREA.

In carrying out the Coastal Texas ecosystem protection and restoration study authorized by section 4091 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1187), the Secretary shall consider studies, data, or information developed by the Gulf Coast Community Protection and Recovery District to expedite completion of the study.

SEC. 4010. UPPER MISSISSIPPI AND ILLINOIS RIVERS FLOOD RISK MANAGEMENT.

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

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

(1) to develop an integrated, comprehensive, and systems-based approach to minimize the threat to health and safety resulting from flooding by using structural and nonstructural flood risk management measures;

(2) to reduce damages and costs associated with flooding;

(3) to identify opportunities to support environmental sustainability and restoration goals of the Upper Mississippi River and Illinois River floodplain as part of any systemic flood risk management plan; and

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

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

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

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

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

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

(5) use, to the maximum extent practicable, any existing plans and data, including the Upper Mississippi River Comprehensive Plan authorized in section 429 of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 326).

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

SEC. 4011. SALTON SEA, CALIFORNIA.

Section 3032 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1113) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking ''PILOT PROJECTS'' and inserting ''PROJECTS'';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''the pilot''; and

(ii) in subparagraph (B)—

(I) in clause (i), in the matter preceding subclause (I), by striking ''the pilot'';

(II) in subclause (I), by inserting '', Salton Sea Authority, or other non-Federal interest'' before the semicolon at the end; and

(III) in subclause (II), by striking ''pilot'';

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking ''pilot''; and

(D) in paragraph (3)—

(i) by striking ''pilot'' each place it appears; and

(ii) by inserting '', Salton Sea Authority, or other non-Federal interest'' after ''State''; and

(2) in subsection (c), by striking ''pilot''.

SEC. 4012. ADJUSTMENT.

Section 219(f)(25) of the Water Resources Development Act of 1992 (Public Law 102–580; 113 Stat. 336) is amended—

(1) by inserting ''Berkeley'' before ''Calhoun''; and

(2) by striking ''Orangeberg, and Sumter'' and inserting ''and Orangeberg''.

SEC. 4013. COASTAL RESILIENCY.

[Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—]

(a) IN GENERAL.—Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) give priority to projects in communities the existence of which is threatened by rising sea level, including projects relating to shoreline restoration, tidal marsh restoration, dunal habitats to protect coastal infrastructure, reduction of future and existing emergency repair costs, and projects that use dredged materials;''.

(b) INTERAGENCY COORDINATION ON COASTAL RESILIENCE.—The Secretary shall convene an interagency working group on resilience to extreme weather, which will coordinate research, data, and Federal investments related to sea level rise, resiliency, and vulnerability to extreme weather, including coastal resilience.

SEC. 4014. REGIONAL INTERGOVERNMENTAL COLLABORATION ON COASTAL RESILIENCE.

(a) REGIONAL ASSESSMENTS.—

(1) IN GENERAL.—The Secretary may conduct regional assessments of coastal and back bay protection and of Federal and State policies and programs related to coastal water resources, including—

(A) an assessment of the probability and the extent of coastal flooding and erosion, including back bay and estuarine flooding;

(B) recommendations for policies and other measures related to regional Federal, State, local, and private participation in shoreline and back-bay protection projects;

(C) an evaluation of the performance of existing Federal coastal storm damage reduction, ecosystem restoration, and navigation projects, including recommendations for the improvement of those projects;

(D) an assessment of the value and impacts of implementation of regional, systems-based, watershed-based, and interstate approaches if practicable;

(E) recommendations for the demonstration of methodologies for resilience through the use of natural and nature-based infrastructure approaches, as appropriate; and

(F) recommendations regarding alternative sources of funding for new and existing projects.

(2) COOPERATION.—In carrying out paragraph (1), the Secretary shall cooperate with—

(A) heads of appropriate Federal agencies;

(B) States that have approved coastal management programs and appropriate agencies of those States;

(C) local governments; and

(D) the private sector.

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

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

(2) receive from any of the entities described in subsection (a)(2)—

(A) contributed funds; or

(B) research that may be eligible for credit as work-in-kind under applicable Federal law; and

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

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

TITLE V—DEAUTHORIZATIONS

SEC. 5001. DEAUTHORIZATIONS.

(a) VALDEZ, ALASKA.—

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

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

(b) RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, AND TEXAS.—The portion of the project for flood protection on Red River Below Denison Dam, Arkansas, Louisiana and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596), consisting of the portion of the West Agurs Levee that begins at lat. 32°32'50.86'' N ., by long. 93°46'16.82'' W., and ends at lat. 32° 31'22.79'' N., by long. 93° 45' 2.47'' W., is no longer authorized beginning on the date of enactment of this Act.

(c) SUTTER BASIN, CALIFORNIA.—

(1) IN GENERAL.—The separable element constituting the locally preferred plan increment reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(2) SAVINGS PROVISIONS.—The deauthorization under paragraph (1) does not affect—

(A) the national economic development plan separable element reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1366); or

(B) previous authorizations providing for the Sacramento River and major and minor tributaries project, including—

(i) section 2 of the Act of March 1, 1917 (39 Stat. 949; chapter 144);

(ii) section 12 of the Act of December 22, 1944 (58 Stat. 900; chapter 665);

(iii) section 204 of the Flood Control Act of 1950 (64 Stat. 177; chapter 188); and

(iv) any other Acts relating to the authorization for the Sacramento River and major and minor tributaries project along the Feather River right bank between levee stationing 1483+33 and levee stationing 2368+00.

(d) STONINGTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682,146.42, E. 1231,378.69, running north 83.587 degrees west 166.79' to a point N. 682,165.05, E. 1,231,212.94, running north 69.209 degrees west 380.89' to a point N. 682,300.25, E. 1,230,856.86, is no longer authorized as a Federal project beginning on the date of enactment of this Act.

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

(1) IN GENERAL.—The structure and land associated with Green River Lock and Dam 3 and deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015 shall be transferred under this subsection, and the land shall no longer be a portion of the Green River project for navigation, built by the Commonwealth of Kentucky prior to 1886 and purchased and ceded to the Federal Government under the first section of the Act of August 11, 1888 (25 Stat. 416; chapter 860).

(2) TRANSFER.—Subject to this subsection, the Secretary shall convey to the Rochester Dam Regional Water Commission by quitclaim deed and without consideration, all right, title, and interest of the United States in 3 adjacent parcels of land situated on the Ohio County side of the Green River together with any improvements on the land.

(3) LANDS TO BE CONVEYED.—

(A) IN GENERAL.—The 3 adjacent parcels of land to be conveyed under this subsection total approximately 6.72 acres of land in Ohio County, with all 3 parcels being associated with the deauthorized Green River Lock and Dam 3.

(B) USE.—The 3 parcels of land described in subparagraph (A) may be used by the Rochester Dam Regional Water Commission in such a manner as to ensure a water supply for local communities.

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

(f) GREEN RIVER LOCK AND DAM 5, BUTLER AND WARREN COUNTIES, KENTUCKY.—

(1) IN GENERAL.—If the Secretary determines that the Corps of Engineers will not oversee and conduct the removal of the lock and dam structure for Green River Lock and Dam 5 deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, the lock and dam structure and associated land shall be transferred through established General Services Administration procedures to another entity for the express purposes of—

(A) removing the structure from the river at the earliest feasible time; and

(B) making the land available for conservation and public recreation and river access in the future.

(2) DEAUTHORIZATION.—On a transfer under paragraph (1), the land described in that paragraph shall no longer be a portion of the Green River project for navigation, authorized by the first section of the Act of July 13, 1892 (27 Stat. 105; chapter 158).

(g) GREEN RIVER LOCK AND DAM 6, EDMONSON COUNTY, KENTUCKY.—

(1) IN GENERAL.—The structure and land associated with Green River Lock and Dam 6 and deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, shall be transferred under this subsection and the land shall no longer be a portion of the Green River project for navigation, authorized by the first section of the Act of June 13, 1902 (32 Stat. 359; chapter 1079).

(2) TRANSFER.—

(A) TRANSFER TO DEPARTMENT OF THE INTERIOR.—Subject to this subsection, the Secretary shall transfer to the Department of Interior, Mammoth Cave National Park, by quitclaim deed and without consideration, all right, title, and interest of the United States in the 4.19 acre parcel of land situated on left descending bank (south side) of the Green River together with any improvements on the land.

(B) TRANSFER TO THE COMMONWEALTH OF KENTUCKY.—Subject to this subsection, the Secretary shall transfer to the Commonwealth of Kentucky, Department of Fish and Wildlife Resources, by quitclaim deed and without consideration, all right, title, and interest of the United States in the 18.0 acre parcel of land on the right descending bank (north side) of the river and the deauthorized lock and dam structure.

(3) LAND TO BE CONVEYED.—

(A) IN GENERAL.—The 2 parcels of land to be conveyed under this subsection, located on each side of the Green River and associated with the deauthorized Green River Lock and Dam 6 in Edmonson County, Kentucky, include—

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

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

(B) USE.—

(i) MAMMOTH CAVE NATIONAL PARK.—The 4.19-acre parcel of land described in subparagraph (A)(i) shall be used for established purposes of Mammoth Cave National Park.

(ii) DEPARTMENT OF FISH AND WILDLIFE RESOURCES.—The 18.0-acre parcel of land and deauthorized lock and dam structure described in subparagraph (A)(ii) may—

(I) be used for the purposes of removal of the deauthorized structures to restore natural river functions while providing green space and ecotourism development, including the provision of roads, parking, camping, and boat access; or

(II) if the Department of Fish and Wildlife Resources, Commonwealth of Kentucky, cannot fulfill the uses described in subclause (I), be transferred to county or local governments or private conservation entities for continued public green space utilization as described in subclause (I).

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

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

(1) IN GENERAL.—The structure and land associated with Barren River Lock and Dam 1 and deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, shall be conveyed under this subsection and the land shall no longer be a portion of the Barren River project for navigation, built by the Commonwealth of Kentucky prior to 1886 and purchased by and ceded to the Federal Government under the first section of the Act of August 11, 1888 (25 Stat. 416; chapter 860).

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

(3) LAND TO BE CONVEYED.—

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

(B) USE.—The parcel of land described in subparagraph (A) may—

(i) be used by the Commonwealth of Kentucky for the purposes of removal of structures to restore natural river functions while providing green space and ecotourism development, including the provision of roads, parking, camping, and boat access; or

(ii) if the Department of Fish and Wildlife Resources, Commonwealth of Kentucky, cannot fulfill the uses described in clause (i), be transferred to county or local governments or private conservation entities for continued public green space utilization as described in clause (i).

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

(i) PORT OF CASCADE LOCKS, OREGON.—

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

(A) DEFINITION OF FLOWAGE EASEMENT.—In this paragraph, the term ''flowage easement'' means the flowage easements identified as tracts 302E-1 and 304E-1 on the easement deeds recorded as instruments in Hood River County, Oregon, as follows:

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

(ii) A flowage easement recorded October 17, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of the United States, that affects that portion below the 94-foot contour line above main sea level (304 E-1-Perpetual Flowage Easement from August 10, 1937 and October 3, 1936) (previously acquired as tract OH-42 and a portion of tract OH-47).

(B) TERMINATION.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easements are terminated above

elevation 82.4 feet (NGVD29), the ordinary high water mark.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in Hood River, County, Oregon, are as follows:

(A) Lots 3, 4, 5, and 7 of the ''Port of Cascade Locks Business Park'' subdivision, instrument #2014-00436.

(B) Parcels 1, 2, and 3 of Hood River County Partition plat No. 2008-25P.

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

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

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

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

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

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

(A) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61-63, 60, 57, 55, 46, 48, 40, and 38.

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

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

(3) LIMITS ON APPLICABILITY.—

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

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

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

(ii) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

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

(k) SALT CREEK, GRAHAM, TEXAS.—

(1) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 278-279), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

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

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

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

SEC. 5002. CONVEYANCES.

(a) PEARL RIVER, MISSISSIPPI AND LOUISIANA.—

(1) IN GENERAL.—The project for navigation, Pearl River, Mississippi and Louisiana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1033, chapter 831) and section 101 of the River and Harbor Act of 1966 (Public Law 89–789; 80 Stat. 1405), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) TRANSFER.—

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

(i) any land in which the Federal Government has a property interest for the project described in paragraph (1); and

(ii) improvements to the land described in clause (i).

(B) RESPONSIBILITY FOR COSTS.—The transferee shall be responsible for the payment of all costs and administrative expenses associated with any transfer carried out pursuant to subparagraph (A), including costs associated with any land survey required to determine the exact acreage and legal description of the land and improvements to be transferred.

(C) OTHER TERMS AND CONDITIONS.—A transfer under subparagraph (A) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(3) REVERSION.—If the Secretary determines that the land and improvements conveyed under paragraph (2) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(b) SARDIS LAKE, MISSISSIPPI.—

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

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

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

(B) a flowage easement.

(c) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by September 30, 2016, $31,233,401 as payment in full of amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article 5.a (relating to project investment costs) of contract number DACW63–76–C–0106 as of the date of enactment of this Act.

TITLE VI—WATER RESOURCES INFRASTRUCTURE

SEC. 6001. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

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

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	November 3, 2014	Federal: $116,116,000 Non-Federal: $135,836,000 Total: $251,952,000
2. LA	Calcasieu Lock	December 2, 2014	Federal: $16,700,000 Non-Federal: $0 Total: $16,700,000
3. NH, ME	Portsmouth Harbor and Piscataqua River	February 8, 2015	Federal: $15,580,000 Non-Federal: $5,190,000 Total: $20,770,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
4. KY	Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1 Disposition	April 30, 2015	Federal: $0 Non-Federal: $0 Total: $0
5. FL	Port Everglades	June 25, 2015	Federal: $220,200,000 Non-Federal: $102,500,000 Total: $322,700,000
6. AK	Little Diomede	August 10, 2015	Federal: $26,015,000 Non-Federal: $2,945,000 Total: $28,960,000
7. SC	Charleston Harbor	September 8, 2015	Federal: $224,300,000 Non-Federal: $269,000,000 Total: $493,300,000
8. AK	Craig Harbor	March 16, 2016	Federal: $29,062,000 Non-Federal: $3,255,000 Total: $32,317,000

[(2) FLOOD RISK MANAGEMENT.—]

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

(2) FLOOD RISK MANAGEMENT.—

A. State	*B. Name*	*C. Date of Report of Chief of Engineers*	*D. Estimated Costs*
1. TX	*Leon Creek Watershed, San Antonio*	*June 30, 2014*	*Federal: $18,314,000* *Non-Federal: $9,861,000* *Total: $28,175,000*
2. MO, KS	*Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City*	*January 27, 2015*	*Federal: $207,036,000* *Non-Federal: $111,481,000* *Total: $318,517,000*
3. KS	*City of Manhattan*	*April 30, 2015*	*Federal: $15,440,100* *Non-Federal: $8,313,900* *Total: $23,754,000*

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

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

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

(4) FLOOD RISK MANAGEMENT AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. IL, WI	Upper Des Plaines River and Tributaries	June 8, 2015	Federal: $199,393,000 Non-Federal: $107,694,000 Total: $307,087,000
2. CA	South San Francisco Bay Shoreline	December 18, 2015	Federal: $69,521,000 Non-Federal: $104,379,000 Total: $173,900,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades Planning Project, Comprehensive Everglades Restoration Plan, Central and Southern Florida Project	December 23, 2014	Federal: $976,375,000 Non-Federal: $974,625,000 Total: $1,951,000,000
2. OR	Lower Willamette River Environmental Dredging	December 14, 2015	Federal: $19,143,000 Non-Federal: $10,631,000 Total: $29,774,000
3. WA	Skokomish River	December 14, 2015	Federal: $12,782,000 Non-Federal: $6,882,000 Total: $19,664,000
4. CA	LA River Ecosystem Restoration	December 18, 2015	Federal: $375,773,000 Non-Federal: $980,835,000 Total: $1,356,608,000

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

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

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: $96,880,750 Estimated Non-Federal: $52,954,250 Total: $149,835,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: $34,537,000 Estimated Non-Federal: $11,512,000 Total: $46,049,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: $311,269,000 Estimated Non-Federal: $311,269,000 Total: $622,538,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: $20,309,900 Estimated Non-Federal: $10,936,100 Total: $31,246,000

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

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

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

(2) by adding at the end the following:

''(e) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

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

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

(b) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Ouachita-Black Rivers, authorized by section 101 of the River and Harbor Act of 1960 (Public Law 86–645; 74 Stat. 481) to include bank stabilization and water supply as project purposes.

(c) CACHE CREEK BASIN, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall prepare a general reevaluation report on the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the

Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4112).

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall identify specific needed modifications to existing project authorities—

(A) to increase basin capacity;

(B) to decrease the long-term maintenance; and

(C) to provide opportunities for ecosystem benefits for the Sacramento River flood control project.

(d) COYOTE VALLEY DAM, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, and water supply by modifying the Coyote Valley Dam, California.

(e) DEL ROSA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of San Bernardino and Highland, San Bernardino County, California.

(f) MERCED COUNTY, CALIFORNIA.—The Secretary shall prepare a general reevaluation report on the project for flood control, Merced County streams project, California, authorized by section 10 of the Act of December 22, 1944 (58 Stat. 900; chapter 665), to investigate the flood risk management opportunities and improve levee performance along Black Rascal Creek and Bear Creek.

(g) MISSION-ZANJA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of Redlands, Loma Linda, and San Bernardino, California, and unincorporated counties of San Bernardino County, California.

(h) SANTA ANA RIVER BASIN, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction by modifying the San Jacinto and Bautista Creek Improvement Project, part of the Santa Ana River Basin Project in Riverside County, California.

(i) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the project for shoreline protection and ecosystem restoration, Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 276), to extend the authorized project limit from the current eastward terminus to a distance of 8,000 feet east of the Roosevelt Inlet east jetty.

(j) MISPILLION INLET, CONCH BAR, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation and shoreline protection at Mispillion Inlet and Conch Bar, Sussex County, Delaware.

(k) DAYTONA BEACH FLOOD PROTECTION, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control in the city of Daytona Beach, Florida.

(l) BRUNSWICK HARBOR, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Brunswick Harbor, Georgia, authorized by section 101(a)(19) of the Water Resources and Development Act of 1999 (Public Law 106–53; 113 Stat. 277)—

(1) to widen the existing bend in the Federal navigation channel at the intersection of Cedar Hammock and Brunswick Point Cut Ranges; and

(2) to extend the northwest side of the existing South Brunswick River Turning Basin.

(m) SAVANNAH RIVER BELOW AUGUSTA, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924, chapter 847), to include aquatic ecosystem restoration, water supply, recreation, sediment management, and flood control as project purposes.

(n) DUBUQUE, IOWA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Dubuque, Iowa, authorized by section 208 of the Flood Control Act of 1965 (Public Law 89–298; 79 Stat. 1086), to increase the level of flood protection and reduce flood damages.

(o) MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana, authorized by section 201(a) of the Harbor Development and Navigation Improvement Act of 1986 (Public Law 99–662; 100 Stat. 4090), to deepen the channel approaches and the associated area on the left descending bank of the Mississippi River between mile 98.3 and mile 100.6 Above Head of Passes (AHP) to a depth equal to the Channel.

(p) ST. TAMMANY PARISH GOVERNMENT COMPREHENSIVE COASTAL MASTER PLAN, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects described in the St. Tammany Parish Comprehensive Coastal Master Plan for flood control, shoreline protection, and ecosystem restoration in St. Tammany Parish, Louisiana.

(q) CAYUGA INLET, ITHACA, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Great Lakes Basin, authorized by section 203 of the Flood Control Act of 1960 (Public Law 86–645; 74 Stat. 488) to include sediment management as a project purpose on the Cayuga Inlet, Ithaca, New York.

(r) CHAUTAUQUA COUNTY, NEW YORK.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood risk management, navigation, environmental dredging, and ecosystem restoration on the Cattaraugus, Silver Creek, and Chautauqua Lake tributaries in Chautauqua County, New York.

(2) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study under paragraph (1), the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

(s) CINCINNATI, OHIO.—

(1) IN GENERAL.—The Secretary shall review the ecosystem restoration and flood risk reduction components of the Central Riverfront Park Master Plan, dated December 1999, for the purpose of determining whether or not the study, and the process under which the study was developed, each comply with Federal law (including regulations) applicable to feasibility studies for water resources development projects.

(2) RECOMMENDATION.—Not later than 180 days after reviewing the Master Plan under paragraph (1), the Secretary shall submit to Congress—

(A) the results of the review of the Master Plan, including a determination of whether any project identified in the plan is feasible;

(B) any recommendations of the Secretary related to any modifications to section 5116 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1238) necessary to carry out any projects determined to be feasible.

(t) TULSA AND WEST TULSA, ARKANSAS RIVER, OKLAHOMA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the projects for flood risk management, Tulsa and West Tulsa, Oklahoma, authorized by section 3 of the Act of August 18, 1941 (55 Stat. 645; chapter 377).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out the study under paragraph (1), the Secretary shall address project deficiencies, uncertainties, and significant data gaps, including material, construction, and subsurface, which render the project at risk of overtopping, breaching, or system failure.

(B) ADDRESSING DEFICIENCIES.—In addressing deficiencies under subparagraph (A), the Secretary shall incorporate current design standards and efficiency improvements, including the replacement of mechanical and electrical components at pumping stations, if the incorporation does not significantly change the scope, function, or purpose of the project.

(3) PRIORITIZATION TO ADDRESS SIGNIFICANT RISKS.—In any case in which a levee or levee system (as defined in section 9002 of the Water Resources Reform and Development Act of 2007 (33 U.S.C. 3301)) is classified as a Class I or II under the levee safety action classification tool developed by the Corps of Engineers, the Secretary shall expedite the project for budget consideration.

(u) JOHNSTOWN, PENNSYLVANIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Johnstown, Pennsylvania, authorized by the Act of June 22, 1936 (49 Stat. 1570, chapter 688; 50 Stat. 880) (commonly known as the ''Flood Control Act of 1936''), to include aquatic ecosystem restoration, recreation, sediment management, and increase the level of flood control.

(v) CHACON CREEK, TEXAS.—Notwithstanding any other provision of law (including any resolution of a Committee of Congress), the study conducted by the Secretary described in the resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives on May 21, 2003, relating to flood damage reduction, environmental restoration and protection, water conservation and supply, water quality, and related purposes in the Rio Grande Watershed below Falcon Dam, shall include the area above Falcon Dam.

(w) CORPUS CHRISTI SHIP CHANNEL, TEXAS.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas, authorized by section 1001(40) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1056), to develop and evaluate alternatives that address navigation problems directly affecting the Corpus Christi Ship Channel, La Quinta Channel, and La Quinta Channel Extension, including deepening the La Quinta Channel, 2 turning basins, and the wye at La Quinta Junction.

(x) TRINITY RIVER AND TRIBUTARIES, TEXAS.—

(1) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review the economic analysis of the Center for Economic Development and Research of the University of North Texas entitled ''Estimated Economic Benefits of the Modified Central City Project (Trinity River Vision) in Fort Worth, Texas'' and dated November 2014.

(2) AUTHORIZATION.—The project for flood control and other purposes on the Trinity River and tributaries, Texas, authorized by the River and Harbor Act of 1965 (Public Law 89–298; 79 Stat. 1091), as modified by section 116 the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447;

118 Stat. 2944), is further modified to authorize the Secretary to carry out projects described in the recommended plan of the economic analysis described in paragraph (1), if the Secretary determines, based on the review referred to in paragraph (1), that—

(A) the economic analysis and the process by which the economic analysis was developed complies with Federal law (including regulations) applicable to economic analyses for water resources development projects; and

(B) based on the economic analysis, the recommended plan in the supplement to the final environmental impact statement for the Central City Project, Upper Trinity River entitled ''Final Supplemental No. 1'' is economically justified.

(3) LIMITATION.—The Federal share of the cost of the recommended plan described in paragraph (2) shall not exceed $520,000,000, of which not more than $5,500,000 may be expended to carry out recreation features of the project.

(y) CHINCOTEAGUE ISLAND, VIRGINIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for ecosystem restoration and flood control, Chincoteague Island, Virginia, authorized by section 8 of Public Law 89–195 (16 U.S.C. 459f–7) (commonly known as the ''Assateague Island National Seashore Act'') for—

(1) assessing the current and future function of the barrier island, inlet, and coastal bay system surrounding Chincoteague Island;

(2) developing an array of options for resource management; and

(3) evaluating the feasibility and cost associated with sustainable protection and restoration areas.

(z) BURLEY CREEK WATERSHED, WASHINGTON.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and aquatic ecosystem restoration in the Burley Creek Watershed, Washington.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

SEC. 7001. DEFINITION OF ADMINISTRATOR.

In this title, the term ''Administrator'' means the Administrator of the Environmental Protection Agency.

SEC. 7002. SENSE OF THE SENATE ON APPROPRIATIONS LEVELS AND FINDINGS ON ECONOMIC IMPACTS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should provide robust funding for the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) and the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(b) FINDINGS.—Congress finds, based on an analysis sponsored by the Water Environment Federation and the WateReuse Association of the nationwide impact of State revolving loan fund spending using the IMPLAN economic model developed by the Federal Government, that, in addition to the public health and environmental benefits, the Federal investment in safe drinking water and clean water provides the following benefits:

(1) Generation of significant Federal tax revenue, as evidenced by the following:

(A) Every dollar of a Federal capitalization grant returns $0.21 to the general fund of the Treasury in the form of Federal taxes and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, every dollar of a Federal capitalization grant returns $0.93 in Federal tax revenue.

(B) A combined $34,700,000,000 in capitalization grants for the clean water and state drinking water state revolving loan funds described in subsection (a) over a period of 5 years would generate $7,430,000,000 in Federal tax revenue and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, the Federal investment will result in $32,300,000,000 in Federal tax revenue during that 5-year period.

(2) An increase in employment, as evidenced by the following:

(A) Every $1,000,000 in State revolving loan fund spending generates 16 ½ jobs.

(B) $34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years would result in 506,000 jobs.

(3) An increase in economic output:

(A) Every $1,000,000 in State revolving loan fund spending results in $2,950,000 in output for the economy of the United States.

(B) $34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years will generate $102,700,000,000 in total economic output.

Subtitle A—Drinking Water

SEC. 7101. PRECONSTRUCTION WORK.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)) is amended—

(1) by designating the first, second, third, fourth, and fifth sentences as subparagraphs (A), (B), (D), (E), and (F), respectively;

(2) in subparagraph (B) (as designated by paragraph (1))—

(A) by striking ''(not'' and inserting ''(including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not''; and

(B) by inserting before the period at the end the following: ''or to replace or rehabilitate aging treatment, storage, or distribution facilities of public water systems or provide for capital projects (excluding any expenditure for operations and maintenance) to upgrade the security of public water systems''; and

(3) by inserting after subparagraph (B) (as designated by paragraph (1)) the following:

''(C) SALE OF BONDS.—Funds may also be used by a public water system as a source of revenue (restricted solely to interest earnings of the applicable State loan fund) or security for payment of the principal and interest on revenue or general obligation bonds issued by the State to provide matching funds under subsection (e), if the proceeds of the sale of the bonds will be deposited in the State loan fund.''.

SEC. 7102. PRIORITY SYSTEM REQUIREMENTS.

Section 1452(b)(3) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D);

(2) by striking subparagraph (A) and inserting the following:

''(A) DEFINITION OF RESTRUCTURING.—In this paragraph, the term 'restructuring' means changes in operations (including ownership, cooperative partnerships, asset management, consolidation, and alternative water supply).

''(B) PRIORITY SYSTEM.—An intended use plan shall provide, to the maximum extent practicable, that priority for the use of funds be given to projects that—

''(i) address the most serious risk to human health;

''(ii) are necessary to ensure compliance with this title (including requirements for filtration);

''(iii) assist systems most in need on a per-household basis according to State affordability criteria; and

''(iv) improve the sustainability of systems.

''(C) WEIGHT GIVEN TO APPLICATIONS.—After determining project priorities under subparagraph (B), an intended use plan shall provide that the State shall give greater weight to an application for assistance by a community water system if the application includes such information as the State determines to be necessary and contains—

''(i) a description of utility management best practices undertaken by a treatment works applying for assistance, including—

''(I) an inventory of assets, including a description of the condition of the assets;

''(II) a schedule for replacement of assets;

''(III) a financing plan that factors in all lifecycle costs indicating sources of revenue from ratepayers, grants, bonds, other loans, and other sources to meet the costs; and

''(IV) a review of options for restructuring the public water system;

''(ii) demonstration of consistency with State, regional, and municipal watershed plans;

''(iii) a water conservation plan consistent with guidelines developed for those plans by the Administrator under section 1455(a); and

''(iv) approaches to improve the sustainability of the system, including—

''(I) water efficiency or conservation, including the rehabilitation or replacement of existing leaking pipes;

''(II) use of reclaimed water;

''(III) actions to increase energy efficiency; and

''(IV) implementation of source water protection plans.''; and

(3) in subparagraph (D) (as redesignated by paragraph (1)), by striking ''periodically'' and inserting ''at least biennially''.

SEC. 7103. ADMINISTRATION OF STATE LOAN FUNDS.

Section 1452(g)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(g)(2)) is amended—

(1) in the first sentence, by striking ''up to 4 percent of the funds allotted to the State under this section'' and inserting '', for each fiscal year, an amount that does not exceed the sum of the amount of any fees collected by the State for use in covering reasonable costs of administration of programs under this section, regardless of the source, and an amount equal to the greatest of $400,000, ⅕ percent of the current valuation of the fund, or 4 percent of all grant awards to the fund under this section for the fiscal year,''; and

(2) by striking ''1419,'' and all that follows through ''1993.'' and inserting ''1419.''.

SEC. 7104. OTHER AUTHORIZED ACTIVITIES.

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

SEC. 7105. NEGOTIATION OF CONTRACTS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) is amended by adding at the end the following:

''(s) NEGOTIATION OF CONTRACTS.—For communities with populations of more than 10,000 individuals, a contract to be carried out using funds directly made available by a capitalization grant under this section for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural or related services shall be negotiated in the same manner as—

''(1) a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code; or

''(2) an equivalent State qualifications-based requirement (as determined by the Governor of the State).''.

SEC. 7106. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

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

''SEC. 1459A. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

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

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

''(2) INCLUSIONS.—The term 'underserved community' includes a local political subdivision that, as determined by the Administrator—

''(A) does not have household drinking water or wastewater services; and

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

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

''(ii) a treatment technique violation; and

''(iii) an action level exceedance.

''(b) ESTABLISHMENT.—

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

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

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

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

''(C) programs to provide water quality testing.

''(c) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this section—

''(1) is—

''(A) a community water system as defined in section 1401; or

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

''(2) serves a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the State—

''(A) to be a disadvantaged community;

''(B) to be a community that may become a disadvantaged community as a result of carrying out an eligible activity; or

''(C) to serve a community with a population of less than 10,000 individuals that the Administrator determines does not have the capacity to incur debt sufficient to finance the project under subsection (b).

''(d) PRIORITY.—In prioritizing projects for implementation under this section, the Administrator shall give priority to systems that serve underserved communities.

''(e) LOCAL PARTICIPATION.—In prioritizing projects for implementation under this section, the Administrator shall consult with, and consider the priorities of, affected States, Indian Tribes, and local governments.

''(f) COST SHARING.—Before carrying out any project under this section, the Administrator shall enter into a binding agreement with 1 or more non-Federal interests that shall require the non-Federal interests—

''(1) to pay not less than 45 percent of the total costs of the project, which may include services, materials, supplies, or other in-kind contributions;

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

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

''(g) WAIVER.—The Administrator may waive the requirement to pay the non-Federal share of the cost of carrying out an eligible activity using funds from a grant provided under this section if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

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

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

''(2) $300,000,000 for each of fiscal years 2018 through 2021.''.

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

SEC. 7107. REDUCING LEAD IN DRINKING WATER.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 7106) is amended by adding at the end the following:

''SEC. 1459B. REDUCING LEAD IN DRINKING WATER.

''(a) DEFINITIONS.—In this section:

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

''(A) a community water system;

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

''(C) a nontransient noncommunity water system;

''(D) a qualified nonprofit organization, as determined by the Administrator; and

''(E) a municipality or State, interstate, or intermunicipal agency.

''(2) LEAD REDUCTION PROJECT.—

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

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

''(ii) testing, planning, or other relevant activities, as determined by the Administrator, to identify and address conditions (including corrosion control) that contribute to increased lead levels in water for human consumption;

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

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

''(B) LIMITATION.—The term 'lead reduction project' does not include a partial lead service line replacement if, at the conclusion of the service line replacement, drinking water is delivered to a household through a publicly or privately owned portion of a lead service line.

''(3) LOW-INCOME.—The term 'low-income', with respect to an individual provided assistance under this section, has such meaning as may be given the term by the head of the municipality or State, interstate, or intermunicipal agency with jurisdiction over the area to which assistance is provided.

''(4) MUNICIPALITY.—The term 'municipality' means—

''(A) a city, town, borough, county, parish, district, association, or other public entity established by, or pursuant to, applicable State law; and

''(B) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

''(b) GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Administrator shall establish a grant program to provide assistance to eligible entities for lead reduction projects in the United States.

''(2) PRECONDITION.—As a condition of receipt of assistance under this section, before receiving the assistance the eligible entity shall take steps to identify—

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

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

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

[''(A) demonstrates that the eligible entity is unable to fund the proposed lead reduction project through other sources of funding; and**]**

''(A) the Administrator determines, based on affordability criteria established by the State under section 1452(d)(3), to be a disadvantaged community; and

''(B) proposes to—

''(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system that has exceeded the lead action level established by the Administrator at any time during the 3-year period preceding the date of submission of the application of the eligible entity;

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

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

''(4) COST SHARING.—

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

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

''(5) LOW-INCOME ASSISTANCE.—

''(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

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

''(6) SPECIAL CONSIDERATION FOR LEAD SERVICE LINE REPLACEMENT.—In carrying out lead service line replacement using a grant under this subsection, an eligible entity shall—

''(A) notify customers of the replacement of any publicly owned portion of the lead service line;

''(B) in the case of a homeowner who is not low-income, offer to replace the privately owned portion of the lead service line at the cost of replacement;

''(C) in the case of a low-income homeowner, offer to replace the privately owned portion of the lead service line and any pipes, fitting, and fixtures that contain lead at a cost that is equal to the difference between—

''(i) the cost of replacement; and

''(ii) the amount of low-income assistance available to the homeowner under paragraph (5);

''(D) notify each customer that a planned replacement of any publicly owned portion of a lead service line that is funded by a grant made under this subsection will not be carried out unless the customer agrees to the simultaneous replacement of the privately owned portion of the lead service line; and

''(E) demonstrate that the eligible entity has considered multiple options for reducing lead in drinking water, including an evaluation of options for corrosion control.

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

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

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

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

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

(1) the relevant regional office of the Environmental Protection Agency; and

(2) the Office of Environmental Justice of the Environmental Protection Agency.

SEC. 7109. NOTICE TO PERSONS SERVED.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g–3(c)) is amended—

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

''(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity.'';

(2) in paragraph (2)—

(A) in subparagraph (C)—

(i) in clause (iii)—

(I) by striking ''Administrator or'' and inserting ''Administrator, the Director of the Centers for Disease Control and Prevention, and, if applicable,''; and

(II) by inserting ''and the appropriate State and county health agencies'' after ''1413'';

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

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

''(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.'';

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

''(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

''(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

''(B) RESULTS OF LEAD MONITORING.—

''(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

''(I) any person that is served by the public water system; or

''(II) the local or State health department of a locality or State in which the public water system is located.

''(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

''(I) press release; or

''(II) other form of communication, including local media.

''(C) PRIVACY.—Notice to the public shall protect the privacy of individual customer information.''.

(b) CONFORMING AMENDMENTS.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g–3(c)) is amended—

(1) in paragraph (1)(C), by striking ''paragraph (2)(E)'' and inserting ''paragraph (2)(F)'';

(2) in paragraph (2)(B)(i)(II), by striking ''subparagraph (D)'' and inserting ''subparagraph (E)''; and

(3) in paragraph (3)(B), in the first sentence, by striking ''(D)'' and inserting ''(E)''.

SEC. 7110. ELECTRONIC REPORTING OF DRINKING WATER DATA.

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

''(j) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.—

''(1) IN GENERAL.—As a condition on the receipt of funds under this Act, the Administrator shall require electronic submission of available compliance monitoring data, if practicable—

''(A) by public water systems—

''(i) to the Administrator; or

''(ii) with respect to a public water system in a State that has primary enforcement responsibility under section 1413, to that State; and

''(B) by each State that has primary enforcement responsibility under section 1413 to the Administrator.

''(2) CONSIDERATIONS.—In determining whether the condition referred to in paragraph (1) is practicable, the Administrator shall consider—

''(A) the ability of a public water system or State to meet the requirements of sections 3.1 through 3.2000 of title 40, Code of Federal Regulations (or successor regulations);

''(B) information system compatibility;

''(C) the size of the public water system; and

''(D) the size of the community served by the public water system.''.

SEC. 7111. LEAD TESTING IN SCHOOL AND CHILD CARE DRINKING WATER.

(a) IN GENERAL.—Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j–24) is amended by striking subsection (d) and inserting the following:

''(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD TESTING GRANT PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) CHILD CARE PROGRAM.—The term 'child care program' has the meaning given the term 'early childhood education program' in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

''(B) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' means—

''(i) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(ii) a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and

''(iii) an operator of a child care program facility.

''(2) ESTABLISHMENT.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall establish a voluntary school and child care lead testing grant program to make grants available to States to assist local educational agencies in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the local educational agencies.

''(B) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The Administrator may make grants directly available to local educational agencies for the voluntary testing described in subparagraph (A) in—

''(i) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

''(ii) any direct implementation area.

''(3) APPLICATION.—To be eligible to receive a grant under this subsection, a State or local educational agency shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

''(4) USE OF FUNDS.—

''(A) IN GENERAL.—A State or local educational agency that receives a grant under this subsection may use grant funds for the voluntary testing described in paragraph (2)(A).

''(B) LIMITATION.—Not more than 4 percent of grant funds accepted under this subsection shall be used to pay the administrative costs of carrying out this subsection.

''(5) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this subsection, the State or local educational agency shall ensure that each local educational agency to which grant funds are distributed shall—

''(A) expend grant funds in accordance with—

''(i) the guidance of the Environmental Protection Agency entitled '3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance' and dated October 2006 (or any successor guidance); or

''(ii) applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care programs that is not less stringent than the guidance referred to in clause (i); and

''(B)(i) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water that is carried out with grant funds under this subsection; and

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

''(6) MAINTENANCE OF EFFORT.—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall demonstrate that the funds provided under this subsection will not displace those resources.

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

(b) REPEAL.—Section 1465 of the Safe Drinking Water Act (42 U.S.C. 300j–25) is repealed.

SEC. 7112. WATERSENSE PROGRAM.

(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

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

(A) reduce water use;

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

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

(D) preserve water resources for future generations.

(2) INCLUSIONS.—The Administrator shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

(A) irrigation technologies and services;

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

(C) plumbing products;

(D) reuse and recycling technologies;

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

(F) xeriscaping and other landscape conversions that reduce water use;

(G) whole house humidifiers; and

(H) water-efficient buildings or facilities.

(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary, shall—

(1) establish—

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

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

(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

(3) preserve the integrity of the WaterSense label by—

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

(B) overseeing WaterSense certifications made by third parties;

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

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

(4) not more than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

(5) in revising a WaterSense specification—

(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

(B) solicit comments from interested parties and the public prior to any changes;

(C) as appropriate, respond to comments submitted by interested parties and the public; and

(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

(c) TRANSPARENCY.—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services.

(d) DISTINCTION OF AUTHORITIES.—In setting or maintaining specifications for Energy Star pursuant to section 324A, and WaterSense under this section, the Secretary and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

(e) NO WARRANTY.—A WaterSense label shall not create an express or implied warranty.

SEC. 7113. WATER SUPPLY COST SAVINGS.

(a) FINDINGS.—Congress finds that—

(1) the United States is facing a drinking water infrastructure funding crisis;

(2) the Environmental Protection Agency projects a shortfall of approximately $384,000,000,000 in funding for drinking water infrastructure from 2015 to 2035 and this funding challenge is particularly acute in rural communities in the United States;

(3) there are approximately 52,000 community water systems in the United States, of which nearly 42,000 are small community water systems;

(4) the Drinking Water Needs Survey conducted by the Environmental Protection Agency in 2011 placed the shortfall in drinking water infrastructure funding for small communities, which consist of 3,300 or fewer persons, at $64,500,000,000;

(5) small communities often cannot finance the construction and maintenance of drinking water systems because the cost per resident for the investment would be prohibitively expensive;

(6) drought conditions have placed significant strains on existing surface water supplies;

(7) many communities across the United States are considering the use of groundwater and community well systems to provide drinking water; and

(8) approximately 42,000,000 people in the United States receive drinking water from individual wells and millions more rely on community well systems for drinking water.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that providing rural communities with the knowledge and resources necessary to fully use alternative drinking water systems, including wells and community well systems, can provide safe and affordable drinking water to millions of people in the United States.

(c) DRINKING WATER TECHNOLOGY CLEARINGHOUSE.—The Administrator and the Secretary of Agriculture shall—

(1) update existing programs of the Environmental Protection Agency and the Department of Agriculture designed to provide drinking water technical assistance to include information on cost-effective, innovative, and alternative drinking water delivery systems, including systems that are supported by wells; and

(2) disseminate information on the cost effectiveness of alternative drinking water delivery systems, including wells and well systems, to communities and not-for-profit organizations seeking Federal funding for drinking water systems serving 500 or fewer persons.

(d) WATER SYSTEM ASSESSMENT.—Notwithstanding any other provision of law, in any application for a grant or loan from the Federal Government or a State that is using Federal assistance for a drinking water system serving 500 or fewer persons, a unit of local government or not-for-profit organization shall self-certify that the unit of local government or organization has considered, as an alternative drinking water supply, drinking water delivery systems sourced by publicly owned—

(1) individual wells;

(2) shared wells; and

(3) community wells.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Administrator and the Secretary of Agriculture shall submit to Congress a report that describes—

(1) the use of innovative and alternative drinking water systems described in this section;

(2) the range of cost savings for communities using innovative and alternative drinking water systems described in this section; and

(3) the use of drinking water technical assistance programs operated by the Administrator and the Secretary of Agriculture.

Subtitle B—Clean Water

SEC. 7201. SEWER OVERFLOW CONTROL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a), by striking the subsection designation and heading and all that follows through ''subject to subsection (g), the Administrator may'' in paragraph (2) and inserting the following:

''(a) AUTHORITY.—The Administrator may—

''(1) make grants to States for the purpose of providing grants to a municipality or municipal entity for planning, designing, and constructing—

''(A) treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows; and

''(B) measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water; and

''(2) subject to subsection (g),'';

(2) in subsection (b)—

(A) in paragraph (1), by striking the semicolon at the end and inserting ''; or'';

(B) by striking paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) by striking subsections (e) through (g) and inserting the following:

''(e) ADMINISTRATIVE REQUIREMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), a project that receives grant assistance under subsection (a) shall be carried out subject to the same requirements as a project that receives assistance from a State water pollution control revolving fund established pursuant to title VI.

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

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

''(1) $250,000,000 for fiscal year 2017;

''(2) $300,000,000 for fiscal year 2018;
''(3) $350,000,000 for fiscal year 2019;
''(4) $400,000,000 for fiscal year 2020; and
''(5) $500,000,000 for fiscal year 2021.
''(g) ALLOCATION OF FUNDS.—
''(1) FISCAL YEAR 2017 AND 2018.—For each of fiscal years 2017 and 2018, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to municipalities and municipal entities under subsection (a)(2)—
''(A) in accordance with the priority criteria described in subsection (b); and
''(B) with additional priority given to proposed projects that involve the use of—
''(i) nonstructural, low-impact development;
''(ii) water conservation, efficiency, or reuse; or
''(iii) other decentralized stormwater or wastewater approaches to minimize flows into the sewer systems.
''(2) FISCAL YEAR 2019 AND THEREAFTER.—For fiscal year 2019 and each fiscal year thereafter, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to States under subsection (a)(1) in accordance with a formula that—
''(A) shall be established by the Administrator, after providing notice and an opportunity for public comment; and
''(B) allocates to each State a proportional share of the amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls, as identified in the most recent survey—
''(i) conducted under section 210; and
''(ii) included in a report required under section 516(b)(1)(B).''; and
(4) by striking subsection (i).

[SEC. 7202. SMALL TREATMENT WORKS.

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

''SEC. 222. TECHNICAL ASSISTANCE FOR SMALL TREATMENT WORKS.

''(a) DEFINITIONS.—In this section:
''(1) QUALIFIED NONPROFIT TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified nonprofit technical assistance provider' means a nonprofit organization that, as determined by the Administrator—
''(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and
''(B) the small treatment works in the State finds to be the most beneficial and effective.
''(2) SMALL TREATMENT WORKS.—The term 'small treatment works' means a publicly owned treatment works serving not more than 10,000 individuals.
''(b) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit technical assistance providers to provide to owners and operators of small treatment works onsite technical assistance, circuit-rider technical assistance programs, multistate, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.
''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2017 through 2021.''.

(b) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—
(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—
(A) in subsection (d)—
(i) in the matter preceding paragraph (1), by inserting ''and as provided in subsection (e)'' after ''State law'';
(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and
(iii) by inserting after subsection (d) the following:
''(e) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit technical assistance providers (as defined in section 222) to provide technical assistance to public water systems serving not more than 10,000 individuals in the State.''.
(2) CONFORMING AMENDMENT.—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking ''section 603(h)'' and inserting ''section 603(i)''.**]**

SEC. 7202. SMALL AND MEDIUM TREATMENT WORKS.

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

''SEC. 222. TECHNICAL ASSISTANCE FOR SMALL AND MEDIUM TREATMENT WORKS.

''(a) DEFINITIONS.—In this section:
''(1) MEDIUM TREATMENT WORKS.—The term 'medium treatment works' means a publicly owned treatment works serving not fewer than 10,001 and not more than 100,000 individuals.
''(2) QUALIFIED NONPROFIT MEDIUM TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified nonprofit medium treatment works technical assistance provider' means a qualified nonprofit technical assistance provider of water and wastewater services to medium-sized communities that provides technical assistance (including circuit rider technical assistance programs, multi-State, regional assistance programs, and training and preliminary engineering evaluations) to owners and operators of medium treatment works, which may include State agencies.
''(3) QUALIFIED NONPROFIT SMALL TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified nonprofit small treatment works technical assistance provider' means a nonprofit organization that, as determined by the Administrator—
''(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and
''(B) the small treatment works in the State finds to be the most beneficial and effective.
''(4) SMALL TREATMENT WORKS.—The term 'small treatment works' means a publicly owned treatment works serving not more than 10,000 individuals.
''(b) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit small treatment works technical assistance providers and grants or cooperative agreements to qualified nonprofit medium treatment works technical assistance providers to provide to owners and operators of small and medium treatment works onsite technical assistance, circuit-rider technical assistance programs, multi-State, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.
''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—
''(1) for grants for small treatment works technical assistance, $15,000,000 for each of fiscal years 2017 through 2021; and
''(2) for grants for medium treatment works technical assistance, $10,000,000 for each of fiscal years 2017 through 2021.''.
(b) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—
(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—
(A) in subsection (d)—
(i) in the matter preceding paragraph (1), by inserting ''and as provided in subsection (e)'' after ''State law'';
(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and
(iii) by inserting after subsection (d) the following:
''(e) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit small treatment works technical assistance providers and qualified nonprofit medium treatment works technical assistance providers (as those terms are defined in section 222) to provide technical assistance to small treatment works and medium treatment works in the State.''.
(2) CONFORMING AMENDMENT.—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking ''section 603(h)'' and inserting ''section 603(i)''.

SEC. 7203. INTEGRATED PLANS.

(a) INTEGRATED PLANS.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:
''(s) INTEGRATED PLAN PERMITS.—
''(1) DEFINITIONS.—In this subsection:
''(A) GREEN INFRASTRUCTURE.—The term 'green infrastructure' means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspirate stormwater and reduce flows to sewer systems or to surface waters.
''(B) INTEGRATED PLAN.—The term 'integrated plan' has the meaning given in Part III of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued by the Environmental Protection Agency and dated May 2012.
''(C) MUNICIPAL DISCHARGE.—
''(i) IN GENERAL.—The term 'municipal discharge' means a discharge from a treatment works (as defined in section 212) or a discharge from a municipal storm sewer under subsection(p).
''(ii) INCLUSION.—The term 'municipal discharge' includes a discharge of wastewater or storm water collected from multiple municipalities if the discharge is covered by the same permit issued under this section.
''(2) INTEGRATED PLAN.—
''(A) IN GENERAL.—The Administrator (or a State, in the case of a permit program approved under subsection (b)) shall inform a municipal permittee or multiple municipal permittees of the opportunity to develop an integrated plan.
''(B) SCOPE OF PERMIT INCORPORATING INTEGRATED PLAN.—A permit issued under this subsection that incorporates an integrated plan may integrate all requirements under this Act addressed in the integrated plan, including requirements relating to—
''(i) a combined sewer overflow;
''(ii) a capacity, management, operation, and maintenance program for sanitary sewer collection systems;
''(iii) a municipal stormwater discharge;
''(iv) a municipal wastewater discharge; and
''(v) a water quality-based effluent limitation to implement an applicable wasteload allocation in a total maximum daily load.
''(3) COMPLIANCE SCHEDULES.—
''(A) IN GENERAL.—A permit for a municipal discharge by a municipality that incorporates an integrated plan may include a

schedule of compliance, under which actions taken to meet any applicable water quality-based effluent limitation may be implemented over more than 1 permit term if the compliance schedules are authorized by State water quality standards.

''(B) INCLUSION.—Actions subject to a compliance schedule under subparagraph (A) may include green infrastructure if implemented as part of a water quality-based effluent limitation.

''(C) REVIEW.—A schedule of compliance may be reviewed each time the permit is renewed.

''(4) EXISTING AUTHORITIES RETAINED.—

''(A) APPLICABLE STANDARDS.—Nothing in this subsection modifies any obligation to comply with applicable technology and water quality-based effluent limitations under this Act.

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

''(5) CLARIFICATION OF STATE AUTHORITY.—

''(A) IN GENERAL.—Nothing in section 301(b)(1)(C) precludes a State from authorizing in the water quality standards of the State the issuance of a schedule of compliance to meet water quality-based effluent limitations in permits that incorporate provisions of an integrated plan.

''(B) TRANSITION RULE.—In any case in which a discharge is subject to a judicial order or consent decree as of the date of enactment of the Water Resources Development Act of 2016 resolving an enforcement action under this Act, any schedule of compliance issued pursuant to an authorization in a State water quality standard shall not revise or otherwise affect a schedule of compliance in that order or decree unless the order or decree is modified by agreement of the parties and the court.''.

(b) MUNICIPAL OMBUDSMAN.—

(1) ESTABLISHMENT.—There is established within the Office of the Administrator an Office of the Municipal Ombudsman.

(2) GENERAL DUTIES.—The municipal ombudsman shall—

(A) provide technical assistance to municipalities seeking to comply with the requirements of laws implemented by the Environmental Protection Agency; and

(B) provide information to the Administrator to help the Administrator ensure that agency policies are implemented by all offices of the Environmental Protection Agency, including regional offices.

(3) ACTIONS REQUIRED.—The municipal ombudsman shall work with appropriate offices at the headquarters and regional offices of the Environmental Protection Agency to ensure that the municipality seeking assistance is provided information—

(A) about available Federal financial assistance for which the municipality is eligible;

(B) about flexibility available under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and, if applicable, the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(C) regarding the opportunity to develop an integrated plan, as defined in section 402(s)(1)(B) of the Federal Water Pollution Control Act (as added by subsection (a)).

(4) PRIORITY.—In carrying out paragraph (3), the municipal ombudsman shall give priority to any municipality that demonstrates affordability concerns relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(c) MUNICIPAL ENFORCEMENT.—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended by adding at the end the following:

''(h) IMPLEMENTATION OF INTEGRATED PLANS THROUGH ENFORCEMENT TOOLS.—

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

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

SEC. 7204. GREEN INFRASTRUCTURE PROMOTION.

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

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

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

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

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

''(b) DUTIES.—The Administrator shall ensure that the Office of Water—

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

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

''(A) other Federal departments and agencies;

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

''(C) the private sector.

''(c) REGIONAL GREEN INFRASTRUCTURE PROMOTION.—The Administrator shall direct each regional office of the Environmental Protection Agency, as appropriate based on local factors, and consistent with the requirements of this Act, to promote and integrate the use of green infrastructure within the region that includes—

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

''(2) the incorporation of green infrastructure into permitting and other regulatory programs, codes, and ordinance development, including the requirements under consent decrees and settlement agreements in enforcement actions.

''(d) GREEN INFRASTRUCTURE INFORMATION-SHARING.—The Administrator shall promote green infrastructure information-sharing, including through an Internet website, to share information with, and provide technical assistance to, State, tribal, and local governments, tribal communities, the private sector, and the public regarding green infrastructure approaches for—

''(1) reducing water pollution;

''(2) protecting water resources;

''(3) complying with regulatory requirements; and

''(4) achieving other environmental, public health, and community goals.''.

SEC. 7205. FINANCIAL CAPABILITY GUIDANCE.

(a) DEFINITIONS.—In this section:

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

(2) FINANCIAL CAPABILITY.—The term ''financial capability'' means the financial capability of a community to make investments necessary to make water quality or drinking water improvements.

(3) GUIDANCE.—The term ''guidance'' means the guidance published by the Administrator entitled ''Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development'' and dated February 1997, as applicable to the combined sewer overflows and sanitary sewer overflows guidance published by the Administrator entitled ''Financial Capability Assessment Framework'' and dated November 24, 2014.

(b) USE OF MEDIAN HOUSEHOLD INCOME.—The Administrator shall not use median household income as the sole indicator of affordability for a residential household.

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

(d) CONSIDERATION AND CONSULTATION.—

(1) CONSIDERATION.—In revising the guidance, the Administrator shall consider—

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

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

(C) other essential community investments;

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

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

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

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

(2) CONSULTATION.—Any guidance issued to replace the guidance shall be developed in consultation with interested parties.

(e) PUBLICATION AND SUBMISSION.—On completion of the updating of guidance, the Administrator shall publish in the Federal Register and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the updated guidance.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

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

Section 5014(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) is amended by striking ''Any activity undertaken under

this section is authorized only to the extent'' and inserting ''Nothing in this section obligates the Secretary to expend funds unless''.

SEC. 7302. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Section 5023(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(2)) is amended by striking ''carry out'' and inserting ''provide financial assistance to carry out''.

(b) PROJECTS ELIGIBLE FOR ASSISTANCE.—Section 5026(6) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905(6)) is amended—

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

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

(c) TERMS AND CONDITIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (7)—

(A) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary''; and

(B) by adding at the end the following:

''(B) FINANCING FEES.—On request of a community with a population of not more than 10,000 individuals, the Secretary or the Administrator, as applicable, shall allow the fees under subparagraph (A) to be financed as part of the loan.''; and

(2) by adding at the end the following:

''(10) CREDIT.—Any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph (2)(A).''.

(d) REMOVAL OF PILOT DESIGNATION.—

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

''Subtitle C—Innovative Financing Projects''.

(2) Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3092) is amended by striking ''pilot'' each place it appears.

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

''SEC. 5034. REPORTS ON PROGRAM IMPLEMENTATION.''.

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

(A) by striking the item relating to subtitle C of title V and inserting the following:

''Subtitle C—Innovative Financing Projects''.; and

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

''Sec. 5034. Reports on program implementation.''.

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

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

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

SEC. 7303. WATER INFRASTRUCTURE INVESTMENT TRUST FUND.

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

(b) TRANSFERS TO TRUST FUND.—There are hereby appropriated to the Water Infrastructure Investment Trust Fund amounts equivalent to the fees received in the Treasury before January 1, 2022, under subsection (f).

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

(1) ⟦85⟧ *50* percent of the amounts shall be available to the Administrator for making capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381).

(2) ⟦15⟧ *50* percent of the amounts shall be available to the Administrator for making capitalization grants under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

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

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

(f) VOLUNTARY LABELING SYSTEM.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Secretary provides a label designed in consultation with manufacturers, producers, and importers suitable for placement on products to inform consumers that the manufacturer, producer, or importer of the product, and other stakeholders, participates in the Water Infrastructure Investment Trust Fund and is contributing to the clean water of the United States.

(2) FEE.—

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

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

(g) EPA STUDY ON WATER PRICING.—

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

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

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

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

SEC. 7304. INNOVATIVE WATER TECHNOLOGY GRANT PROGRAM.

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

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

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

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

(4) an institution of higher education;

(5) a research institution or foundation;

(6) a State;

(7) a regional organization; or

(8) a nonprofit organization.

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

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

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

(2) fund entities that provide technical assistance to deploy innovative water technologies more broadly, especially—

(A) to increase adoption of innovative water technologies in—

(i) municipal drinking water and wastewater treatment systems;

(ii) areas served by private wells; or

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

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

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

(A) improve water quality of a water source;

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

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

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

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

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

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

(H) recycle or reuse water;

(I) manage urban storm water runoff;

(J) reduce sewer or stormwater overflows;

(K) conserve water;

(L) improve water quality by reducing salinity;

(M) mitigate air quality impacts associated with declining water resources; or

(N) address urgent water quality and human health needs.

(d) PRIORITY FUNDING.—In making grants under this section, the Administrator shall give priority to projects that have the potential—

(1) to provide substantial cost savings across a sector;

(2) to significantly improve human health or the environment; or

(3) to provide additional water supplies with minimal environmental impact.

(e) COST-SHARING.—The Federal share of the cost of activities carried out using a grant made under this section shall be not more than 65 percent.

(f) LIMITATION.—The maximum amount of a grant provided to a project under this section shall be $5,000,000.

(g) REPORT.—Each year, the Administrator shall submit to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each fiscal year.

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

SEC. 7305. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) CONGRESSIONAL FINDINGS AND DECLARATIONS.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking ''and'' at the end; and

(3) by inserting after paragraph (6) the following:

''(7) additional research is required to increase the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

''(A) nonstructural alternatives;

''(B) decentralized approaches;

''(C) water use efficiency and conservation; and

''(D) actions to reduce energy consumption or extract energy from wastewater;''.

(b) WATER RESOURCES RESEARCH AND TECHNOLOGY INSTITUTES.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B)(ii), by striking ''water-related phenomena'' and inserting ''water resources''; and

(B) in subparagraph (D), by striking the period at the end and inserting ''; and'';

(2) in subsection (c)—

(A) by striking ''From the'' and inserting the following:

''(1) IN GENERAL.—From the''; and

(B) by adding at the end the following:

''(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.'';

(3) by striking subsection (e) and inserting the following:

''(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

''(A) the quality and relevance of the water resources research of the institute;

''(B) the effectiveness of the institute at producing measured results and applied water supply research; and

''(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

''(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.'';

(4) in subsection (f)(1), by striking ''$12,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$7,500,000 for each of fiscal years 2017 through 2021''; and

(5) in subsection (g)(1), in the first sentence, by striking ''$6,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$1,500,000 for each of fiscal years 2017 through 2021''.

SEC. 7306. REAUTHORIZATION OF WATER DESALINATION ACT OF 1996.

(a) AUTHORIZATION OF RESEARCH AND STUDIES.—Section 3 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended by adding at the end the following:

''(e) PRIORITIZATION.—In carrying out this section, the Secretary shall prioritize funding for research—

''(1) to reduce energy consumption and lower the cost of desalination, including chloride control;

''(2) to reduce the environmental impacts of seawater desalination and develop technology and strategies to minimize those impacts;

''(3) to improve existing reverse osmosis and membrane technology;

''(4) to carry out basic and applied research on next generation desalination technologies, including improved energy recovery systems and renewable energy-powered desalination systems that could significantly reduce desalination costs;

''(5) to develop portable or modular desalination units capable of providing temporary emergency water supplies for domestic or military deployment purposes; and

''(6) to develop and promote innovative desalination technologies, including chloride control, identified by the Secretary.''.

(b) DESALINATION DEMONSTRATION AND DEVELOPMENT.—Section 4 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended by adding at the end the following:

''(c) PRIORITIZATION.—In carrying out demonstration and development activities under this section, the Secretary shall prioritize projects—

''(1) in drought-stricken States and communities;

''(2) in States that have authorized funding for research and development of desalination technologies and projects;

''(3) that can reduce reliance on imported water supplies that have an impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

''(4) that demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) in the first sentence of subsection (a)—

(A) by striking ''$5,000,000'' and inserting ''$8,000,000''; and

(B) by striking ''2013'' and inserting ''2021''; and

(2) in subsection (b), by striking ''for each of fiscal years 2012 through 2013'' and inserting ''for each of fiscal years 2017 through 2021''.

(d) CONSULTATION.—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) by striking the section designation and heading and all that follows through ''In carrying out'' in the first sentence and inserting the following:

''SEC. 9. CONSULTATION AND COORDINATION.

''(a) CONSULTATION.—In carrying out'';

(2) in the second sentence, by striking ''The authorization'' and inserting the following:

''(c) OTHER DESALINATION PROGRAMS.—The authorization''; and

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following:

''(b) COORDINATION OF FEDERAL DESALINATION RESEARCH AND DEVELOPMENT.—

''(1) IN GENERAL.—The White House Office of Science and Technology Policy shall develop a coordinated strategic plan that—

''(A) establishes priorities for future Federal investments in desalination;

''(B) coordinates the activities of Federal agencies involved in desalination, including the Bureau of Reclamation, the Corps of Engineers, the United States Army Tank Automotive Research, Development and Engineering Center, the National Science Foundation, the Office of Naval Research of the Department of Defense, the National Laboratories of the Department of Energy, the United States Geological Survey, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration; and

''(C) strengthens research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology.''.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) IN GENERAL.—The Administrator, in conjunction with the Secretary of the Interior, the Secretary of Agriculture, the Director of the National Oceanic and Atmospheric Administration, and other appropriate Federal agency heads along with State and local governments, shall develop nonregulatory national drought resilience guidelines relating to drought preparedness planning and investments for communities, water utilities, and other water users and providers.

(b) CONSULTATION.—In developing the national drought resilience guidelines, the Administrator and other Federal agency heads referred to in subsection (a) shall consult with—

(1) State and local governments;

(2) water utilities;

(3) scientists;

(4) institutions of higher education;

(5) relevant private entities; and

(6) other stakeholders.

(c) CONTENTS.—The national drought resilience guidelines developed under this section shall, to the maximum extent practicable, provide recommendations for a period of 10 years that—

(1) address a broad range of potential actions, including—

(A) analysis of the impacts of the changing frequency and duration of drought on the future effectiveness of water management tools;

(B) the identification of drought-related water management challenges in a broad range of fields, including—

(i) public health and safety;
(ii) municipal and industrial water supply;
(iii) agricultural water supply;
(iv) water quality;
(v) ecosystem health; and
(vi) water supply planning;
(C) water management tools to reduce drought-related impacts, including—
(i) water use efficiency through gallons per capita reduction goals, appliance efficiency standards, water pricing incentives, and other measures;
(ii) water recycling;
(iii) groundwater clean-up and storage;
(iv) new technologies, such as behavioral water efficiency; and
(v) stormwater capture and reuse;
(D) water-related energy and greenhouse gas reduction strategies; and
(E) public education and engagement; and
(2) include recommendations relating to the processes that Federal, State, and local governments and water utilities should consider when developing drought resilience preparedness and plans, including—
(A) the establishment of planning goals;
(B) the evaluation of institutional capacity;
(C) the assessment of drought-related risks and vulnerabilities, including the integration of climate-related impacts;
(D) the establishment of a development process, including an evaluation of the cost-effectiveness of potential strategies;
(E) the inclusion of private entities, technical advisors, and other stakeholders in the development process;
(F) implementation and financing issues; and
(G) evaluation of the plan, including any updates to the plan.

SEC. 7308. INNOVATION IN CLEAN WATER STATE REVOLVING FUNDS.

(a) IN GENERAL.—Subsection (j)(1)(B) (as redesignated by section 7202(b)(1)(A)(ii)) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—
(1) in clause (iii), by striking ''or'' at the end;
(2) in clause (iv), by striking the period at the end and inserting ''; or''; and
(3) by adding at the end the following:
''(v) to encourage the use of innovative water technologies related to any of the issues identified in clauses (i) through (iv) or, as determined by the State, any other eligible project and activity eligible for assistance under subsection (c)''.
(b) INNOVATIVE WATER TECHNOLOGIES.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as amended by section 7202(b)(1)) is amended by adding at the end the following:
''(k) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for innovative water technologies.
''(l) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—
''(1) the amount of financial assistance provided by State water pollution control revolving funds to deploy innovative water technologies;
''(2) the barriers impacting greater use of innovative water technologies; and
''(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.''.

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

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) (as amended by section 7105) is amended—
(1) in subsection (d)—
(A) by striking the heading and inserting ''ADDITIONAL ASSISTANCE.—'';
(B) in paragraph (1)—
(i) by striking ''Notwithstanding'' and inserting the following:
''(A) IN GENERAL.—Notwithstanding''; and
(ii) by adding at the end the following:
''(B) INNOVATIVE WATER TECHNOLOGY.—Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible activity through the use of an innovative water technology (including technologies to improve water treatment to ensure compliance with this title and technologies to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.'';
(C) in paragraph (2)—
(i) by striking ''For each fiscal year'' and inserting the following:
''(A) IN GENERAL.—For each fiscal year''; and
(ii) by adding at the end the following:
''(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidies that may be made by a State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.''; and
(D) in paragraph (3), in the first sentence, by inserting '', or portion of a service area,'' after ''service area''; and
(2) by adding at the end the following:
''(t) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for the deployment of innovative water technologies.
''(u) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—
''(1) the amount of financial assistance provided by State loan funds to deploy innovative water technologies;
''(2) the barriers impacting greater use of innovative water technologies; and
''(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.''.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

SEC. 7401. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:
(1) ELIGIBLE STATE.—The term ''eligible State'' means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.
(2) ELIGIBLE SYSTEM.—The term ''eligible system'' means a public drinking water supply system that has been the subject of an emergency declaration referred to in paragraph (1).
(b) STATE REVOLVING LOAN FUND ASSISTANCE.—
(1) IN GENERAL.—An eligible system shall be—
(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)); and
(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j–12(d)(1)).
(2) AUTHORIZATION.—
(A) IN GENERAL.—Using funds provided under subsection (e)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.
(B) INCLUSION.—Assistance provided under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).
(C) EXCLUSION.—Assistance provided under subparagraph (A) shall not include assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—
(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or
(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.
(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)) shall not apply to—
(A) any funds provided under subsection (e)(1)(A); or
(B) any other loan provided to an eligible system.
(c) WATER INFRASTRUCTURE FINANCING.—
(1) SECURED LOANS.—
(A) IN GENERAL.—Using funds provided under subsection (e)(2)(A), the Administrator may make a secured loan under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) to—
(i) an eligible State to carry out a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905) to address lead or other contaminants in drinking water in an eligible system, including repair and replacement of public and private drinking water infrastructure; and
(ii) any eligible entity under section 5025 of that Act (33 U.S.C. 3904) for a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905).
(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A)(i) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.
(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).
(d) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.
(e) FUNDING.—
(1) ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.—
(A) IN GENERAL.—The Secretary of the Treasury shall make available to the Administrator a total of $100,000,000 to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12), to be available during the period of fiscal years 2016 and 2017 for the purposes described in subsection (b)(2).
(B) SUPPLEMENTED INTENDED USE PLANS.—From funds made available under subparagraph (A), the Administrator shall obligate

to an eligible State such amounts as are necessary to meet the needs identified in a supplemented intended use plan by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

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

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

(2) WIFIA FUNDING.—

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

(B) USE.—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities described in subsection (c)(1)(A).

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

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

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(f) HEALTH EFFECTS EVALUATION.—

(1) IN GENERAL.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall in coordination with other agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the affected communities.

(2) CONSULTATIONS.—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

SEC. 7402. LOAN FORGIVENESS.

The matter under the heading ''STATE AND TRIBAL ASSISTANCE GRANTS'' under the heading ''ENVIRONMENTAL PROTECTION AGENCY'' in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114–113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: ''or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;''.

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

(a) DEFINITIONS.—In this section:

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

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

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

(b) LEAD EXPOSURE REGISTRY.—The Secretary shall establish within the Agency for Toxic Substances and Disease Registry or another relevant agency at the discretion of the Secretary, or establish through a grant award or contract, a lead exposure registry to collect data on the lead exposure of residents of a City on a voluntary basis.

(c) ADVISORY COMMITTEE.—

(1) MEMBERSHIP.—

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

(i) an epidemiologist;

(ii) a toxicologist;

(iii) a mental health professional;

(iv) a pediatrician;

(v) an early childhood education expert;

(vi) a special education expert;

(vii) a dietician; and

(viii) an environmental health expert.

(B) REQUIREMENTS.—Membership in the Committee shall not exceed 15 members and not less than ½ of the members shall be Federal members.

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

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

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

(5) RESPONSIBILITIES.—The Committee shall, at a minimum—

(A) review the Federal programs and services available to individuals and communities exposed to lead;

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

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

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

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

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

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

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

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

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

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

(d) MANDATORY FUNDING.—

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

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

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

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

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

(a) CHILDHOOD LEAD POISONING PREVENTION PROGRAM.—

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

(2) RECEIPT AND ACCEPTANCE.—The Director of the Centers for Disease Control and Prevention shall be entitled to receive, shall accept, and shall use to carry out the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b–1) the funds transferred under paragraph (1), without further appropriation.

(b) HEALTHY HOMES PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Housing and Urban Development, to be available during the period of fiscal years 2017 and 2018, $10,000,000 to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development.

(2) RECEIPT AND ACCEPTANCE.—The Secretary of Housing and Urban Development shall be entitled to receive, shall accept, and shall use to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development the funds transferred under paragraph (1), without further appropriation.

(c) HEALTHY START PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Health Resources and Services Administration, to be available during the period of fiscal years 2017 and 2018, $10,000,000 to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c–8).

(2) RECEIPT AND ACCEPTANCE.—The Administrator of the Health Resources and Services Administration shall be entitled to receive, shall accept, and shall use to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c–8) the funds transferred under paragraph (1), without further appropriation.

SEC. 7405. REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle E—Report on Groundwater Contamination

SEC. 7501. DEFINITIONS.

In this subtitle:

(1) COMPREHENSIVE STRATEGY.—The term ''comprehensive strategy'' means a plan for—

(A) the remediation of the plume under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(B) corrective action under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

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

(3) PLUME.—The term ''plume'' means any hazardous waste (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)) or hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) found in the groundwater supply.

(4) SITE.—The term ''site'' means the site located at 830 South Oyster Bay Road, Bethpage, New York, 11714 (Environmental Protection Agency identification number NYD002047967).

SEC. 7502. REPORT ON GROUNDWATER CONTAMINATION.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Navy shall submit to Congress a report on the groundwater contamination from the site that includes—

(1) a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including—

(A) detailed mapping of the movement of the plume over time; and

(B) projected migration rates of the plume;

(2) an analysis of the current and future impact of the movement of the plume on drinking water facilities; and

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

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION INITIATIVE

SEC. 7611. GREAT LAKES RESTORATION INITIATIVE.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

''(7) GREAT LAKES RESTORATION INITIATIVE.—

''(A) ESTABLISHMENT.—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the 'Initiative') to carry out programs and projects for Great Lakes protection and restoration.

''(B) FOCUS AREAS.—Each fiscal year under a 5-year Initiative Action Plan, the Initiative shall prioritize programs and projects, carried out in coordination with non-Federal partners, that address priority areas, such as—

''(i) the remediation of toxic substances and areas of concern;

''(ii) the prevention and control of invasive species and the impacts of invasive species;

''(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

''(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

''(v) accountability, monitoring, evaluation, communication, and partnership activities.

''(C) PROJECTS.—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

''(i) the ability to achieve strategic and measurable environmental outcomes that implement the Great Lakes Action Plan and the Great Lakes Water Quality Agreement;

''(ii) the feasibility of—

''(I) prompt implementation;

''(II) timely achievement of results; and

''(III) resource leveraging; and

''(iii) the opportunity to improve interagency and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

''(D) IMPLEMENTATION OF PROJECTS.—

''(i) IN GENERAL.—Subject to subparagraph (G)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

''(I) Federal projects; and

''(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations.

''(ii) TRANSFER OF FUNDS.—With amounts made available for the Initiative each fiscal year, the Administrator may—

''(I) transfer not more than $300,000,000 to the head of any Federal department or agency, with the concurrence of the department or agency head, to carry out activities to support the Initiative and the Great Lakes Water Quality Agreement;

''(II) enter into an interagency agreement with the head of any Federal department or agency to carry out activities described in subclause (I); and

''(III) make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation of projects in furtherance of the Initiative and the Great Lakes Water Quality Agreement.

''(E) SCOPE.—

''(i) IN GENERAL.—Projects shall be carried out under the Initiative on multiple levels, including—

''(I) Great Lakes-wide; and

''(II) Great Lakes basin-wide.

''(ii) LIMITATION.—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which amounts are made available from—

''(I) a State water pollution control revolving fund established under title VI; or

''(II) a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

''(F) ACTIVITIES BY OTHER FEDERAL AGENCIES.—Each relevant Federal department or agency shall, to the maximum extent practicable—

''(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and

''(ii) identify new activities and projects to support the environmental goals of the Initiative and the Great Lakes Water Quality Agreement.

''(G) FUNDING.—

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

''(ii) LIMITATION.—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—

''(I) this section;

''(II) the Initiative Action Plan; or

''(III) the Great Lakes Water Quality Agreement.''.

PART II—LAKE TAHOE RESTORATION

SEC. 7621. FINDINGS AND PURPOSES.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

''SEC. 2. FINDINGS AND PURPOSES.

''(a) FINDINGS.—Congress finds that—

''(1) Lake Tahoe—

''(A) is one of the largest, deepest, and clearest lakes in the world;

''(B) has a cobalt blue color, a biologically diverse alpine setting, and remarkable water clarity; and

''(C) is recognized nationally and worldwide as a natural resource of special significance;

''(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States, which—

''(A) offers skiing, water sports, biking, camping, and hiking to millions of visitors each year; and

''(B) contributes significantly to the economies of California, Nevada, and the United States;

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

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

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

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

''(A) high tree density and mortality;

''(B) the loss of biological diversity; and

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

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

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

''(9) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government, which makes it a Federal responsibility to restore ecological health to the Lake Tahoe Basin;

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

''(A) congressional consent to the establishment of the Planning Agency with—

''(i) the enactment in 1969 of Public Law 91–148 (83 Stat. 360); and

''(ii) the enactment in 1980 of Public Law 96–551 (94 Stat. 3233);

''(B) the establishment of the Lake Tahoe Basin Management Unit in 1973;

''(C) the enactment of Public Law 96–586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

''(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108–108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to provide payments for the environmental restoration programs under this Act; and

''(E) the enactment of section 382 of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3045), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to authorize development and implementation of a comprehensive 10-year hazardous fuels and fire prevention plan for the Lake Tahoe Basin;

''(11) the Assistant Secretary was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

''(12) the Chief of Engineers, under direction from the Assistant Secretary, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

''(A) stream and wetland restoration; and

''(B) programmatic technical assistance;

''(13) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—

''(A) committing to increased Federal resources for ecological restoration at Lake Tahoe; and

''(B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;

''(14) at the 2011 and 2012 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Heller, Senator Ensign, Governor Gibbons, Governor Sandoval, and Governor Brown—

''(A) renewed their commitment to Lake Tahoe; and

''(B) expressed their desire to fund the Federal and State shares of the Environmental Improvement Program through 2022;

''(15) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than $1,740,000,000 to the Lake Tahoe Basin, including—

''(A) $576,300,000 from the Federal Government;

''(B) $654,600,000 from the State of California;

''(C) $112,500,000 from the State of Nevada;

''(D) $74,900,000 from units of local government; and

''(E) $323,700,000 from private interests;

''(16) significant additional investment from Federal, State, local, and private sources is necessary—

''(A) to restore and sustain the ecological health of the Lake Tahoe Basin;

''(B) to adapt to the impacts of fluctuating water temperature and precipitation; and

''(C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and

''(17) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least $10,000,000 annually for the Fire Risk Reduction and Forest Management Program.

''(b) PURPOSES.—The purposes of this Act are—

''(1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator, in cooperation with the Planning Agency and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities in the Lake Tahoe Basin;

''(2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin;

''(3) to support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and

''(4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

''(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

''(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decisionmaking relating to resource management in the Lake Tahoe Basin.''.

SEC. 7622. DEFINITIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 3 and inserting the following:

''SEC. 3. DEFINITIONS.

''In this Act:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

''(2) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary of the Army for Civil Works.

''(3) CHAIR.—The term 'Chair' means the Chair of the Federal Partnership.

''(4) COMPACT.—The term 'Compact' means the Tahoe Regional Planning Compact included in the first section of Public Law 96–551 (94 Stat. 3233).

''(5) DIRECTORS.—The term 'Directors' means—

''(A) the Director of the United States Fish and Wildlife Service; and

''(B) the Director of the United States Geological Survey.

''(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term 'Environmental Improvement Program' means—

''(A) the Environmental Improvement Program adopted by the Planning Agency; and

''(B) any amendments to the Program.

''(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term 'environmental threshold carrying capacity' has the meaning given the term in Article II of the Compact.

''(8) FEDERAL PARTNERSHIP.—The term 'Federal Partnership' means the Lake Tahoe Federal Interagency Partnership established by Executive Order 13057 (62 Fed. Reg. 41249) (or a successor Executive order).

''(9) FOREST MANAGEMENT ACTIVITY.—The term 'forest management activity' includes—

''(A) prescribed burning for ecosystem health and hazardous fuels reduction;

''(B) mechanical and minimum tool treatment;

''(C) stream environment zone restoration and other watershed and wildlife habitat enhancements;

''(D) nonnative invasive species management; and

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

''(10) MAPS.—The term 'Maps' means the maps—

''(A) entitled—

''(i) 'LTRA USFS-CA Land Exchange/North Shore';

''(ii) 'USFS-CA Land Exchange/West Shore'; and

''(iii) 'USFS-CA Land Exchange/South Shore'; and

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

''(i) the Forest Service;

''(ii) the California Tahoe Conservancy; and

''(iii) the California Department of Parks and Recreation.

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

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

''(B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or

''(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

''(12) PLANNING AGENCY.—The term 'Planning Agency' means the Tahoe Regional Planning Agency established under Public Law 91–148 (83 Stat. 360) and Public Law 96–551 (94 Stat. 3233).

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

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

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

''(16) TOTAL MAXIMUM DAILY LOAD.—The term 'total maximum daily load' means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

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

SEC. 7623. IMPROVED ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

Section 4 of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2353) is amended—

(1) in subsection (b)(3), by striking ''basin'' and inserting ''Basin''; and

(2) by adding at the end the following:

''(c) FOREST MANAGEMENT ACTIVITIES.—

''(1) COORDINATION.—

''(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

''(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

''(2) MULTIPLE BENEFITS.—

''(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

''(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

''(I) reducing forest fuels;

''(II) maintaining biological diversity;

''(III) improving wetland and water quality, including in Stream Environment Zones; and

''(IV) increasing resilience to changing water temperature and precipitation; and

''(ii) helps achieve and maintain the environmental threshold carrying capacities established by the Planning Agency.

''(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

''(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

''(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

''(B) provide for monitoring to ascertain the attainment of the post-program conditions.

''(d) WITHDRAWAL OF FEDERAL LAND.—

''(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

''(A) all forms of entry, appropriation, or disposal under the public land laws;

''(B) location, entry, and patent under the mining laws; and

''(C) disposition under all laws relating to mineral and geothermal leasing.

''(2) EXCEPTIONS.—A conveyance of land shall be exempt from withdrawal under this subsection if carried out under—

''(A) this Act; or

''(B) Public Law 96–586 (94 Stat. 3381) (commonly known as the 'Santini-Burton Act').

''(e) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

''(f) COOPERATIVE AUTHORITIES.—During the 4 fiscal years following the date of enactment of the Water Resources Development Act of 2016, the Secretary, in conjunction with land adjustment programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on Federal land and non-Federal land within the programs.''.

SEC. 7624. AUTHORIZED PROGRAMS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 5 and inserting the following:

''SEC. 5. AUTHORIZED PROGRAMS.

''(a) IN GENERAL.—The Secretary, the Assistant Secretary, the Directors, and the Administrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any program that—

''(1) is described in subsection (d);

''(2) is included in the Priority List under subsection (b); and

''(3) furthers the purposes of the Environmental Improvement Program if the program has been subject to environmental review and approval, respectively, as required under Federal law, Article VII of the Compact, and State law, as applicable.

''(b) PRIORITY LIST.—

''(1) DEADLINE.—Not later than March 15 of the year after the date of enactment of the Water Resources Development Act of 2016, the Chair, in consultation with the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (or a successor organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for each program category described in subsection (d).

''(2) CRITERIA.—The ranking of the Priority List shall be based on the best available science and the following criteria:

''(A) The 4-year threshold carrying capacity evaluation.

''(B) The ability to measure progress or success of the program.

''(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

''(D) The ability of a program to provide multiple benefits.

''(E) The ability of a program to leverage non-Federal contributions.

''(F) Stakeholder support for the program.

''(G) The justification of Federal interest.

''(H) Agency priority.

''(I) Agency capacity.

''(J) Cost-effectiveness.

''(K) Federal funding history.

''(3) REVISIONS.—The Priority List submitted under paragraph (1) shall be revised every 2 years.

''(4) FUNDING.—Of the amounts made available under section 10(a), $80,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

''(c) RESTRICTION.—The Administrator shall use not more than 3 percent of the funds provided under subsection (a) for administering the programs described in paragraphs (1) and (2) of subsection (d).

''(d) DESCRIPTION OF ACTIVITIES.—

''(1) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a), $150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

''(i) Programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

''(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

''(iii) Biomass programs, including feasibility assessments.

''(iv) Angora Fire Restoration under the jurisdiction of the Secretary.

''(v) Washoe Tribe programs on tribal lands within the Lake Tahoe Basin.

''(vi) Development of an updated Lake Tahoe Basin multijurisdictional fuel reduction and wildfire prevention strategy, consistent with section 4(c).

''(vii) Development of updated community wildfire protection plans by local fire districts.

''(viii) Municipal water infrastructure that significantly improves the firefighting capability of local government within the Lake Tahoe Basin.

''(ix) Stewardship end result contracting projects carried out under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

''(B) MINIMUM ALLOCATION.—Of the amounts made available to the Secretary to carry out subparagraph (A), at least $100,000,000 shall be used by the Secretary for programs under subparagraph (A)(i).

''(C) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

''(D) COST-SHARING REQUIREMENTS.—

''(i) IN GENERAL.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25-percent match.

''(ii) FORM OF NON-FEDERAL SHARE.—

''(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

''(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

''(III) DOCUMENTATION.—Communities and local fire districts shall—

''(aa) maintain a record of in-kind contributions that describes—

''(AA) the monetary value of the in-kind contributions; and

''(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

''(bb) document in all requests for Federal funding, and include in the total program budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

''(2) INVASIVE SPECIES MANAGEMENT.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a), $45,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Aquatic Invasive Species Program and the watercraft inspections described in subparagraph (B).

''(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

''(C) CRITERIA.—The strategies referred to in subparagraph (B) shall provide that—

''(i) combined inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe region; and

''(ii) watercraft not be allowed to launch in waters of the Lake Tahoe region if the watercraft has not been inspected in accordance with the Lake Tahoe Aquatic Invasive Species Management Plan.

''(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the decontamination activities described in subparagraph (C)(i) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this paragraph.

''(E) APPLICABILITY.—The strategies and criteria developed under this paragraph shall apply to all watercraft to be launched on water within the Lake Tahoe region.

''(F) FEES.—The Director of the United States Fish and Wildlife Service may collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations under this paragraph.

''(G) CIVIL PENALTIES.—

''(i) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this paragraph shall be liable for a civil penalty in an amount not to exceed $1,000 per violation.

''(ii) OTHER AUTHORITIES.—Any penalties assessed under this subparagraph shall be separate from penalties assessed under any other authority.

''(H) LIMITATION.—The strategies and criteria under subparagraphs (B) and (C), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the strategies and criteria developed under subparagraphs (B) and (C), respectively.

''(I) SUPPLEMENTAL AUTHORITY.—The authority under this paragraph is supplemental to all actions taken by non-Federal regulatory authorities.

''(J) SAVINGS CLAUSE.—Nothing in this title restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

''(3) STORMWATER MANAGEMENT, EROSION CONTROL, AND TOTAL WATERSHED RESTORATION.—Of the amounts made available under section 10(a), $113,000,000 shall be made available—

''(A) to the Secretary, the Secretary of the Interior, the Assistant Secretary, or the Administrator for the Federal share of stormwater management and related programs consistent with the adopted Total Maximum Daily Load and near-shore water quality goals;

''(B) for grants by the Secretary and the Administrator to carry out the programs described in subparagraph (A);

''(C) to the Secretary or the Assistant Secretary for the Federal share of the Upper Truckee River restoration programs and other watershed restoration programs identified in the Priority List established under section 5(b); and

''(D) for grants by the Administrator to carry out the programs described in subparagraph (C).

''(4) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts made available under section 10(a), $20,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.''.

SEC. 7625. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 6 and inserting the following:

''SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

''(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

''(1) IN GENERAL.—Of the amounts made available under section 10(a), not less than $5,000,000 shall be made available to the Secretary to carry out this section.

''(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

''(b) CONSULTATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.

''(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

''(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

''(2) LOCAL COOPERATION AGREEMENTS.—

''(A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

''(B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—

''(i) describe the nature of the technical assistance;

''(ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

''(iii) include cost-sharing provisions in accordance with subparagraph (C).

''(C) FEDERAL SHARE.—

''(i) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 65 percent.

''(ii) FORM.—The Federal share may be in the form of reimbursements of program costs.

''(iii) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this paragraph.

''(d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Secretary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—

''(1) develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program;

''(2) include funds in each program funded under this section for monitoring and assessment of results at the program level; and

''(3) use the integrated multiagency performance measures established under this section.

''(e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Administrator, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—

''(1) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—

''(A) the program scope;

''(B) the budget for the program; and

''(C) the justification for the program, consistent with the criteria established in section 5(b)(2);

''(2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program;

''(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

''(4) public education and outreach efforts undertaken to implement programs authorized under this Act.

''(f) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, the United States Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

''(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

''(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

''(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.''.

SEC. 7626. CONFORMING AMENDMENTS; UPDATES TO RELATED LAWS.

(a) LAKE TAHOE RESTORATION ACT.—The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesignating sections 10, 11, and 12 as sections 8, 9, and 10, respectively; and

(3) in section 9 (as redesignated by paragraph (2)) by inserting '', Director, or Administrator'' after ''Secretary''.

(b) TAHOE REGIONAL PLANNING COMPACT.—Subsection (c) of Article V of the Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3240) is amended in the third sentence by inserting ''and, in so doing, shall ensure that the regional plan reflects changing economic conditions and the economic effect of regulation on commerce'' after ''maintain the regional plan''.

(c) TREATMENT UNDER TITLE 49, UNITED STATES CODE.—Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting ''and 25 square miles of land area'' after ''145,000''; and

(2) by inserting ''and 12 square miles of land area'' after ''65,000''.

SEC. 7627. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 10 (as redesignated by section 7626(a)(2)) and inserting the following:

''SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $415,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Water Resources Development Act of 2016.

''(b) EFFECT ON OTHER FUNDS.—Amounts authorized under this section and any amendments made by this Act—

''(1) shall be in addition to any other amounts made available to the Secretary, the Administrator, or the Directors for expenditure in the Lake Tahoe Basin; and

''(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Protection Agency, or the United States Fish and Wildlife Service.

''(c) COST-SHARING REQUIREMENT.—Except as provided in subsection (d) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

''(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts ⅔ of the costs of relocating facilities in connection with—

''(1) environmental restoration programs under sections 5 and 6; and

''(2) erosion control programs under section 2 of Public Law 96–586 (94 Stat. 3381).

''(e) SIGNAGE.—To the maximum extent practicable, a program provided assistance under this Act shall include appropriate signage at the program site that—

''(1) provides information to the public on—

''(A) the amount of Federal funds being provided to the program; and

''(B) this Act; and

''(2) displays the visual identity mark of the Environmental Improvement Program.''.

SEC. 7628. LAND TRANSFERS TO IMPROVE MANAGEMENT EFFICIENCIES OF FEDERAL AND STATE LAND.

Section 3(b) of Public Law 96–586 (94 Stat. 3384) (commonly known as the ''Santini-Burton Act'') is amended—

(1) by striking ''(b) Lands'' and inserting the following:

''(b) ADMINISTRATION OF ACQUIRED LAND.—

''(1) IN GENERAL.—Land''; and

(2) by adding at the end the following:

''(2) CALIFORNIA CONVEYANCES.—

''(A) IN GENERAL.—If the State of California (acting through the California Tahoe Conservancy and the California Department of Parks and Recreation) offers to donate to the United States acceptable title to the non-Federal land described in subparagraph (B)(i), the Secretary—

''(i) may accept the offer; and

''(ii) not later than 180 days after the date on which the Secretary receives acceptable title to the non-Federal land described in subparagraph (B)(i), convey to the State of California, subject to valid existing rights and for no consideration, all right, title, and interest of the United States in and to the Federal land that is acceptable to the State of California.

''(B) DESCRIPTION OF LAND.—

''(i) NON-FEDERAL LAND.—The non-Federal land referred to in subparagraph (A) includes—

''(I) the approximately 1,981 acres of land administered by the California Tahoe Conservancy and identified on the Maps as 'Conservancy to the United States Forest Service'; and

''(II) the approximately 187 acres of land administered by California State Parks and identified on the Maps as 'State Parks to the U.S. Forest Service'.

''(ii) FEDERAL LAND.—The Federal land referred to in subparagraph (A) includes the approximately 1,995 acres of Forest Service land identified on the Maps as 'U.S. Forest Service to Conservancy and State Parks'.

''(C) CONDITIONS.—Any land conveyed under this paragraph shall—

''(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

''(ii) not result in any significant changes in the uses of the land; and

''(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

''(I) to ensure compliance with this Act; and

''(II) to ensure that the transfer of development rights associated with the conveyed parcels shall not be recognized or available for transfer under chapter 51 of the Code of Ordinances for the Tahoe Regional Planning Agency.

''(3) NEVADA CONVEYANCES.—

''(A) IN GENERAL.—In accordance with this section and on request by the Governor of Nevada, the Secretary may transfer the land or interests in land described in subparagraph (B) to the State of Nevada without consideration, subject to appropriate deed restrictions to protect the environmental quality and public recreational use of the land transferred.

''(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) includes—

''(i) the approximately 38.68 acres of Forest Service land identified on the map entitled 'State of Nevada Conveyances' as 'Van Sickle Unit USFS Inholding'; and

''(ii) the approximately 92.28 acres of Forest Service land identified on the map entitled 'State of Nevada Conveyances' as 'Lake Tahoe Nevada State Park USFS Inholding'.

''(C) CONDITIONS.—Any land conveyed under this paragraph shall—

''(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

''(ii) not result in any significant changes in the uses of the land; and

''(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

''(I) to ensure compliance with this Act; and

''(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

''(4) REVERSION.—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2) or (3), respectively, the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

''(5) FUNDING.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351), $2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2) and (3).

''(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be provided to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).''.

PART III—LONG ISLAND SOUND RESTORATION

SEC. 7631. RESTORATION AND STEWARDSHIP PROGRAMS.

(a) LONG ISLAND SOUND RESTORATION PROGRAM.—Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) in subsection (b), by striking the subsection designation and heading and all that follows through ''The Office shall'' and inserting the following:

''(b) OFFICE.—

''(1) ESTABLISHMENT.—The Administrator shall—

''(A) continue to carry out the conference study; and

''(B) establish an office, to be located on or near Long Island Sound.

''(2) ADMINISTRATION AND STAFFING.—The Office shall'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''Management Conference of the Long Island Sound Study'' and inserting ''conference study'';

(B) in paragraph (2)—

(i) in each of subparagraphs (A) through (G), by striking the commas at the end of the subparagraphs and inserting semicolons;

(ii) in subparagraph (H), by striking '', and'' and inserting a semicolon;

(iii) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(J) environmental impacts on the Long Island Sound watershed, including—

''(i) the identification and assessment of vulnerabilities in the watershed;

''(ii) the development and implementation of adaptation strategies to reduce those vulnerabilities; and

''(iii) the identification and assessment of the impacts of sea level rise on water quality, habitat, and infrastructure; and

''(K) planning initiatives for Long Island Sound that identify the areas that are most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce adverse environmental impacts, facilitate compatible uses, or preserve critical ecosystem services to meet economic, environmental, security, or social objectives;'';

(C) by striking paragraph (4) and inserting the following:

''(4) develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of Long Island Sound;'';

(D) in paragraph (5), by inserting ''study'' after ''conference'';

(E) in paragraph (6)—

(i) by inserting ''(including on the Internet)'' after ''the public''; and

(ii) by inserting ''study'' after ''conference''; and

(F) by striking paragraph (7) and inserting the following:

''(7) monitor the progress made toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring system for the ecological health and water quality conditions of Long Island Sound; and'';

(3) in subsection (d)(3), in the second sentence, by striking ''50 per centum'' and inserting ''60 percent'';

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (e) the following:

''(f) REPORT.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Director of the Office, in consultation with the Governor of each Long Island Sound State, shall submit to Congress a report that—

''(A) summarizes and assesses the progress made by the Office and the Long Island Sound States in implementing the Long Island Sound Comprehensive Conservation and Management Plan, including an assessment of the progress made toward meeting the performance goals and milestones contained in the Plan;

''(B) assesses the key ecological attributes that reflect the health of the ecosystem of the Long Island Sound watershed;

''(C) describes any substantive modifications to the Long Island Sound Comprehensive Conservation and Management Plan made during the 2-year period preceding the date of submission of the report;

''(D) provides specific recommendations to improve progress in restoring and protecting the Long Island Sound watershed, including, as appropriate, proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan;

''(E) identifies priority actions for implementation of the Long Island Sound Comprehensive Conservation and Management Plan for the 2-year period following the date of submission of the report; and

''(F) describes the means by which Federal funding and actions will be coordinated with the actions of the Long Island Sound States and other entities.

''(2) PUBLIC AVAILABILITY.—The Administrator shall make the report described in paragraph (1) available to the public, including on the Internet.

''(g) ANNUAL BUDGET PLAN.—The President shall submit, together with the annual budget of the United States Government submitted under section 1105(a) of title 31, United States Code, information regarding each Federal department and agency involved in the protection and restoration of the Long Island Sound watershed, including—

''(1) an interagency crosscut budget that displays for each department and agency—

''(A) the amount obligated during the preceding fiscal year for protection and restoration projects and studies relating to the watershed;

''(B) the estimated budget for the current fiscal year for protection and restoration projects and studies relating to the watershed; and

''(C) the proposed budget for succeeding fiscal years for protection and restoration projects and studies relating to the watershed; and

''(2) a summary of any proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan for the following fiscal year.

''(h) FEDERAL ENTITIES.—

''(1) COORDINATION.—The Administrator shall coordinate the actions of all Federal departments and agencies that impact water quality in the Long Island Sound watershed in order to improve the water quality and living resources of the watershed.

''(2) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

''(A) enter into interagency agreements; and

''(B) make intergovernmental personnel appointments.

''(3) FEDERAL PARTICIPATION IN WATERSHED PLANNING.—A Federal department or agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall participate in regional and subwatershed planning, protection, and restoration activities with respect to the watershed.

''(4) CONSISTENCY WITH COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN.—To the maximum extent practicable, the head of each Federal department and agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall ensure that the property and all activities carried out by the department or agency are consistent with the Long Island Sound Comprehensive Conservation and Management Plan (including any related subsequent agreements and plans).''.

(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM.—

(1) LONG ISLAND SOUND STEWARDSHIP ADVISORY COMMITTEE.—Section 8 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) in subsection (g), by striking ''2011'' and inserting ''2021''; and

(B) by adding at the end the following:

''(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

''(1) the Advisory Committee; or

''(2) any board, committee, or other group established under this Act.''.

(2) REPORTS.—Section 9(b)(1) of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended in the matter preceding subparagraph (A) by striking ''2011'' and inserting ''2021''.

(3) AUTHORIZATION.—Section 11 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (a) (as so redesignated), by striking ''under this section each'' and inserting ''to carry out this Act for a''.

(4) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2011.

SEC. 7632. REAUTHORIZATION.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator such sums as are necessary for each of fiscal years 2017 through 2021 for the implementation of—

(1) section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269), other than subsection (d) of that section; and

(2) the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359).

(b) LONG ISLAND SOUND GRANTS.—There is authorized to be appropriated to the Administrator to carry out section 119(d) of the Federal Water Pollution Control Act (33 U.S.C. 1269(d)) $40,000,000 for each of fiscal years 2017 through 2021.

(c) LONG ISLAND SOUND STEWARDSHIP GRANTS.—There is authorized to be appropriated to the Administrator to carry out the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) $25,000,000 for each of fiscal years 2017 through 2021.

Subtitle G—Offset

SEC. 7701. OFFSET.

None of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.

COMMITTEE-REPORTED AMENDMENTS WITHDRAWN

Mr. INHOFE. On behalf of the committee, I withdraw the committee-reported amendments.

The PRESIDING OFFICER. The amendments are withdrawn.

AMENDMENT NO. 4979

(Purpose: In the nature of a substitute.)

Mr. MCCONNELL. Mr. President, I call up the Inhofe-Boxer substitute amendment No. 4979.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. INHOFE, proposes an amendment numbered 4979.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

AMENDMENT NO. 4980 TO AMENDMENT NO. 4979

Mr. INHOFE. Mr. President, I call up amendment No. 4980.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 4980 to amendment No. 4979.

Mr. INHOFE. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To make a technical correction)

Strike section 6002 and insert the following:

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

The following project modifications for water resources development and conservation and other purposes are authorized to be

carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: $97,067,750 Estimated Non-Federal: $55,465,250 Total: $152,533,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: $34,860,000 Estimated Non-Federal: $11,620,000 Total: $46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: $308,983,000 Estimated Non-Federal: $308,983,000 Total: $617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: $20,309,900 Estimated Non-Federal: $10,936,100 Total: $31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: $381,032,000 Estimated Non-Federal: $127,178,000 Total: $508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: $65,514,650 Estimated Non-Federal: $35,322,350 Total: $100,837,000
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: $20,205,250 Estimated Non-Federal: $10,879,750 Total: $31,085,000

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent I be recognized for as much time as I shall consume.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. Mr. President, first of all, let me say something about this. I would ask if Senator BOXER would like to be heard before I make some remarks on this or if we can have a colloquy, in which case I would ask a question. We have done some good things in our committee, and we have two different people who don't think alike on a lot of issues. However, we both agree that infrastructure is important. We got through a highway bill that many people said couldn't be done. It hadn't been done since 1998, and we were able to do that significantly. We got through the chemical bill, about which a lot of people said ''No, that is not going to be done,'' and yet we did.

I look at this, and we have many things right now that should go into a WRDA bill. Initially, the Water Resources Development Act was going to be coming up every 2 years. We went through a period of time when that wasn't the case. Both the minority and the majority of our committee, the Environment and Public Works Committee, have agreed that we should get back to that 2-year cycle. That is what we are doing today.

I would ask Senator BOXER: Do you agree that we have done a pretty good job on some of these and we need to keep going?

Mrs. BOXER. If I might respond to my friend through the Chair, he speaks for me on a lot of these infrastructure issues. It does shock a lot of people because they know that the most conservative, the most progressive—how could they ever get along? What I tell people is that we respect each other's points of view. When we can't agree, we don't get personal about it; we accept each other's opinion. Where we can work together, we find the sweet spot, and we have done it several times.

In terms of water infrastructure, I want to say that the people in this country have a right to have clean water. They have to have ports that work and the dredging is kept up with. They have to have ecosystem restoration where our marshlands are—we are losing them, and they are flood controlled. And many, many Corps of Engineers reports that have been done—we don't want them to sit around because, as my dear friend knows, if we don't pass WRDA, there is no authority for the Corps to move forward.

We have these projects all over. So this bill is about saving lives from floods, saving lives from lead in water. It is about major economic benefits to our Nation.

I would say, with my friend's support and my support back to him, we created this WIFIA program that we based on the TIFIA program—transportation infrastructure financing. Now we have water infrastructure financing. What this does is allow communities to leverage the funds that they have, get a very low-interest loan, and move forward and make sure that they modernize their water systems.

I am so pleased that we were able to have this agreement. This is another one of our usual ''Perils of Pauline'' where we think we are going to the bill, and then we are not. Everybody acted in good faith—Senator REID, Senator MCCONNELL, Senator INHOFE and I, and Senators from Michigan and Senators from all over the country.

As I wind down my days here, I am so honored to have this opportunity to once again work with my dear friend, and what a pleasure it is. People don't get it. They don't get the fact that we actually can set aside our differences, which are great, and come together. I know he is going to be—regardless of what happens in the election, I think the Senator is going to be I think the chairman of Armed Services. Is that correct? Maybe—or maybe ranking.

Mr. INHOFE. A lot of things have not transpired yet.

Mrs. BOXER. We don't know where he is going to land. What I want to say is that wherever he does land, it is going to be a fortunate thing for the Democrat who is his partner.

Working with Senator INHOFE has been so amazing and so productive, and this bill is a great symbol of the work we have done together. I am so thrilled. I hope that our colleagues will work with us because we want to help everybody, but we also want to make sure there are no poison pills and no crazy amendments that set us back. We will work together on that in good faith.

WATER RESOURCES DEVELOPMENT ACT

Mr. President, I rise today to speak in support of S. 2848, the Water Resources Development Act of 2016—WRDA—a bill that will repair our aging infrastructure, grow the economy, and create jobs. This legislation is the latest in a long list of bipartisan infrastructure bills produced by the

Environment and Public Works Committee. In April, this bill passed out of the EPW Committee with overwhelming support—19 to 1. We have a long track record of passing these infrastructure bills into law, and I am confident we can do it again with WRDA 2016.

This bill is desperately needed. As I have often said in recent months, the drinking water crisis in Flint, MI, puts a spotlight on our Nation's infrastructure challenges. The American Society of Civil Engineers rates the Nation's infrastructure a D-plus—hardly a grade to be proud of.

WRDA 2016 responds to our nation's infrastructure crisis. It allows additional investment to strengthen levees, dams, and navigation channels. It also addresses lead contamination in Flint and similar cities across the country that are dealing with aging lead pipes, such as Jackson, MS, Sebring, OH, and Durham, NC.

The American people have a right to expect safe, clean water when they turn on their faucets, and sadly, millions of homes across America still receive their water from crumbling pipes containing toxins such as lead. The American Water Works Association estimates that as many as 22 million people live in homes that receive water from lead service lines.

This bill begins the much-needed work to ensure safe, reliable drinking water for all Americans. It provides $100 million in State Revolving Fund loans and grants for communities with a declared drinking water emergency. It also provides more than $700 million in loans under the Water Infrastructure Finance and Innovation Act, or WIFIA, for projects to replace crumbling infrastructure. The WRDA bill helps those communities dealing with the horrible effects of lead poisoning by investing in public health programs to help families deal with the impacts. The bill also changes the law to require that communities are quickly notified if high lead levels are found in their drinking water to help prevent the mistakes made in Flint from being repeated. This bill is a comprehensive response to the national infrastructure crisis that was brought to light by the disaster in Flint.

This WRDA bill will also provide many other important benefits to the American people, local businesses, and the Nation's economy through the critical programs of the U.S. Army Corps of Engineers. For example, the bill authorizes over $12 billion for 29 Chief's Reports in 18 States. These projects address critical needs for navigation, flood risk management, coastal storm damage reduction, and ecosystem restoration.

The bill authorizes important projects to maintain vital navigation routes for commerce and the movement of goods, and builds on the reforms to the Harbor Maintenance Trust Fund, HMTF, in the 2014 WRDA bill. These include permanently extending prioritization for donor and energy transfer ports and emerging harbors, allowing additional ports to qualify for these funds, and making clear that the Corps can maintain harbors of refuge. Our ports and waterways—which are essential to the U.S. economy—moved 2.3 billion tons of goods in 2014.

In addition to providing major economic benefits, this legislation will save lives. Storms and floods in recent years have resulted in the loss of life, caused billions of dollars of damage, and wiped out entire communities. This bill will help rebuild critical levee systems around the country, including levees to protect the capital of my State and surrounding communities. WRDA also establishes a new program at FEMA to fund the repair of high hazard dams that present a public safety threat. These hazardous dams are threatening numerous communities across the Nation.

This bill authorizes and updates programs to advance the restoration of some of the nation's most iconic ecosystems, such as Lake Tahoe, the Great Lakes, Long Island Sound, the Delaware River, Chesapeake Bay, and Puget Sound. It will also help to revitalize the Los Angeles River, restore wetlands in San Francisco Bay, and provide critical habitat and improve air quality near the Salton Sea in California.

WRDA also responds to the serious challenges many of our communities are facing from ongoing drought. It expands opportunities for local communities to work with the Corps to improve operation of dams and reservoirs to increase water supplies and better conserve existing water resources.

The bill also builds on legislation I introduced called the Water in the 21st Century Act, or W21, to provide essential support for development of innovative water technologies, such as desalination and water recycling. The bill allows States to provide additional incentives for the use of innovative technologies through the State Revolving Fund programs, establishes a new innovative water technology grant program, and reauthorizes successful existing programs, such as the Water Desalination Act.

WRDA 2016 will invest in our Nation's water infrastructure, create jobs in the construction industry, protect our people from flooding, enable commerce to move through our ports, encourage innovative financing, and begin the hard work of preparing for and responding to extreme weather. WRDA 2016 is a truly bipartisan bill that benefits every region of this country.

Let me close by thanking my EPW chairman, Senator INHOFE, for his work on this bill. While we do not always agree on every issue, I am glad we were able to come together on this vital legislation to pass it out of our committee with an overwhelmingly bipartisan vote.

I urge the Senate to quickly pass this critical legislation, and the House to follow suit, so that we can send this bill to the President's desk.

With that, I yield the floor back to my friend. I thank him for yielding to me. I look forward to rolling up our sleeves and getting this done.

Mr. INHOFE. Let me thank the Senator from California. Let's continue this productivity. We have a chance to do it now on this very significant bill. We had a conversation with the leadership, and I think she and I and the leadership agree that we can have some limitations on amendments. I have been over here asking for our Members to bring amendments several times now. Actually, we started this about 3 weeks ago. I don't have them in my hands yet. I would suggest since we have this tentative agreement that all amendments would go through the managers—that is, through Senator BOXER and me—that we go ahead and say they have to be germane, and if they are not in by noon on Friday, no more amendments could come in.

It seems as though we always have to have deadlines around here to get things done. I will be proposing that after I make a few remarks, and I think our Members can depend on that being a condition.

Does that sound reasonable to the Senator?

Mrs. BOXER. It sounds very fair to me actually.

Mr. INHOFE. That's good.

Let's talk a little bit about this because yesterday I talked about what is going to happen if we don't pass a WRDA bill. Keep in mind that we have gone sometimes as long as 7 or 8 years without passing one. We are supposed to do it every 2 years, and I think this could be the time that it will become a reality.

I will repeat what I said yesterday: What will happen if we don't have a bill? I think every Member, Democrat and Republican, will be affected by this and will be concerned if we don't get this legislation passed. First of all, there are 29 navigation flood control and environmental restoration projects that will not happen unless we pass this bill. There will be no new Corps reforms that will let local sponsors improve infrastructure at their own expense. I will talk a little bit about that because it is not very often that we have a bill where we have to encourage people to let other people pay for what the government would normally be paying for. We have come to an agreement in this bill, which is a good thing, and it is a good provision.

If we don't pass the bill, there is not going to be any FEMA assistance to the States that need to rehabilitate the unsafe dams.

If we don't pass the bill, there will be no reforms to help communities address clean and safe drinking water infrastructures. I come from a State where we have a lot of small rural communities, which don't have an abundance of resources. Back when I was mayor of Tulsa, the biggest enemy I

had was unfunded mandates. The Federal Government would come along and say ''You have to do this,'' and yet we had to figure out a way to pay for it. That is what we are trying to get away from, and this bill helps us do that.

If we don't pass the bill, there will not be new assistance for innovative approaches to clean water and drinking water needs, and there will be no protection for the coal utilities from runaway coal-ash lawsuits. We have specifically addressed that.

I have to admit that there are a lot of things we worked out in this bill that Democrats like and the Republicans don't like and Republicans don't like and Democrats like, but that is how we got things done. Sooner or later there is an outcry out there for us to get things done, and this is certainly a good way to encourage these people to understand that there is hope in what we are doing.

I have some charts, and the first one I want to show is the map of the inland waterway system. There are 40 States that are directly served by ports and waterways maintained by the Corps of Engineers. This system handles over 2.3 billion tons of freight each year, and this commerce is critical to the United States.

I invite everyone to look at this chart. This is Tulsa, OK. Everyone knows where Oklahoma is. It is kind of in the middle of the United States. How many people in America know that we are navigable in Tulsa, OK? We have a navigation way that goes all the way up. We are fighting to keep the navigation way strong, and that is what this bill is all about. If you look at all of the things that are being serviced here—that is what this bill is all about. That is how far-reaching it is.

We have to keep our water transportation system operational. For example, the senior vice president of Marathon Petroleum Corporation told the Environmental Protection Committee, my committee, that they have a number of situations up and down the Ohio River where lock gates have failed to function and Marathon's barges were stopped for 50 or 60 days at the cost of millions and millions of dollars. He told us there was one lock where the gate literally fell off and took months to repair.

The second chart we have is the Ohio lock repairs. This could be anywhere, but this is what it looks like when you get down there. When we have lock problems in my State of Oklahoma, I go out there and get down there with them and look to see what we can do. But that is fairly recent in Oklahoma.

Look at the Ohio River. I can't tell you how old it is, but you can see the repairs that need to take place. This problem is not exclusive to the Ohio River. It exists in most major locks throughout the inland waterway. These projects are experiencing a slow creep of Federal inaction.

Under the current law, a local sponsor, such as a port, has to wait for the Corps to get Federal appropriations and issue Federal contracts before locks, dams, and ports can be maintained. Even when a lock gate is literally falling off, under current law, they are not allowed to use their own money to help out.

The Corps maintenance budget is stretched thin so WRDA 2016 comes up with a solution, and this is a logical solution. In WRDA, the bill that we are going to consider and will hopefully pass, we let local sponsors, such as ports, either give money to the Corps to carry out maintenance or do their own maintenance using their own dollars. This is an opportunity. These are not taxpayer dollars, but the need is so critical that there are people out there willing to do this, and we will be able to do that with the passage of this bill.

We also have to modernize our ports. We have to invest in our Nation's ports now so that American ports can handle larger post-Panamax vessels. The new vessels that are coming through the Panama Canal now are vessels that require a greater depth. Here is a comparison. The top is the post-Panamax, and the bottom is what we are using today. You can get an idea of the number of containers that they can transport.

This picture shows the current Panamax vessel on the bottom and the new post-Panamax vessel on top. As you can see, the post-Panamax vessel can handle double the cargo of their predecessor. This increase in cargo volume means cheaper shipping costs, which translates into cheaper costs for consumers, but in order to achieve this, we have to deepen our Nation's strategic ports to accommodate it. WRDA 2016, the bill we are talking about now, has a number of provisions that will ensure that we grow the economy, increase our competitiveness in the global marketplace, and promote long-term prosperity. These provisions include important harbor deepening projects for Charleston, SC, Port Everglades, FL, Brownsville, TX, and throughout America.

This chart shows the Charleston Harbor. It is authorized to be deepened under this bill. Right now it is 45 feet deep. In order to use the Panamax to come into that particular port, it has to be closer to 51 feet instead of 45 feet. What happens if that doesn't happen? If it doesn't happen, they have to go to someplace in the Caribbean where they offload the large vessel and divide it up into small vessels, which dramatically increases the costs. Anyone who is concerned about low costs has to keep in mind that this is a major opportunity not just for Charleston Harbor, but for harbors throughout the United States.

Let's talk about flood control. Let's start with the levees. The Corps built 14,700 miles of levees that protect billions of dollars of infrastructure and homes. We have some of these levees in my hometown of Tulsa, OK. The Corps projects prevent nearly $50 billion a year in damages. Many of these levees were built a long time ago, and some have recently failed.

This chart shows the Iowa River levee breach. This is a levee in Iowa that was overtopped and eventually breached by disastrous floodwaters. In many cases levees like this were constructed by the Army Corps of Engineers decades ago and no longer meet the Corps post-Katrina engineering design guidelines. Also, FEMA has decided that many of these levees don't meet FEMA flood insurance standards. Even though they own the levees, a levee district needs permission from the Corps to upgrade a levee to meet FEMA standards. Several Members of this body have told me that their local levee districts are caught up in a bureaucratic nightmare when they try to get that permission from the Corps. Well, you shouldn't have to do that. Everyone benefits from this. We are streamlining the process to allow levee districts to improve their own levees by using their own money to do it in WRDA 2016. This is nontaxpayer money, and I don't know who could oppose this effort.

There is also an issue with how the Corps rebuilds levees that have been damaged by flood. Right now the Corps will rebuild only to the preexisting level protection, which may be inadequate and may not meet FEMA standards. Einstein defined insanity as doing the same thing over and over again and expecting to have different results. To stop this insanity of wasting Federal dollars by rebuilding the same inadequate levee over and over again, WRDA 2016 allows local levee districts to increase the level of flood protection at their expense when the Corps is rebuilding a levee after a flood. No one can argue with that one.

Let's talk about dams. According to the Corps National Inventory of Dams, there are 14,726 high hazard potential dams in the United States. A high hazard potential dam is defined as a dam that will result in the loss of lives. If you look at this, this is a dam that broke. When that happens downstream, you know people are going to die. This is an area where we can't imagine that anyone would object to it.

This is a picture of a dam in Iowa that failed in June of 2010 after the area received 10 inches of rain. We can avoid disasters like this by making the necessary investments in our water resources infrastructure. By not passing WRDA, we leave communities like this one, and many others throughout the country, vulnerable to catastrophic events. WRDA 2016 helps avoid disasters like this by providing two new dam safety programs.

Keep in mind, we are talking about 14,000 high hazard potential dams—life-threatening dams—right now. One is operated by FEMA to support State dam programs, and one is operated by the Bureau of Indian Affairs to support tribes. Those are the two efforts that we are making.

Let's talk about the EPA clean water and drinking water mandates. Communities around the country are trying to keep up with more and more of the Federal mandates coming from the EPA. I had to deal with this when I was the mayor of Tulsa. It was the unfunded mandates that were the greatest problems that we had, and one of the goals I had in coming to Congress was to stop the mandates. We thought we had done that at one time. This is going to be a great help. Even though our water is much cleaner and our drinking water is much safer than it was 30 or 40 years ago, back when I was mayor of Tulsa, the EPA keeps adding more and more regulations, and these new mandates drive up our water and sewer bills to the point that they become unaffordable to many families. Under the threat of EPA penalties, communities can be forced to choose between meeting new, unfunded Federal mandates or keeping up with basic maintenance repair and replacement activities that keep our drinking water and wastewater operational.

Our seventh chart here is the Philadelphia main break that took place. If we don't maintain our infrastructure, it will fail just as this water main did in Philadelphia. If we don't replace our infrastructure, aging sewer pipes will leak and result in sewer overflows. Atlanta, Omaha, Baltimore, Cincinnati, Houston, and communities all around the country are facing these problems.

This chart shows the tunnel-boring machine for DC's $2.6 billion sewer. You can see what is involved in this project. These sewer projects are huge and very costly. For example, there is a picture of a tunnel that is being built here in DC as part of a $2.6 billion project to address sewer overflows. The WRDA bill, S. 2848, addresses these issues in two ways. It targets Federal assistance and tools that empower local governments.

As far as Federal assistance, our 2016 WRDA bill provides $70 million to capitalize WIFIA. You heard the Senator from California, Mrs. BOXER, talk about how we used TIFIA in our highway bill. We are using WIFIA in the same way. The $70 million of Federal funds can provide up to $4.2 billion in secured loans. It is something that worked in the highway bill, and it will work in this one. Those loans have gotten a match by another $4.4 billion, so there is $70 million in Federal investment that will result in some $8.6 billion in infrastructure. That is in this bill.

This funding is fully offset by reductions in DOE's Advanced Technology Vehicles Manufacturing Program. I might add that the Senator from Michigan has assured me that they are very supportive of this, in spite of the fact that that is where a lot of the manufacturing of our vehicles takes place.

While the Federal assistance in this bill is targeted, all communities need tools to fight back when EPA enforcement officials try to take control of their water and sewer system. The WRDA bill also requires the EPA to update its affordability guidance, so when EPA imposes costly sewer upgrades on a community, EPA will have to consider the real impacts on real households, including low-income households.

Finally, we talk about coal ash. That has been very controversial for a long time. WRDA includes compromise legislation that we negotiated and considered with Senator BOXER and others on the EPW Committee to authorize State permit programs to manage fly ash from coal-fired powerplants.

Coal ash is a critical ingredient in making concrete for roads and bridges. It is more durable, it is less expensive than the alternatives, and many States actually require coal ash to be used in their highway projects. When EPA's coal ash rule went into effect last October, it created huge uncertainty for both the disposal and the beneficial use of coal ash because, unlike other environmental regulations, the EPA rule is enforced through citizen lawsuits. This is something we have to stop. This bill fixes that by giving States the authority to issue State coal ash permits that will provide protection from citizen suits.

There is a tremendous amount in this bill that is important to every State in our country. I can't imagine that we are not going to be able to get this passed. Our goal—and this is a goal of Democrats and Republicans, the majority and the minority—is to get this done and get it done in this work period, and I think we can get it done by next week.

We are to the point now where I want to repeat that we have the opportunity to do what we are supposed to be doing in managing our infrastructure. This is something we have an opportunity to do now and do well. Again, one of the requirements is—and the leadership has agreed to this, as have the managers, Senator BOXER and myself—that we are going to have to get all of the amendments in from anybody who wants them by noon on Friday. Nothing will be considered after that, nor will anything be considered that is not germane. We are going to be passing judgment on these amendments as they come in, but bring them in because after noon on Friday, it will be too late.

Anyway, we have this opportunity on the floor to get this done, and I think this will be one of the last really great accomplishments we will be able to do in this legislation session.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

CLINTON FOUNDATION

Mr. CORNYN. Mr. President, this summer the American people have heard a lot about Secretary Clinton and how she went to great lengths to set up a private email server in violation of Federal law and accepted protocols not only at the State Department but in the U.S. Government.

In early July FBI Director Comey announced findings from the Bureau's investigation into her server that confirmed what many people knew all along; that is, that Secretary Clinton simply misled the American people about it from day one. She didn't tell the truth, and she tried to cover it up.

Contrary to her previous statements from her and her staff, Secretary Clinton did send and receive classified information on her private email server, including some at the very highest levels of classification. We learned that, contrary to her representations, her server did not provide adequate security, leaving sensitive information vulnerable to our Nation's enemies. We also learned that neither she nor her lawyers really actually reviewed the emails to determine whether they were work-related and needed to be turned over to the State Department and the Federal courts under our freedom of information laws. And we learned that she didn't give the authorities full access to all of her work-related emails. In fact, Director Comey said the FBI discovered thousands of emails that she simply had not produced even though she was required to do so.

All of this may seem like old news, but the fact is, it is simply unacceptable. I am glad the FBI released much of its investigation on Friday, but, as was observed by a number of people, this was sort of a typical Washington news dump—get it out on Friday and hope that by Monday morning, people have moved on to other things or forgotten about it.

But these regular scandals that seem to be associated with the Clintons—while they addressed the emails, they obviously evidenced contempt for our freedom of information laws and the kind of transparency that President Obama touted when he became President and spoke about on the day of his inauguration on January 20, 2009—most of the American people have come to believe they simply can't trust Secretary Clinton. According to a recent CNN poll, about 70 percent said that she isn't honest and trustworthy—almost 70 percent, which is an astoundingly high number. But I really can't blame folks. In fact, Secretary Clinton has no one else to blame but herself.

Unfortunately, Director Comey's announcement back in the July wasn't the end of the story, though, because last month even more emails came to light that revealed the line blurred between the Clinton Foundation and the State Department under Secretary Clinton. Many of the new emails were between top Clinton aides and an executive at the Clinton Foundation requesting favors of Secretary Clinton in her official capacity. There is a lot of information out there, but I have just highlighted about three of the items here.

One exchange requests a meeting between Secretary Clinton and the Crown

Prince of Bahrain. According to the emails, after the Clinton Foundation staffer intervened, a meeting was quickly put together. The Washington Post has noted that the Crown Prince spent upwards of $32 million on an education program connected with—you guessed it—the Clinton Foundation.

Another is from a person whom we will identify as just a sports executive trying to get an expedited visa for a British soccer player. He donated between $5 million and $10 million to the Clinton Foundation.

Several other requests were for last-minute meetings and other favors, including one business executive who apparently got quick access to Secretary Clinton. He donated between $5 million and $10 million to the Clinton Foundation.

So what do all of these examples have in common? Obviously they are asking for help through Secretary Clinton's direct line at the State Department and they gave millions of dollars to the foundation. These obviously were big-time donors.

Let me add that I don't know a lot about the details involving these donations because the Clinton Foundation doesn't provide the date and exact amount but just ranges.

Here is the point: Secretary Clinton and her team were quick to prioritize these big donors and respond to them quickly and even, if possible, follow through with whatever request was made of them. It is clear that major Clinton Foundation donors enjoyed great access to Secretary Clinton while she was serving as our Nation's premier diplomat. The Clinton Foundation interfered with official day-to-day work at the State Department when the Secretary and her staff should have been focused on keeping Americans safe and making sound foreign policy.

One of the reasons I bring this up today is that this was an original concern of mine before Secretary Clinton was even confirmed as Secretary of State. After President Obama's election in 2009, during the Senate confirmation process, I objected to fast-tracking a vote on her nomination because I saw the real and myriad possibilities for conflicts of interest in the relationship between Secretary Clinton as Secretary of State and the Clinton family foundation. I told then-Secretary Nominee Clinton that we needed greater transparency and we needed more assurances as to the integrity of this whole arrangement. When I questioned her about it, I was assured by Secretary Clinton herself that the Clinton Foundation would take steps necessary to mitigate my concerns about conflicts of interest and perceived conflicts of interest.

I would note that this was not just my concern; it was a concern raised by the then-chairman of the Foreign Relations Committee, Senator Richard Lugar. It was also raised by President Obama and his White House itself. And what was produced out of those concerns was a very lawyerly-like memorandum of understanding between the Clinton Foundation and the Obama administration. In fact, I believe this is a precondition to Secretary Clinton getting the nomination from President Obama, because he didn't want the conflicts of interest that he knew could arise as a result of the foundation's activities to impugn the integrity of the Obama administration.

This memorandum of understanding assured the President and the American people that the foundation would follow certain transparency measures to make sure that Secretary Clinton conducted American diplomacy with the utmost integrity. In doing so, the foundation agreed it would make public the names of all donors, including new ones.

What was the result? In the ensuing years, Secretary Clinton and her family foundation made a habit of regularly crossing the lines that were drawn in that memorandum of understanding and with her verbal arrangements and understanding with me. Even though the foundation agreed to disclose all foreign donations—this is from foreign countries to a family foundation run, in part, by the Secretary of State of the U.S. Government. So even though they agreed to disclose all foreign contributions, they didn't, and even though some foreign donations were supposed to be submitted for review to the State Department, they weren't.

According to reports, at least one organization within the foundation failed to annually disclose its list of donors, and today the American people still lack basic information about many of the donations, like the exact amounts that were donated to the foundation, as I already mentioned.

I don't know anybody who feels comfortable with or who can defend these obvious conflicts of interest between the Secretary of State representing the United States and her family foundation soliciting and receiving multi-million-dollar donations from heads of state of foreign countries, not to mention other people who obviously were trying to get the help of Secretary Clinton in some official capacity. Secretary Clinton was performing her job as Secretary of State, and at the same time, the Clinton Foundation was shaking down donors who at least thought they were buying access. I don't know how to describe that in any other terms other than it is deplorable and it completely undercuts the integrity of our democratic process.

This isn't funny, as former President Clinton suggested. Lying to the American people doesn't make you some kind of Robin Hood either, as he claimed to be. He said the only difference between him and Robin Hood is he didn't steal from anybody.

Well, this whole scandal further underscores the Clinton philosophy that anything goes. She clearly feels like the laws that apply to you and me don't apply to her, and it is no wonder the American people have come to distrust her and believe that she is simply incapable in many instances of telling the truth.

I hope the American people keep asking questions of Secretary Clinton and her foundation, and I hope soon that we all get some answers. The American people deserve complete unobstructed transparency into this matter, and it is clear they won't get that from Secretary Clinton herself.

Regarding the vote to confirm Secretary Clinton, it did occur. In reliance upon her assurances of transparency and to maintain the independence of her office of Secretary of State from the activities of the foundation, I, among many others of my colleagues, voted to confirm Secretary Clinton as Secretary of State, but my belief today is that she simply did not keep up her end of the bargain. Thus, if that vote were held today, I could not and would not vote to confirm her as Secretary of State.

MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, as the Senate reconvenes after several weeks of work in our home States, I am back for the 145th time asking my colleagues to wake up to the pressing reality of climate change. We are sleepwalking through this moment, willfully ignoring the warning signs of an already altered Earth, largely because of a decades-long corporate campaign of misinformation on the dangers of carbon pollution.

Just last week, while we were back home, scientists at the International Geological Congress presented the beginning of a new geological epoch, the Anthropocene. Transitions between geological epochs are marked by a signal—a signal in the global geologic record, like the traces of the meteorite that wiped out the dinosaurs at the end of the Cretaceous epoch.

What are the signals of the beginning of the Anthropocene?

Humans—anthropods—have increased carbon dioxide in the Earth's atmosphere from 280 parts per million before the Industrial Revolution to 400 parts per million and rising today—a pace of increase not seen for 66 million years and a level never seen before in human history on this planet.