

103^D CONGRESS
1ST SESSION

S. 1722

To amend the Federal Water Pollution Control Act to reserve a portion of the funds made available for capitalization grants for water pollution control revolving funds for the purpose of making grants to States that set aside amounts of State funds for water pollution control in excess of the amounts required under such Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 19 (legislative day, NOVEMBER 2), 1993

Mr. KOHL (for himself and Mr. FEINGOLD) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Federal Water Pollution Control Act to reserve a portion of the funds made available for capitalization grants for water pollution control revolving funds for the purpose of making grants to States that set aside amounts of State funds for water pollution control in excess of the amounts required under such Act, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Level of Effort Clean
5 Water Bonus Fund Act of 1993”.

1 **SEC. 2. LEVEL OF EFFORT CAPITALIZATION GRANTS.**

2 (a) IN GENERAL.—Section 604 of the Federal Water
3 Pollution Control Act (33 U.S.C. 1384) is amended—

4 (1) in subsection (a), by striking “Sums” and
5 inserting “Subject to subsection (d), sums”; and

6 (2) by adding at the end the following new sub-
7 section:

8 “(d) LEVEL OF EFFORT CAPITALIZATION GRANTS.—

9 “(1) IN GENERAL.—For each fiscal year, the
10 Administrator shall reserve 20 percent of the funds
11 made available for capitalization grants under this
12 title for making level of effort capitalization grants
13 to eligible States in accordance with this subsection.
14 A State that receives a grant under this subsection
15 shall deposit an amount equal to the amount of the
16 grant into the water pollution control revolving fund
17 of the State established under this title.

18 “(2) ELIGIBILITY.—A State shall be eligible to
19 receive a grant under this subsection if the State—

20 “(A) submits an application for the grant
21 to the Administrator in such form and at such
22 time as the Administrator shall require; and

23 “(B) for the fiscal year preceding the fiscal
24 year for which the application is submitted, de-
25 posits—

1 “(i) an amount of State funds in addi-
2 tion to the amount required under section
3 602(b)(2) into the water pollution control
4 revolving fund of the State established
5 under this title;

6 “(ii) an amount of State funds into a
7 non-Federal revolving fund that the Ad-
8 ministrator determines is subject to re-
9 quirements that are substantially similar to
10 the requirements of the fund referred to in
11 clause (i); or

12 “(iii) both an amount as described in
13 clause (i) and an amount as described in
14 clause (ii).

15 “(3) AMOUNT OF GRANTS.—

16 “(A) IN GENERAL.—Subject to subpara-
17 graph (B), a grant to a State under this sub-
18 section shall be in an amount equal to the total
19 amounts deposited as described in paragraph
20 (2)(B).

21 “(B) LIMITATIONS.—

22 “(i) STATE MAXIMUM.—For each fis-
23 cal year, no State may receive a grant
24 under this subsection in an amount that is

1 greater than 20 percent of the amount of
2 funds reserved under paragraph (1).

3 “(ii) INSUFFICIENT FUNDS.—If, for
4 any fiscal year, the sum of the grant
5 amounts calculated under subparagraph
6 (A) for all eligible States is greater than
7 the amount of funds reserved under para-
8 graph (1), the Administrator shall make a
9 grant to each eligible State in an amount
10 that is equal to the product obtained by
11 multiplying—

12 “(I) the amount of funds re-
13 served under paragraph (1); by

14 “(II) the quotient obtained by di-
15 viding—

16 “(aa) the grant amount cal-
17 culated under subparagraph (A)
18 for the State; by

19 “(bb) the sum of the grant
20 amounts calculated under sub-
21 paragraph (A) for all eligible
22 States.”.

23 (b) CONFORMING AMENDMENTS.—Section 602(b) of
24 such Act (33 U.S.C. 1382(b)) is amended—

1 (1) in paragraph (2), by inserting “except with
2 respect to grants made to the State under section
3 604(d),” before “the State will deposit”; and

4 (2) in paragraph (3), by inserting “, except that
5 with respect to grants made to the State under sec-
6 tion 604(d), the State will enter into binding com-
7 mitments to provide the assistance in an amount
8 equal to 100 percent of the amount of each grant
9 payment” before the semicolon at the end.

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