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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, refuge of all who flee to You, send Your power among us, bringing comfort and direction for our lives. Be with our lawmakers. If their eyes have been closed to Your graces, open them. Make them so aware of Your providential movements in their lives that in the quietness of this moment of prayer, they will feel true gratitude. Lord, strengthen them to do Your will on Earth, causing justice to roll down like waters and righteousness like a mighty stream. May they measure their attitudes and responses by the standard of Divine love.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 3326

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 3326) to give States the authority to provide temporary access to affordable private health insurance options outside of Obamacare exchanges.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

WELCOMING THE BURMESE STATE COUNSELLOR

Mr. MCCONNELL. Mr. President, today I have the distinct honor of welcoming my dear friend, Burmese State Counsellor Daw Aung San Suu Kyi, as she visits the Capitol.

Daw Suu is an incredible woman with an incredible life story. She has endured much since prodemocracy protests first swept her country many years ago. What followed was a story made for Hollywood. In fact, it is a story that Hollywood has made. The story of Aung San Suu Kyi—of the longtime political prisoner who had become the voice of her people, then de facto leader of her country—is about more than ''The Lady'' herself; it is about the journey of a country and a people.

I first learned of that journey decades ago as I read of Daw Suu's heroic support for democratic reform, peaceful reconciliation, and human rights in her country. It may not have been the most popular political call back then, but it was important. I decided then to make this cause my own whenever possible. Over the years, that has meant sponsoring needed sanctions on the previous Burmese regime, it has meant promoting political and constitutional reforms and meeting with Burmese leaders, and it has meant keeping in close contact with Daw Suu. Whatever the task, it has been an honor to do my own small part to advocate for change in Burma and support my friend.

It has been truly remarkable to see the changes that have taken hold in Burma in recent years—changes that once seemed literally unattainable. Last year the world looked on as Daw Suu led her National League for Democracy to victory in Burma's general election. For those keeping score, this was actually the second time she had done this, but, unlike the election in 1990, these results were actually accepted by the regime. It was a moment many of us had eagerly awaited for decades, and in many ways it reaffirmed the purpose behind Daw Suu's life's work, her great sacrifice, and her indestructible resolve. It was also a reminder of the many challenges that still face the Burmese people, such as addressing much needed constitutional reform and the military's disproportionate power in Parliament, ending decades-long conflicts and promoting peaceful reconciliation among ethnic groups, and encouraging economic development.

As Daw Suu knows best of all, Burma is still a country with many challenges to hurdle as it strives to achieve a more representational government. The Burmese people are not alone. They, and she, have many friends here in Washington as they work toward reform and reconciliation.

It has been 4 years since Daw Suu last visited us. It was a privilege then to help bestow her with the Congressional Gold Medal she had earned many years before. It is a privilege to welcome her back now in this new capacity. I look forward to meeting with her later today and again wishing her all the best and reaffirming my own commitment to support her and her country on their path ahead.

WRDA

Mr. MCCONNELL. Mr. President, on another important matter, from the Gulf of Mexico and the Chesapeake Bay to the inland waterways that are so

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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important to Kentucky's maritime jobs, America's waterways play a crucial role in supporting the economy, transporting goods and people from point A to point B, and supplying communities with drinking water.

As the chairman of the Environment and Public Works Committee, Senator INHOFE understands just how critical our waterways are and the importance of maintaining them. That is why he has been working with Ranking Member BARBARA BOXER to craft the bipartisan 2016 Water Resources Development Act, or WRDA.

This responsible water resources bill authorizes more than two dozen Army Corps projects from the east coast to the west, and it is expected to save taxpayers $6 million over the next decade. It is also completely paid for. The projects authorized in this bill range from strengthening our waterways' infrastructure to helping support safe and reliable drinking water sources. They also invest in priorities each of us cares about, such as improving public health and safety, enhancing commerce, and supporting America's ecosystems. Here is what I mean: By investing in flood control projects, dam maintenance, and drinking water infrastructure, this bill will enhance public health and safety. By investing in ports, harbors, locks, and dams, it will strengthen commerce. By investing in restoration and revitalization projects, from the Florida Everglades to the Los Angeles River, it will support America's natural ecosystems.

I am also pleased the bill supports several projects in Kentucky that are important to me, to my constituents, and to the U.S. Army Corps of Engineers. One will transfer aging infrastructure along the Green and Barren Rivers in Kentucky over to State and local entities so they can determine the best use of this infrastructure. Another will help my constituents in Paducah better protect themselves from flooding from the Ohio River by helping complete repairs to the city's flood protection infrastructure.

The bill also includes an important coal ash provision that will give States the authority to create their own coal ash permitting requirements and systems to ensure that coal ash is recycled and reused in a safe and effective way in accordance with current EPA guidelines.

To quote Senator INHOFE, the top Republican on the committee, this bill will ''support our communities and expand our economy.''

To quote Senator BOXER, the top Democrat on the committee, it will provide ''a perfect vehicle to upgrade our water infrastructure.''

I appreciate their work across the aisle to move this important water resources bill forward. Its passage will represent another bipartisan win for American transportation infrastructure. It is another example of what has been possible with a Senate that is back to work for the American people. I look forward to its passage later today, and I would encourage our House colleagues to take action soon so we can send the bill to the President.

TRIBUTE TO TIM MITCHELL

Mr. MCCONNELL. Mr. President, one final matter. I would like to say a few words about Tim Mitchell, who has hit a significant milestone in his Senate career this week: 25 years of service.

As the Democratic leader has noted on several occasions, Tim's love for baseball—and the Red Sox in particular—is hard to miss. How big a fan is Tim? Well, a few years back when the Sox won the World Series, the Democratic leader gave a shout-out to Tim when he offered the resolution honoring the team. ''[I]f it were in order,'' he said then—which it wasn't, as Tim would be quick to note—''I would ask that . . . this resolution be passed with the name of 'Tim Mitchell' on it. . . . I consider myself a fan of baseball,'' the Democratic leader continued, ''but I have never known a more rabid fan of a baseball team than Tim Mitchell, whom we depend on so very, very much to help us work through all we do in the Senate.''

I have to say that this is an area where the Democratic leader and I absolutely agree. Tim has been a staple around here for a quarter of a century, working his way through some of the most difficult jobs in the Senate as part of the floor staff. To paraphrase Laura Dove, the Secretary for the majority, the work of Tim and his floor staff colleagues could be compared to that of a duck gliding through a pond. Above water, the duck appears to be moving through the pond effortlessly, but if you take a look below the surface, you will see its feet working—putting in difficult and often unrecognized efforts—to keep it afloat.

Tim certainly does so to keep this place afloat—coordinating with his majority counterpart Robert Duncan, sifting through heaps of paperwork, and putting in long hours that turn into late nights. Even on those late nights, Tim makes it a priority to not only make it home for family dinner but to prepare it too.

Tim, from what I hear, it is takeout night at your house. I would imagine tonight's dinner will be a little more special than usual, and I know your wife Alicia and your son Ben couldn't be prouder. Your Senate family is proud of you, too, and we thank you for these 25 years of dedication and service.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

TRIBUTE TO TIM MITCHELL

Mr. REID. Mr. President, I appreciate those remarks of the Republican leader regarding Tim.

People have heard me talk about baseball and how I fell in love with baseball as a little boy, listening on the radio and the game of the day. I so wanted to be a baseball player. As time went on, as a young man in college, I realized I wasn't big enough, fast enough, or good enough to be the baseball player of my dreams, but that didn't take away my love for baseball.

Living in Southern Nevada, Las Vegas, we had a team, the Dodgers. We listened to the games and watched the games. In the Reno area, Northern Nevada, the team was the Giants. We in Southern Nevada didn't like the Giants. The days of Sandy Koufax, Don Drysdale, Claude Osteen—those were the days of real baseball. Games were 2 to 1, 3 to 0, not these slugfests. We didn't have those then.

In coming back to Washington, in the many years I have been here, we had the Baltimore Orioles. I love their owner—a wonderful man—Peter Angelos. I have been disappointed that they haven't done better, but they are doing pretty well this year. I have followed them very closely. Of course, when the Nationals team came here, our attention was focused not entirely on Baltimore—because it was the only team around here—but also on the Nationals, and we divided our attention. Of course, I have been to the Nationals games, and it has been great. As the Republican leader and I have said many times, we bicker and fight on some things but never on baseball. We both watch the Nationals and follow what they do.

As everyone knows, Greg Maddux from Las Vegas is the best athlete ever to come out of Nevada. We have had some in Northern Nevada, and I recognized them also. Some of them played professional football. No one was as good as Greg Maddux, winning more than 350 games, which is unheard of today, a man of, as he would admit, average talent—average talent but a mind and such dedication and such composure and such confidence that he became one of the best of all time.

Tim and I have talked about all these things I have talked about regarding baseball. We have talked about Bryce Harper. We recognize he is not having a great year this year. They are afraid of him still. He has walked 104 times, which is unheard of in baseball, but his batting average is not as good as it was. But he was still the Most Valuable Player in baseball at age 22. He has been on the all-star team four or five times already in his young career.

Tim and I have talked about all of this, and as he knows, I like the Boston Red Sox, but I am not in the same league as Tim Mitchell. Tim is the Assistant Secretary for the minority and was for the majority, of course, during my many years as the Democratic leader. We have such a nice relationship. We can do our business when we

need to, and we do that a lot, but we have a good time talking about family and baseball.

I don't know if anybody saw his tie. He has over 100 ties that have a baseball theme on them. He has on one of those ties today. It is a little hard to see. It is one of those John Kerry ties. I think it is one of those Vineyard Vine ties from Massachusetts, but it is a beautiful tie. It is typical for Tim to wear a baseball tie. He wears one of them to work every day. I wouldn't say some of them are ugly, but some catch your attention.

He watches the Red Sox whenever he can. He goes to games, takes his dad to the games, and takes his son when he can. He watches games here and watches them in Baltimore as often as he can with his son. I wouldn't put it in a class of weird, but it is close. In his basement, he has two seats from Fenway Park. They were worn out there, but he bought them anyway, and now he watches the games in his basement on Fenway Park seats. You can't make up stuff like this.

Tim is dedicated to baseball and we recognize that and I admire him for that.

Tim, I think you and I are going through the same withdrawals in a few weeks because baseball season is ending, and for me baseball season is a tremendous respite from what we do here. Frankly, I am not much of a football fan anymore. I have become kind of addicted to soccer after baseball, but during baseball season, I can go home and watch a few innings, and it is a complete deliverance from what goes on here. It is really very nice for me. When I go home to Nevada, wow, is it pleasant because, again, I can watch a 7 p.m. game at 4 p.m. in the afternoon.

Pretty good, huh, Tim?

Anyway, we will have a little bit of depression here in a few weeks, but his team is doing well. The Nationals are doing well, and Baltimore is doing quite well so we are going to be fine.

As dedicated as he is to baseball, he is also dedicated to this institution. He has spent one-quarter of a century here. As the Republican leader mentioned, this is his 25th anniversary of working in the Senate. He started as an intern with someone I served with in the Senate, Don Riegle from Michigan. He started working for him during his junior year in college. After graduation, Tim moved to Washington, DC, and became a full-time employee of Senator Riegle. He started out as a lot of us do, answering phones, but he moved on, of course, because of his personality and talent.

Following his time on the Banking Committee, which Riegle chaired, he worked on the Whitewater Committee. We all remember that, and there are still parts of that dribbling on in this Presidential election. At that time, he worked for Senator Tom Daschle, who was one of my predecessors, as a research assistant, and later on the Democratic policy committee, which I led during part of my tenure in the Senate.

In 2001, Tim made a move that would forever change the Senate for the better. He joined our floor staff. That was a long time ago, but he has been working diligently here ever since. He is armed with an incredible work ethic and a very keen intellect. He has worked his way up on the floor team and has become an expert on Senate rules and procedure.

Tim is a lawyer. He went to law school at night and worked here as long as he could. He missed a few classes because of working late here. During his time as a member of the Democratic floor staff, he has become someone whom the Republicans appreciate and go to for help just as the Democrats do.

In 2008, the Senate adopted a resolution making Tim Mitchell the Assistant Secretary for the majority. When the Republicans took control of the Senate, he assumed his current position.

Think about all of the important legislation Tim has helped us with—and I mean helped us with. There are a number of Senators on the floor this morning. I see Senator BOXER and Senator DURBIN.

Mrs. BOXER. Senator MURRAY and Senator SCHUMER.

Mr. REID. They are on the same side as my bad eye, folks. We are all pretty good at what we do, but we would be lost without the Tim Mitchells and Gary Myricks of the world. We would be stumbling around here. We depend on them so very much. Tim has helped us. He has helped us on so many different things. He has helped us through the Affordable Care Act, the automobile bailout, and the stimulus. I could go on and on with all we have done, and he has been here helping us.

He has accomplished so very much, but I know—and he doesn't have to give me a long dissertation on this—his role in life is to be a good father to his 10-year-old son Ben and of course a good husband to his wife Alicia. I am sure he accomplishes that very well. Ben is a budding skier—and to no one's surprise—a baseball player. He speaks, as we all do about our athletes, about how good they are, and in our eyes, they are the best.

Alicia and Ben are here with us today. Thank you for sharing Tim with us all of these years.

I join the entire U.S. Senate, Democrats and Republicans, in thanking Tim Mitchell for his exceptional work for 25 years.

Mrs. BOXER. Mr. President, I ask through the Chair if the Senator will yield for 5 minutes, please.

Mr. REID. Yes.

Mrs. BOXER. Mr. President, I say through the chair, I see the leadership team is here. I will represent the rank and file, to tell you what Tim means to us. There is a lot of stress around here, not that I have ever experienced nor have I been worried, nervous, or annoying to people, but through it all, Tim is with the team—and they know who they are—giving us advice, protecting us, telling us what are our rights, what we can do and what we can't do. People outside the Chamber don't understand what it means to have people like Tim.

Tim loves baseball. I grew up six blocks from Ebbets Field and saw the civil rights movement unfold with Jackie Robinson on the bases so we have something in common. If we were voting today, Tim Mitchell would be the most valuable player.

We do love you, Tim. Congratulations, and we look forward to working with you for a long time.

I yield the floor.

Mr. DURBIN. Mr. President, I ask through the Chair if the Senator from Nevada will yield for a question.

Mr. REID. Mr. President, I am happy to yield.

Mr. DURBIN. Mr. President, I say through the Chair that I wish to join in. I started my career as a staffer and then as a Parliamentarian so I know what happens behind the scenes is sometimes even more important than what you see on the floor of the Senate.

For 25 years, Tim Mitchell has been behind the scenes and at the heart of the activity in the U.S. Senate. I have been here for 20 years and have relied on Tim and our great staff team that has really stepped up time and time again.

Like most people, it took just a minute or two in the Senate cloakroom to realize that Tim Mitchell is the biggest baseball fan I have ever run into. I didn't know he had 100 baseball neckties, but he does, and as Senator REID said, some are very challenging from a style viewpoint, but he is loyal to his sport and particularly to his team, the Boston Red Sox.

I watched him as he came into his glory moment when the Boston Red Sox won the World Series after a long wait. I know he is now looking for the Boston Red Sox to return to the World Series, and I have a pairing in my mind that would be perfect. It involves a former Red Sox President who came over to help the Chicago Cubs. His name is Theo Epstein, and he made history in Boston by taking the Red Sox to the World Series. We think he is going to make history in Chicago. This would be the perfect World Series for Tim, me, and for baseball.

Let me close by saying that would be a perfect World Series, you have been a perfect addition to the Senate for 25 years, and we look forward to a lot more ahead.

Thanks, Tim.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Washington.

Mrs. MURRAY. Mr. President, if the minority leader will yield for a moment.

Mr. REID. I am happy to yield.

Mrs. MURRAY. Mr. President, I just want to add my congratulations to Tim

for his tremendous work here. I have been here for 24 years, and every year I have been here, he has been a critical part of the work we do. Thank you, Tim, for the numerous issues you have helped us work our way through.

For me, when I was chairing the Budget Committee, which we all know is a very chaotic, long, and tedious process, Tim was there to make sure we did it right, that we were in order, and that things moved smoothly.

Tim, we could not have done it without you. Thank you for your 25 years of service and thank you to your family for allowing you to be here with us for 25 years of service, and I thank you for all you will continue to do in the future.

Thank you.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, will the Democratic leader yield?

Mr. REID. I am happy to yield.

Mr. SCHUMER. Mr. President, every organization has what they call unsung heroes. On the battlefield, they are the soldiers, in the automobile plant, they are the assembly line workers, and in the hospital they may be the nurses. Those organizations can't go on without these people. They are the heart and soul of these organizations, and they do their work quietly but proudly. If you had to pick someone who personifies the unsung hero of this body, it would be Tim. He does his job every day. When you talk to him, you can see the pride and the knowledge he has in doing his job and doing it well.

BARBARA BOXER mentioned there are a lot of moments when everybody is in a stir but never Tim. He calmly and directly gives you the right advice. He is a hero—a hero not only to those of us who are here but to every Member of the Senate.

Tim, we love you. God bless.

TRIBUTE TO KRYSTA JURIS

Mr. REID. Mr. President, I want to switch from my friend Tim Mitchell to another friend I have. Ten years ago, I was in search of a scheduler. I needed someone to help with my scheduling and work here in my Capitol office. The office is just a few feet from here and it is extremely busy. We have people coming and going all day long, including the end of the night, and so I knew I needed someone who was good and would get better. Little did I realize that the woman I would hire didn't just get better, she has been the best. Her name is Krysta Juris.

I have a few months to go as a Member of Congress. I have been here 34 years, and I have had some remarkable employees. I have had such loyal staff with me now who have stayed until the bitter end, but it is hard to find a description for someone who is as capable, as nice, as competent, and as smart as Krysta Juris.

David McCallum, who helps me line up staff, told me he had a candidate and thought she was really good. He gave me her background and told me she had worked in Senator Clinton's office and on her Presidential campaign. He told me—I guess this was the clincher—she was a collegiate lacrosse player. Lacrosse is a game I have gotten to know quite well because I have grandsons who play that sport. It is a really difficult, hard game. A college lacrosse player? I understand the difference between a high school lacrosse player and a college lacrosse player. Without knowing a lot more, I said she would be perfect. If she played lacrosse, she would know how to head a front office.

As I have indicated, serving as a scheduler for my office is not easy. She, as I indicated, was a college player. She played for the University of Maryland. They have excellent athletics there, generally.

She has had a demanding schedule for at least 10 years. She incurs long, long hours. Of course, it goes without saying that quickly she became the scheduler—not the assistant, not the deputy. To put it simply, to do this job you have to be really tough and fair. My colleagues who come to that office regularly—DURBIN, SCHUMER, MURRAY, and others—know Krysta. They always know that when they call Krysta, she tells them the truth: He is here; he is not here; he can see you; he can't see you. She is tough. She is strong and unafraid. She is not intimidated by some big-shot Senators. She handles them just fine.

She has been my gatekeeper and my loyal adviser, and she has performed phenomenally. She is the best at her job that I have ever seen in my many, many years of public service and as an attorney prior to my public service. For everything I have done, as far as setting the schedule, there is no one who is a close second.

She has been in the thick of things. She has been through my ups and my downs. She has been by my side. There are many, many examples. Some of us will never forget the snowstorm of 2009. It became so tense here that one of my Republican colleagues said that he hoped Senator Byrd would die during the night so we wouldn't have 60 Senators. With his being ill and having trouble navigating on his legs and living in Virginia and coming through the blizzard, we were worried. But he showed up. I told Krysta: Try to do all you can from home, because of this Snowmageddon, as we called it. We were in session. We had to finish the health care bill, and every day meant so very, very much. No, she did not stay home. She trudged through blocks and blocks of snow and snowdrifts to be here. She never missed a day. She spent many, many long, long nights in my office. I said: We will get someone to drive you or walk with you. She said: No, I am OK. I will be fine.

During the fiscal crisis of 2012, we were in session on New Year's Eve. She was at her desk working while the rest of the world rang in the new year. Frankly, she was probably glad she was here. She has a little dog and those firecrackers and all that noise drives her little dog crazy. So she could be away from the firecrackers and keep her dog safe. She had reasons for being here during that period of time.

When the Republicans shut down the government for 17 days in 2013, she was here every day overseeing my schedule, making things run smoothly, even though no Senate employee was guaranteed that they would be paid for the work they were doing. As my colleagues will recall, many Senate employees didn't come to work.

On a more personal note, as happens in everyone's life, there are times of difficulty. The Reid family has had a few problems. As some will remember, I was engaged in my office trying to work out a deal with health care—the Affordable Care Act—and in walked Janice and Krysta and said there was a call: Your wife has been in an accident. It was very bad. It broke her neck in two places and her back, and her face was messed up. That was a hard time for us. Krysta was there. She was there. She helped with the scheduling. We got over that. Then Landra got an extremely aggressive form of breast cancer that went on for months. Krysta balanced my schedule here with my schedule with Landra. She made sure I had time with Landra to help. I will always remember her. I didn't have to ask her to do it; she did it.

When I had my unfortunate accident, Krysta knew how I had been hurt, and I did the best I could covering how I had been hurt. My three leaders—DURBIN, SCHUMER, AND MURRAY —helped me cover my disability for a while. She took care of things. My scheduling was done. I missed very, very few things because of her.

My children know her. My grandchildren know her. It is no surprise then to say that Krysta is and always will be part of my family.

Krysta's time is ending this week. It is kind of like my service here in the Senate. I wish it would never end. I wish Krysta could be with me always. But things change and things happen. But really with Krysta it is not time for distress or sadness; it is time for happiness because I have nothing but fond memories of this very beautiful woman—beautiful on the outside and on the inside. Why is it time for celebration? Because Krysta, at the ripe old age of 32, is having her first baby. She is so excited. I remember with all her babies, Landra wore the smocks that were kind of the style at that time. We don't do that anymore, and that is terrific. She is so pretty with her pregnancy, as she is without her pregnancy. She has never missed work because of her pregnancy. She has never complained about morning sickness or afternoon sickness or asked to go home early—never. So I am happy for her. I am happy for Trevor, her good husband.

Senator DURBIN has helped me on a number of occasions with things that he could help with regarding Krysta. He has been so thoughtful about making things work out.

So I am happy for Krysta. I am happy for Trevor. She is going to have a little girl. My hope is that that little girl will turn out to be just like her mom—a person everybody loves, a person who is dependable and trustworthy, and a person whose friendship is so important to those she knows.

My friendship with Krysta is not going to end when I leave the Senate. It is forever.

So thank you, Krysta, for a job well done. I wish you and your family the best that life has to offer.

Now back to some other things. I am sorry to have taken so long, but that is sometimes the way things are.

DONALD TRUMP

Mr. REID. Mr. President, I am very concerned about the integrity and the security of our democracy in America.

The United States is a nation that has always been and must always be governed by its people.

Later on today, I am going to see Ambassador Baucus. He is someone who has always talked about how we have to make sure the people determine what we do. America must never be subject to undue influence from foreign powers. Potential conflicts of interest involving our Nation's elected officials deserve our highest scrutiny. That is why I found yesterday's article by Kurt Eichenwald in Newsweek really frightening. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Newsweek, Sept. 14, 2016]

HOW THE TRUMP ORGANIZATION'S FOREIGN BUSINESS TIES COULD UPEND U.S. NATIONAL SECURITY

(By Kurt Eichenwald)

If Donald Trump is elected president, will he and his family permanently sever all connections to the Trump Organization, a sprawling business empire that has spread a secretive financial web across the world? Or will Trump instead choose to be the most conflicted president in American history, one whose business interests will constantly jeopardize the security of the United States?

Throughout this campaign, the Trump Organization, which pumps potentially hundreds of millions of dollars into the Trump family's bank accounts each year, has been largely ignored. As a private enterprise, its businesses, partners and investors are hidden from public view, even though they are the very people who could be enriched by—or will further enrich—Trump and his family if he wins the presidency.

A close examination by Newsweek of the Trump Organization, including confidential interviews with business executives and some of its international partners, reveals an enterprise with deep ties to global financiers, foreign politicians and even criminals, although there is no evidence the Trump Organization has engaged in any illegal activities. It also reveals a web of contractual entanglements that could not be just canceled. If Trump moves into the White House and his family continues to receive any benefit from the company, during or even after his presidency, almost every foreign policy decision he makes will raise serious conflicts of interest and ethical quagmires.

THE MUMBAI SHUFFLE

The Trump Organization is not like the Bill, Hillary & Chelsea Clinton Foundation, the charitable enterprise that has been the subject of intense scrutiny about possible conflicts for the Democratic presidential nominee. There are allegations that Hillary Clinton bestowed benefits on contributors to the foundation in some sort of ''pay to play'' scandal when she was secretary of state, but that makes no sense because there was no ''pay.'' Money contributed to the foundation was publicly disclosed and went to charitable efforts, such as fighting neglected tropical diseases that infect as many as a billion people. The financials audited by PricewaterhouseCoopers, the global independent accounting company, and the foundation's tax filings show that about 90 percent of the money it raised went to its charitable programs. (Trump surrogates have falsely claimed that it was only 10 percent and that the rest was used as a Clinton ''slush fund.'') No member of the Clinton family received any cash from the foundation, nor did it finance any political campaigns. In fact, like the Clintons, almost the entire board of directors works for free.

On the other hand, the Trump family rakes in untold millions of dollars from the Trump Organization every year. Much of that comes from deals with international financiers and developers, many of whom have been tied to controversial and even illegal activities. None of Trump's overseas contractual business relationships examined by Newsweek were revealed in his campaign's financial filings with the Federal Election Commission, nor was the amount paid to him by his foreign partners. (The Trump campaign did not respond to a request for the names of all foreign entities in partnership or contractually tied to the Trump Organization.) Trump's financial filings also indicate he is a shareholder or beneficiary of several overseas entities, including Excel Venture LLC in the French West Indies and Caribusiness Investments SRL, based in the Dominican Republic, one of the world's tax havens.

Trump's business conflicts with America's national security interests cannot be resolved so long as he or any member of his family maintains a financial interest in the Trump Organization during a Trump administration, or even if they leave open the possibility of returning to the company later. The Trump Organization cannot be placed into a blind trust, an arrangement used by many politicians to prevent them from knowing their financial interests; the Trump family is already aware of who their overseas partners are and could easily learn about any new ones.

Many foreign governments retain close ties to and even control of companies in their county, including several that already are partnered with the Trump Organization. Any government wanting to seek future influence with President Trump could do so by arranging for a partnership with the Trump Organization, feeding money directly to the family or simply stashing it away inside the company for their use once Trump is out of the White House. This is why, without a permanent departure of the entire Trump family from their company, the prospect of legal bribery by overseas powers seeking to influence American foreign policy, either through existing or future partnerships, will remain a reality throughout a Trump presidency.

Moreover, the identity of every partner cannot be discovered if Trump reverses course and decided to release his taxes. The partnerships are struck with some of the more than 500 entities disclosed in Trump's financial disclosure forms; each of those entities has its own records that would have to be revealed for a full accounting of all of Trump's foreign entanglements to be made public.

The problem of overseas conflicts emerges from the nature of Trump's business in recent years. Much of the public believes Trump is a hugely successful developer, a television personality and a failed casino operator. But his primary business deals for almost a decade have been a quite different endeavor. The GOP nominee is essentially a licensor who leverages his celebrity into streams of cash from partners from all over the world. The business model for Trump's company started to change around 2007, after he became the star of NBC's The Apprentice, which boosted his national and international fame. Rather than constructing Trump's own hotels, office towers and other buildings, much of his business involved striking deals with overseas developers who pay his company for the right to slap his name on their buildings. (The last building constructed by Trump with his name on it is the Trump-SoHo hotel and condominium project, completed in 2007.) In public statements, Trump and his son Donald Trump Jr. have celebrated their company's international branding business and announced their intentions to expand it. ''The opportunities for growth are endless, and I look forward to building upon the tremendous success we have enjoyed,'' Donald Trump Jr. said in 2013. Trump Jr. has cited prospects in Russia, Ukraine, Vietnam, Thailand, Argentina and other countries.

The idea of selling the Trump brand name to overseas developers emerged as a small piece of the company's business in the late 1990s. At that time, two executives from Daewoo Engineering and Construction met with Trump at his Manhattan offices to propose paying him for the right to use his name on a new complex under development, according to former executives from the South Korean company. Daewoo had already worked with the Trump Organization to build the Trump World Tower, which is close to the Manhattan headquarters of the United Nations. The former Daewoo executives said Trump was at first skeptical, but in 1999 construction began on the South Korean version of Trump World, six condominium properties in Seoul and two neighboring cities. According to the two former executives, the Trump Organization received an annual fee of approximately $8 million a year.

Shortly after the deal was signed, the parent company of Daewoo Engineering and Construction, the Daewoo Group, collapsed into bankruptcy amid allegations of what proved to be a $43 billion accounting fraud. The chairman of the Daewoo Group, Kim Woo Choong, fled to North Korea; he returned in 2005, was arrested and convicted of embezzlement and sentenced to 10 years in prison. According to the two former Daewoo executives, a reorganization of Daewoo after its bankruptcy required revisions in the Trump contract, but the Trump Organization still remains allied with Daewoo Engineering and Construction.

This relationship puts Trump's foreign policies in conflict with his financial interests. Earlier this year, he said South Korea should plan to shoulder its own military defense rather than relying on the United States, including the development of nuclear weapons. (He later denied making that statement, which was video-recorded.) One of the

primary South Korean companies involved in nuclear energy, a key component in weapons development, is Trump's partner—Daewoo Engineering and Construction. It would potentially get an economic windfall if the United States adopted policies advocated by Trump.

In India, the conflicts between the interests of the Trump Organization and American foreign policy are starker. Trump signed an agreement in 2011 with an Indian property developer called Rohan Lifescapes that wanted to construct a 65-story building with his name on it. Leading the talks for Rohan was Kalpesh Mehta, a director of the company who would later become the exclusive representative of Trump's businesses in India. However, government regulatory hurdles soon impeded the project. According to a former Trump official who spoke on condition of anonymity, Donald Trump Jr. flew to India to plead with Prithviraj Chavan, chief minister of Maharashtra, a state in Western India, asking that he remove the hurdles, but the powerful politician refused to make an exception for the Trump Organization. It would be extremely difficult for a foreign politician to make that call if he were speaking to the son of the president of the United States.

The Mumbai deal with Rohan fell apart in 2013, but a new branding deal (Trump Tower Mumbai) was struck with the Lodha Group, a major Indian developer. By that time, Trump had an Indian project underway in the city of Pune with a large developer called Panchshil Realty that agreed to pay millions for use of the Trump brand on two 22-floor towers. His new partner, Atul Chordia of Panchshil, appeared awed in public statements about his association with the famous Trump name and feted Trump with a special dinner attended by actors, industrialists, socialites and even a former Miss Universe.

Last month, scandal erupted over the development, called Trump Towers Pune, after the state government and local police started looking into discrepancies in the land records suggesting that the land on which the building was constructed may not have been legally obtained by Panchshil. The Indian company says no rules or laws were broken, but if government officials conclude otherwise, the project's future will be in jeopardy—and create a problem that Indian politicians eager to please an American president might have to resolve.

Through the Pune deal, the Trump Organization has developed close ties to India's Nationalist Congress Party—a centrist political organization that stands for democratic secularism and is led by Sharad Pawar, an ally of the Chordia family that owns Panchshil—but that would be of little help in this investigation. Political power in India rests largely with the Indian National Congress, a nationalist party that has controlled the central government for almost 50 years. (However, Trump is very popular with the Hindu Sena, a far-right radical nationalist group that sees his anti-Muslim stance as a sign he would take an aggressive stand against Pakistan. When Trump turned 70 in June, members of that organization threw a birthday party for the man they called ''the savior of humanity.'')

Even as Trump was on the campaign trail, the Trump Organization struck another deal in India that drew the Republican nominee closer to another political group there. In April, the company inked an agreement with Ireo, a private real estate equity business based in the Indian city of Gurgaon. The company, which has more than 500 investors in the fund that will be paying the Trump Organization, is headed by Madhukar Tulsi, a prominent real estate executive in India. In 2010, Tulsi's home and the offices of Ireo were raided as part of a sweeping corruption inquiry related to the 2010 Commonwealth Games held in New Delhi. According to one Indian business executive, government investigators believed that Ireo had close ties with a prominent Indian politician—Sudhanashu Mittal, then the leader of the Bharatiya Janata Party, India's second largest political party—who was suspected in playing a role in rerouting money earned from Commonwealth Games contracts through tax havens into Ireo's real estate projects. A senior official with Ireo, Tulsi is a relative of Mittal's. No charges were ever brought in the case, but the investigation did reveal the close political ties between a prominent Indian political party and a company that is now a Trump partner

No doubt, few Indian political groups hoping to establish close ties to a possible future American president could have missed the recent statements from the Trump family that its company wanted to do more deals in their country. As the Republican National Convention was about to get underway in July, the Trump Organization declared it was planning a massive expansion in the South Asian country. ''We are very bullish on India and plan to build a pan-India development footprint for Trump-branded residential and office projects,'' Donald Trump Jr. told the Hindustan Times. ''We have a very aggressive pipeline in the north and east, and look forward to the announcement of several exciting new projects in the months ahead.''

That is a chilling example of the many looming conflicts of interest in a Trump presidency. If he plays tough with India, will the government assume it has to clear the way for projects in that ''aggressive pipeline'' and kill the investigations involving Trump's Pune partners? And if Trump takes a hard line with Pakistan, will it be for America's strategic interests or to appease Indian government officials who might jeopardize his profits from Trump Towers Pune?

Branding Wars in the Middle EastTrump already has financial conflicts in much of the Islamic world, a problem made worse by his anti-Muslim rhetoric and his impulsive decisions during this campaign. One of his most troubling entanglements is in Turkey. In 2008, the Trump Organization struck a branding deal with the Dogan Group, named for its owners, one of the most politically influential families in Turkey. Trump and Dogan first agreed that the Turkish company would pay a fee to put the Trump name on two towers in Istanbul.

When the complex opened in 2012, Trump attended the ribbon-cutting and declared his interest in more collaborations with Turkish businesses and in making significant investments there. In a sign of the political clout of the Dogan family, Turkish President Recep Tayyip Erdogan met with Trump and even presided over the opening ceremonies for the Trump-branded property.

However, the Dogans have fallen out of favor, and once again, a Trump partner is caught up in allegations of criminal and unethical activity. In March, an Istanbul court indicted Aydin Dogan, owner and head of the Dogan Group, on charges he engaged in a fuel-smuggling scheme. Dogan has proclaimed his innocence; prosecutors are seeking a prison sentence of more than 24 years. According to an Arab financier with strong ties to Turkish political leaders, government connections with the Dogan family grew even more strained in May, when a consortium of news reporters released what are known as the Panama Papers, which exposed corporations, politicians and other individuals worldwide who evaded taxes through offshore accounts. One of the names revealed was that of Vuslat Dogan Sabanci, a member of Dogan Holding's board.

With the Dogans now politically radioactive, Erdogan struck at the family's business partner, Trump, for his anti-Muslim rhetoric. In June, Erdogan called for the Trump name to be removed from the complex in Istanbul and said presiding over its dedication had been a mistake.

This is no minor skirmish: American-Turkish relations are one of the most important national security issues for the United States. Turkey is among the few Muslim countries allied with America in the fight against the Islamic State militant group; it carries even greater importance because it is a Sunni-majority nation aiding the U.S. military against the Sunni extremists. Turkey has allowed the U.S. Air Force to use a base as a major staging area for bombing and surveillance missions against ISIS. A Trump presidency, according to the Arab financier in direct contact with senior Turkish officials, would place that cooperation at risk, particularly since Erdogan, who is said to despise Trump, has grasped more power following a thwarted coup d'état in July.

In other words, Trump would be in direct financial and political conflict with Turkey from the moment he was sworn into office. Once again, all his dealings with Turkey would be suspect: Would Trump act in the interests of the United States or his wallet? When faced with the prospect of losing the millions of dollars that flow into the Trump Organization each year from that Istanbul property, what position would President Trump take on the important issues involving Turkish-American relations, including that country's role in the fight against ISIS?

Another conundrum: Turkey is at war with the Kurds, America's allies in the fight against ISIS in Syria. Kurdish insurgent groups are in armed conflict with Turkey, demanding an independent Kurdistan. If Turkey cuts off the Trump Organization's cash flow from Istanbul, will Trump, who has shown many times how petty and impulsive he can be, allow that to influence how the U.S. juggles the interests of these two critical allies?

Similar disturbing problems exist with the United Arab Emirates (UAE), another Muslim nation that is an important American ally. Trump has pursued business opportunities in the oil-rich nation for years, with mixed success. His first venture was in 2005, when the Trump Organization struck a branding deal with a top Emirates developer called Nakheel LLC, backed by Dubai's royal family, that planned to build a tulip-shaped hotel on a man-made island designed to look like a palm tree.In 2008, a bribery and corruption probe was launched involving the company's multibillion-dollar Dubai Waterfront project. Two Nakheel executives were charged with fraud and cleared, but Nakheel's financial condition deteriorated amid a collapse in real estate prices; the Trump project was delayed and then canceled. So, in 2013, the Trump Organization struck another branding deal, this time with Nakheel's archrival, Damac Properties, a division of the Damac Group, that wanted the Trump name on a planned 18–hole PGA Championship golf course. The deal was negotiated by Hussain Ali Sajwani, chairman of Damac, who had engaged in controversial land deals with senior government officials in the UAE. He met personally with Trump about the project, and their relationship grew, ultimately leading to Damac working with the Trump Organization on two branded golf courses and a collection of villas in Dubai. According to the former executive with the Trump Organization, Trump has said he personally invested in some of the Dubai projects.

In this case, even the possibility of a Trump presidency has created chaos for the Trump Organization. On December 7, when Trump called for a ''total and complete shutdown'' of Muslims being allowed into the United States, the reaction in the UAE was instantaneous: There were calls to boycott the Damac-Trump properties. Damac put out a statement essentially saying its deal with the Trump Organization had nothing to do with Donald Trump personally, a claim that fooled no one. On December 10, Damac removed Trump's image and name from its properties. Two days later, the name went back up, setting off an even louder outcry. Damac's share price dropped 15 percent amid the controversy, and it was forced to guarantee rental returns for some of its luxury properties bearing the Trump name.

Other UAE businesses with connections to Trump are also shunning the brand. The Dubai-based Landmark Group, one of the Middle East's largest retail companies, said it was pulling products with Trump's name off of its shelves.

With Middle Eastern business partners and American allies turning on him, Trump lashed out. Prince Alwaleed bin Talal—the billionaire who aided Trump during his corporate bankruptcies in the 1990s by purchasing his yacht, which provided him with desperately needed cash—sent out a tweet amid the outcry in Dubai, calling the Republican candidate a ''disgrace.'' (Alwaleed is a prodigious tweeter and Twitter's second largest shareholder.) Trump responded with an attack on the prince—a member of the ruling Saudi royal family—with a childish tweet, saying, ''Dopey Prince @Alwaleed—Talal wants to control our U.S. politicians with daddy's money. Can't do it when I get elected. #Trump2016.'' Once again, Trump's personal and financial interests are in conflict with critical national security issues for the United States. During the Bush administration, Abu Dhabi, the UAE's capital, and Washington reached a bilateral agreement to improve international standards for nuclear nonproliferation. Cooperation is particularly important for the United States because Iran—whose potential development of nuclear weapons has been a significant security issue, leading to an international agreement designed to place controls on its nuclear energy efforts—is one of the UAE's largest trading partners, and Dubai has been a transit point for sensitive technology bound for Iran.

Given Trump's name-calling when faced with a critical tweet from a member of the royal family in Saudi Arabia, an important ally, how would he react as president if his company's business in the UAE collapsed? Would his decisions in the White House be based on what is best for America or on what would keep the cash from Dubai flowing to him and his family?

A STRONGMAN'S BEST FRIEND

Some of the most disturbing international dealings by the Trump Organization involved Trump's attempts to woo Libyan dictator Muammar el-Qaddafi. The United States had labeled Qaddafi as a sponsor of terrorism for decades; President Ronald Reagan even launched a military attack on him in 1986 after the National Security Agency intercepted a communications that showed Qaddafi was behind the bombing of a German discotheque that killed two Americans. He was also linked to the bombing of Pan Am Flight 103, which exploded over Lockerbie, Scotland, killing 259 people, in 1988. But for the Trump Organization, Qaddafi was not a murdering terrorist; he was a prospect who might bring the company financing and the opportunity to build a resort on the Mediterranean coast of Libya. According to an Arab financier and a former businessman from the North African country, Trump made entreaties to Qaddafi and other members of his government, beginning in 2008, in which he sought deals that would bring cash to the Trump Organization from a sovereign wealth fund called the Libyan Investment Authority. The following year, Trump offered to lease his estate in Westchester County, New York, to Qaddafi; he took Qaddaff's money but, after local protests, forbade him from staying at his property. (Trump kept the cash.) ''I made a lot of money with Qaddafi,'' Trump said recently about the Westchester escapade. ''He paid me a fortune.''

Another business relationship that could raise concerns about conflicts involves Azerbaijan, a country the State Department said in an official report was infused with ''corruption and predatory behavior by politically connected elites.'' According to Trump's financial filings, the Republican nominee is the president of two entities called OT Marks Baku LLC and DT Marks Baku Manaaina Member Corp. Those were established as part of deals the Trump Organization made last year for a real estate project in the country's capital. The partner in the deal is Garant Holding, which is controlled by Anar Mammadov, the son of the country's transportation minister, Ziya Mammadov. According to American diplomatic cables made public in 2010, the United States possessed information that led diplomats to believe Ziya Mammadov laundered money for the Iranian military. No formal charges have been brought against either Mammadov.

Once again, however, this exposes potential conflicts between Trump's business connections and national security. While the development is currently on hold, it has not been canceled, meaning that Anar Mammadov could soon be paying millions of dollars to Trump. If American intelligence concludes, or has already concluded, that his business partner's father has been aiding Iran by laundering money for the military, will Trump's foreign policy decisions on Iran and Azerbaijan be based on the national security of the United States or the financial security of Donald Trump?

AN OLIGARCH IN D.C.

The Trump Organization also has dealings in Russia and Ukraine, and officials with the company have repeatedly stated they want to develop projects there. The company is connected to a controversial Russian figure, Vladimir Potanin, a billionaire with interests in mining, metals, banking and real estate. He was a host of the Russian version of The Apprentice (called Candidate), and Trump, through the Trump Organization, served as the show's executive producer. Potanin is deeply tied to the Russian government and obtained much of his wealth in the 1990s through what was called the loans-for-shares program, part of an effort by Moscow to privatize state properties through auction. Those sales were rigged: Insiders with political connections were the biggest beneficiaries.

Hoping to start its branding business in Russia, the Trump Organization registered the Trump name in 2008 as a trademark for projects in Moscow, St. Petersburg and Sochi. It also launched negotiations with a development company called the Mos City Group, but no deal was reached. The former Trump executive said that talks fell apart over the fees the Trump Organization wanted to charge: 25 percent of the planned project's cost. However, the executive said, the Trump Organization has maintained close relations with Pavel Fuks, head of the Mos City Group. Fuks is one of the most politically prominent oligarchs in Russia, with significant interests in real estate and the country's financial industry, including the Pushkin bank and Sovcombank.

The Trump Organization has also shown interest in Ukraine. In 2006, Donald Trump Jr. and Ivanka Trump met with Viktor Tkachuk, an adviser to the Ukrainian president, and Andriy Zaika, head of the Ukrainian Construction Consortium. The potential financial conflicts here for a President Trump are enormous. Moreover, Trump's primary partner for his lucrative business in Canada, a well-respected Russo-Canadian billionaire named Alex Shnaider, is also a major investor in Russia and Ukraine, meaning American policies benefiting those countries could enrich an important business connection for the Trump Organization.

Meanwhile, Trump has raised concerns in the United States among national security experts for his consistent and effusive praise for Vladimir Putin, the Russian ruler who also now controls much of Ukraine. With its founder in the White House, the Trump Organization would have an extraordinary entrée into those countries. If the company sold its brand in Russia while Trump was in the White House, the world could be faced with the astonishing site of hotels and office complexes going up in downtown Moscow with the name of the American president emblazoned in gold atop the buildings.

The dealings of the Trump Organization reach into so many countries that it is impossible to detail all the conflicts they present in a single issue of this magazine, but a Newsweek examination of the company has also found deep connections in China, Brazil, Bulgaria, Argentina, Canada, France, Germany and other countries.

Never before has an American candidate for president had so many financial ties with American allies and enemies, and never before has a business posed such a threat to the United States. If Donald Trump wins this election and his company is not immediately shut down or forever severed from the Trump family, the foreign policy of the United States of America could well be for sale.

Mr. REID. Mr. President, the piece is very, very thorough. So I am only going to quote a few things because of the time of the Senate. No. 1, the article says that, if elected, Donald Trump would be ''the most conflicted president in American history,'' and ''almost every foreign policy decision he makes will raise serious conflicts of interest and ethical quagmires.''

The article details how Donald Trump, his family, and his businesses have multiple questionable partnerships with foreign governments, political parties, and even criminals.

The Newsweek article ends with this sound declaration: ''Never before has an American candidate for president had so many financial ties with American allies and enemies, and never before has a business posed such a threat to the United States.''

We face this from Donald Trump, a candidate and a notorious con artist. Donald Trump is only trying to help one person—Donald Trump. I don't care if he wants to be President or city commissioner. Donald Trump is in it to benefit Donald Trump.

If given the opportunity, Donald Trump will turn America into a big scam, just like Trump University. I can't make up this stuff. Here is what

one of its managers said at Trump University—head of sales: ''a fraudulent scheme and that it preyed upon the elderly and uneducated to separate them from their money.''

That is one of the managers of Trump University. That is a direct quote.

But Trump University is only one example. Trump has been ripping off people for a long, long time—long before Trump University.

The list of people cheated by Donald Trump is a mile long, at least. A glass company in New Jersey, a children's singing group, real estate brokers, plumbers, painters, dishwashers, and many, many more all got fleeced by this so-called billionaire—Trump. When Trump gets sued for not paying, here is what he does: He hires lawyers—lots of lawyers, most of the time—to defend him for having cheated lots of people. Then, guess what. Many times he doesn't bother paying those lawyers so they have to sue him.

He rips off people only to reap profit for himself.

A lot of his business I don't understand very well, but I understand Atlantic City. I was chairman of the Nevada Gaming Commission for 4 very tumultuous years. I was there when we allowed Nevada operations to go to Atlantic City. So I understand what took place in Atlantic City. He will do anything to make a buck for himself. He applied for a license a number of years ago in Nevada. He got one. It was just perfunctory. If he applied for a license today after what he did in Atlantic City and what he has done since, he couldn't get a gaming license in Nevada.

Let's be clear about Donald Trump. He is a spoiled brat raised in plenty, who inherited a fortune, and used his money to make more money, and he did a lot of it by swindling working men and women.

Why would he change as President? The answer is simple. Trump won't change. He is asking us to let him get rich scamming America.

I know these are harsh words, but look at this man. He goes to Flint, MI, where people are desperate for help—desperate for help. He goes to an African-American church. What does he do? He just starts ranting about how horrible Hillary Clinton is. It was so bad that the woman who runs the church had to come up and say: Stop; you are not here to do this. And he stopped. This morning he said that, obviously, there was something wrong with her mentally.

Trump is a human leech who will bleed the country and sit in his golf resort, laughing at the money he has made, even though working people, many of them, will be hurt. Trump doesn't understand the middle class. How could he? How could he understand working people?

This report from Newsweek proves Trump's plan to take his rigged game straight to the White House. The integrity and security of our democracy is really at stake. We can't chance the sovereignty of this Nation on a con man like Trump. Where are Senator MCCONNELL and Speaker RYAN when America needs our help from this person running for President?

Mr. President, will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2848, which the clerk will report.

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.

The PRESIDING OFFICER. Under the previous order, the time until 11:30 a.m. will be equally divided between the two leaders or their designees.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent to speak as in morning business.

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

OBAMACARE

Mr. ENZI. Mr. President, resisting the urge to counter the diatribe I just heard, I will talk on a topic that is really important to America. I don't always agree with what I read in the New York Times, but this caught my eye, and I want to share it with my colleagues:

So much for choice. In many parts of the country, Obamacare customers will be down to one insurer when they go to sign up for coverage next year on the public exchanges.

That is from the August 19, 2016, New York Times, ''TheUpshot.''

Just a few years ago, in 2013, President Obama was telling us:

Just visit healthcare.gov, and there you can compare insurance plans, side by side, the same way you'd shop for a plane ticket on Kayak or a TV on Amazon. . . . You'll find more choices, more competition, and in many cases lower prices.

Last year, Wyoming became one of the growing number of States that had one insurer on the ObamaCare exchange. In the environment created by ObamaCare, we have to hope that we can hold on to the one that we have left.

Before ObamaCare, Wyoming had many challenges in our health care system—particularly high costs and the serious access challenges that come with being a frontier State. By frontier State, I mean we are the least populated State in the Nation. We have less than 570,000 people in our State. We have less than 20 towns or cities in which the population exceeds the elevation. We have a lot of distance between towns. We say Wyoming has miles and miles of miles and miles. It makes health care a difficult challenge. But we had choice. Under ObamaCare we saw one of the two carriers shut down by costs. Like other insurers across the country, this company focused on and dominated the Wyoming ObamaCare exchange in the first year, and then the economics of ObamaCare took hold. Patients were more costly than expected, premium rates didn't quite cover medical expenses—and then insolvency.

The changes to the health care system that President Obama and a completely Democratic-controlled Congress hammered through were sold as the positive change. It is absolutely stunning to me that not one out of the 60 Democrats who represent the people were being talked into it. Well, some of them were, I guess, because there were four extreme deals made for four States regarding Medicare Advantage that gave those States a little longer time than the rest of us would have to take care of our seniors. Two of the four are gone now. The other two may be going too.

As I said, we did have choice, but we have had one shut down, and I don't know if the other one can continue if they stay with the exchange.

The changes to the health care system that the completely Democratic-controlled Congress hammered through were sold as positive change. Many of us thought otherwise and said so at the time. We pointed out flaws in it, but we were ignored. We were called fearmongers, and here we are today.

Today Wyoming continues to be one of the most expensive States for health care premiums. Do you know the one thing ObamaCare has done for Wyoming? We have more competition from other States for having the most expensive health insurance premiums. Misery loves company, I guess. This year there are some States with premium increases over 50 percent for 2017.

We have seen our individual market damaged, and we are seeing changes in our employer-sponsored insurance as well. Everyone from the biggest corporation to small, one-person operations are paying more and are getting less.

As a former small business owner, I tend to look at these issues from that perspective. In Wyoming, according to the Small Business Administration, there are 63,289 small businesses. Those businesses employ 132,085 people. In Wyoming, that is almost one-third of all the adults in the State. Small business is the backbone of our economy. Now, that may not sound like many, but remember our low population, and it is just as important for each one of those people as it is for one out of 23 million. We are talking about individuals here. Small business owners in

Wyoming and across the country are trying to figure out how to stay afloat as more and more regulations pile up and work to put them out of business. So many, even though they are not technically required to have ObamaCare, try to offer help to their employees for health care. They do it because their employees need it, and they feel it is their responsibility. It may give them a competitive advantage, and they need to have health care to attract employees. But in today's health insurance market, they face the ObamaCare combination of limited choice and seemingly unlimited premium increases.

According to the Kaiser Family Foundation, since 2004, the average annual family premium for covered employees in small firms increased from $9,812 a year to $16,625 a year. It has almost doubled. It is clear to anyone paying attention that the health care system is hurting, but my Democratic colleagues and President Obama have essentially dismissed us as hypochondriacs. They tell us it is working well; it is a success. Your premiums are high, and you can't afford your deductible? Nonsense. Your coverage is wonderfully comprehensive, so you can't complain that your mortgage is less than your health insurance premium.

The American people are facing more costly health care than ever before. There has been a complete refusal by the administration and Democrats in both Chambers to entertain any real changes to ObamaCare. The rollout was a mess. Do you remember how you couldn't get on the computer, and if you did get on the computer, you didn't get good data? Their rules and regulations are crushing. They keep adding on to them. Some that are required to be done still aren't done, and their costs are sky high. At the end of the day, anybody can get covered, but hardly anybody can afford it. That is not much of a choice.

I urge the Senate to look at this issue and acknowledge what the law is really doing, and we need to be going beyond simply providing short-term relief like the President's waivers, exceptions, and delays. Those are all instances where there is a flaw in the bill that would have tremendous impact on people that the President didn't want them to realize, so he delayed it, maybe just till he gets out of office. We need long-term, comprehensive changes that will lead us to sustained recovery.

I have been working to find a path toward what would give more flexibility to States, fewer restrictions on how employers help their employees with medical expenses, and practical ways to offer more choices and lower costs for getting the health care that Wyomingites and all Americans should be able to access. We need meaningful, comprehensive change in health care that will take us away from ObamaCare and in a new direction that will meet the promises that were made years ago.

I yield the floor.

Mr. President, I will suggest the absence of a quorum, and I ask unanimous consent that the time in the quorum call be equally divided between both sides.

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

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BLUNT. Mr. President, I am here today to urge our colleagues to support the Water Resources Development Act. Missouri has more than 1,000 miles of navigable waterways that transport over $4 billion worth of cargo every year.

I will say for the benefit of the Presiding Officer that it is hard at this moment not to stop and talk about what the EPA thinks navigable waters should be and what navigable waters have always been thought to be in Federal law. My State has 1,000 miles of those waterways—as I have just said, $4 billion a year. There is no reason, with world food demand anticipated to double between now and 35 or 40 years from now, with people wanting to bring some manufacturing jobs and hopefully lots of manufacturing jobs back to this country, that $4 billion number won't be much bigger than that over the next few years, and so this bill really matters.

Maintaining and improving our waterways and the infrastructure surrounding our waterways is critically important. The Mississippi River Valley is the biggest piece of contiguous agricultural ground in the would. One of the great benefits of the interior port system is it is a port system that uniquely supports some of the most productive agricultural land anywhere in the world but also that it is a natural network that has allowed our country to compete in the way it did early and the way it can now. So it is important that we maintain that system.

We also need to think about—if we have the blessings of the waterways, we also have the challenges of the waterways—protecting families in Missouri and families in other places from natural disasters. In our State, we had a surprise flood in December. It is not the only time we have ever had a New Year's Eve flood, but it is not something we anticipate. It was very big, very destructive, and very localized. So managing that is a critically important part of what happens in the Water Resources Development Act.

This is a step to prioritize these resources so that once again we are thinking about why we have flood protection, navigation, and water projects.

Specifically, in our State this bill authorizes a number of projects in the Kansas City area. The Kansas City levees themselves started in the 1940s, while maybe Harry Truman was using the desk I stand behind right now or the office I now get to use in the Russell Building, maybe while he was President and Vice President. These were projects that took about 40 years to build and now need to be actively maintained. The Kansas City levees, the Turkey Creek Basin, the Swope Park Industrial Area, and the Blue River Basin are flood control projects that protect lots of jobs and protect lots of families and in some cases ensure that the waterway can be used for navigation and still have the proper emphasis we want to have on conservation and wildlife.

The bill funds much needed drinking water and clean water programs. In so many cases, the infrastructure we have in this country below ground is even more challenged than the infrastructure we have aboveground. It is not just about using the waterways for the drinking water that is provided to many communities from the rivers—the Missouri River is a drinking water source for people who live in the Missouri State capital, and it is a drinking water source for people up and down the river in many communities. This bill focuses not only on that traditional system but also provides some additional assistance for challenged communities, for communities that need to replace lead pipes, so that through this bill communities can work on better ways to solve the important infrastructure problems they have.

The bill authorizes $25 million for the dredging of small ports on the Mississippi River System. In the last Congress, the Senator from Iowa, Mr. Harkin, and I—Senator Harkin has now retired, but Senator KLOBUCHAR stepped up to cochair with me the Mississippi River Caucus that looks at the river as the asset it is. As we try to take traffic off the highway system and off the rail system and put it on the water, if it is going to be on the water sooner rather than later, all these ports matter. So this bill takes a further step in encouraging looking at the small ports, the interior ports, the almost totally export ports.

There is nothing wrong with buying things from other people, but actually, economically, there is a tremendous, positive advantage to selling things to other people, and that is what the interior port system is all about. Not only is it an export port system, it basically serves twice the land mass of a coastal port. If a coastal port effectively serves 250 or 300 miles inland, the Mississippi River port would serve that same amount in all directions, 300 miles each way. So looking at those ports not for specifically the individual tonnage that might go out of the port but how they fit into a whole system is very important.

In many instances, the Corps said: Well, they do not export a million tons, so we don't want to dredge that port because it is only a 900,000-ton port. But I think we need to look at this in different ways, and this bill creates the opportunity to do that.

There is another measure that has an impact very close to where I live, Springfield, MO—Table Rock Lake. It is not on the lake but several miles from the lake. Owners there are worried that the Corps is not listening as it comes up with a shoreline management plan. If you don't live on the shore or if you aren't affected by the economy of the lake, it may not matter much, but it matters a lot if you are in one of those two categories. These plans don't come along very often, and so this measure addresses the concerns property owners have that they are simply not being listened to.

The public and those directly affected by changes in the plan for things such as awarding boat dock permits and shoreline zoning need to have a say in what that plan will look like for a long time because once these plans are in place, the Corps always has many reasons not to look at the shoreline management plans. The extra time here creates a comment period that lets the affected people be heard.

I will say on this topic that when you talk to the Corps about variations in the plan, there are always a thousand reasons they can't make one. Their view is, this is a plan that took a lot of time to put in place. Well, this bill says: OK, we would agree with that. Let's take the necessary time to put it in place.

I am also glad to see that this measure ensures that a community affordability study which I drafted some language on and which we put in the Interior appropriations bill last year will be put to use by the EPA. What is a community affordability study? If you have water issues in your community—if the drinking water system has a problem, if the storm water system has a problem—if you have water issues in your community, there are often reasonable caps that say: If the Federal Government comes in and tells you that you have to do something, they have to give you enough time so that the community can afford it. Maybe that cap is no more than 4 percent or some percentage a year would be the cap on raising your water bill year after year. Well, if you raise it 4 percent a year, it doesn't take long before it is 40 percent higher than it was and then 50 percent higher than it was. That is a cap that somebody looked at, studied, and thought that even though communities never like to do this, maybe this is something communities can live with. But what if you have two or three of those instances that occur at the same time?

So what this bill does is further encourage the EPA to do something that the municipal league is really for and that my hometown of Springfield, MO, has encouraged and has been a proponent and drafter of, and that is, you have to look at the total impact on ratepayers before you tell a community they have to do something. You can put people in unbelievable economic stress by just deciding that whatever the Federal Government wants to do is what the Federal Government gets to do no matter what impact it has on that community. That sort of integrated permitting will give communities what they need to really make the changes they need to make in a way the community can live with and deal with and, more importantly, families in the community can live with.

This has some bipartisan compromise language that I have long supported to encourage the safe disposal of coal ash. I have heard from rural electric utilities that the rules handed down by EPA are too harsh. The language here will help address those concerns in a bipartisan way.

I urge my colleagues to support this measure. I am grateful for the leadership we have seen from Senator INHOFE, the chairman, and the ranking member, Senator BOXER, who served previously as the chairman of this committee. They have come together with a bipartisan package that makes sense and that impacts the lives of families, that has an impact on our economy and allows these projects to have a future they otherwise wouldn't have and new rules to be put in place that wouldn't be put in place.

With that, Mr. President, I yield the floor.

Mr. REED. Mr. President, I strongly support S. 2848, the Water Resources Development Act, WRDA, of 2016.

I want to thank and commend Chairman INHOFE, Ranking Member BOXER, and their staffs for developing a bipartisan bill to authorize and invest in our Nation's infrastructure—our harbors and waterways, flood and coastal protection projects, and drinking and clean water systems.

I particularly want to thank them for including provisions on small dam safety from S. 2835, the High Hazard Potential Small Dam Safety Act that I introduced with Senator CAPITO. Like our bill, this legislation creates a new program in the Federal Emergency Management Agency, FEMA, to assist States and communities in rehabilitating small dams that have high-hazard potential, meaning that they threaten human life and property if they fail. There are thousands of these dams across the country, and we have seen the damage they can cause in the instances when they have failed. While there are programs to address small agricultural dams that were built by the U.S. Department of Agriculture, there is no Federal program to deal with the small dams that proliferate the Northeast, Southeast, and Midwest, including 78 high-hazard potential dams in Rhode Island. The bill authorizes up to $445 million over 10 years to begin to address these structures, with funding to be disbursed on both a formula and a competitive basis. Estimates show that $1 of predisaster mitigation spending can save between $3–$14 in postdisaster spending. Therefore, by assisting in the repair or removal of high-hazard dams before they fail, this program makes an investment in future cost savings, not to mention lives and property saved.

The bill also includes language to address concerns that Senator WHITEHOUSE and I identified about marine debris and abandoned Army Corps projects in Narragansett Bay by expanding the Corps' authority to remove obstructions adjacent to Federal navigation channels. I am pleased that the bill reauthorizes the Water Resources Research Act, which allows the U.S. Geological Survey to provide grants to colleges and universities, including the University of Rhode Island, to support research to improve water supply, address water quality, and train researchers. Additionally, the bill requires a study of the Army Corps' policies on aquaculture in certain areas of the country. Shellfish aquaculture is something we do well in Rhode Island, where there is an excellent relationship with the Corps and where the industry continues to grow. I hope the studies authorized in this bill will be informed by our State's very productive experience.

Beyond the traditional authorizations, the bill also includes important policy changes and funding to deal with the tragic public health and drinking water crisis in the city of Flint, MI, which was brought about by disastrous cost-cutting measures that caused lead contamination in the water supply. The situation in Flint is acute and pronounced. The $100 million in funding provided under the Drinking Water State Revolving Fund and the $70 million under the Water Infrastructure Finance and Innovation Act is long overdue.

However, drinking water is not the only source of lead contamination. Communities across the country are finding lead contamination in their soil and in the paint within their homes. In fact, lead-based paint is the leading cause of lead poisoning in children. Sadly, this is nothing new, and too often, it is low-income families and communities that experience this problem. This issue has long been a concern of mine. My home State of Rhode Island has the fourth oldest housing stock in the country. For the past two decades, I have undertaken initiatives to address lead-based paint hazards. I have pushed for increased funding for housing and public health programs to better track lead hazards and then remediate those hazards within homes for low-income families. While these investments have been significant, more must be done.

As ranking member of the Senate Appropriations Subcommittee for Transportation and Housing, I have worked

with my chairman, Senator COLLINS, to direct HUD to update the elevated blood lead level standard that requires an immediate environmental investigation in HUD assisted housing. This aligns HUD's standard with the recommendations of health experts at the Centers for Disease Control and Prevention, CDC. Senator COLLINS and I have gone a step further in the fiscal year 2017 bill, providing $25 million to help public housing agencies comply with this new rule and an additional $25 million for the Office of Lead Hazard Control and Healthy Homes that provides grants to help low-income families mitigate lead-based paint hazards in their homes.

I am pleased that the WRDA bill builds on our efforts in the Appropriation Committee by providing an additional $10 million for the Healthy Homes program over the next 2 years, as well as $10 million for the CDC's Childhood Lead Poisoning Prevention Fund, which supports research and funds State programs to address and prevent childhood lead poisoning. The bill also provides $10 million for the HHS Healthy Start Initiative to connect pregnant women and new mothers with health care and other resources to foster healthy childhood development.

Many of these measures and others are ones that I have joined some of my Democratic colleagues in proposing in legislation we introduced known as the True LEADership Act of 2016. They add a new dimension—public health—to a bill that is typically about ''bricks and mortar.'' For these reasons, I urge my colleagues to join me in voting for this bill.

SECTION 2004

Mr. INHOFE. Mr. President, as chairman of the Environment and Public Works Committee, today I wish to engage in a colloquy with my ranking member, Senator BOXER, Senator BLUMENTHAL, and Senator MURPHY, to speak about section 2004 of S. 2848, the Water Resources Development Act of 2016, or WRDA 2016.

Section 2004 of S. 2848 reaffirms current law that the Army Corps of Engineers must adhere to State water quality standards under the Clean Water Act when determining the least costly, environmentally acceptable alternative for the disposal of dredged material, known as the Federal standard.

Although reaffirming current law, this section is not an endorsement by Congress of the Corps' current practices.

Instead, Congress is letting the Corps know that Congress is paying attention and that the Corps must meet its legal obligations to abide by State water quality standards when determining whether it is meeting the Federal standard.

I have heard concerns that, in some cases, that the Corps has not met this legal requirement and instead self-certifies its determination of the Federal standard rather than meeting State water quality standards. Senators PORTMAN and BROWN have raised this concern with me about the Corps' intention to dispose of dredged material in Lake Erie.

This section is therefore intended to clarify that the Federal standard is a legal, fact-based definition and that neither party is empowered to make the final decision on the Federal standard, should a dispute arise.

By not giving one party veto power over another, Congress is affirming that the Federal standard can be challenged in court. This means that a State can appeal the Corps' interpretation of the Federal standard if the State believes the Corps has failed to meet State water quality standards and that such challenges will be resolved on a case-by-case basis.

I also have heard from members who are worried about whether the permitting of new dredged material disposal sites would be affected by the adoption of new State water quality standards that could ban open water disposal of dredged material.

Under the Clean Water Act, the Environmental Protection Agency must approve new disposal sites and have a very rigorous process for making those decisions. WRDA 2016 does not affect this process at all.

The Clean Water Act also governs the adoption of new State water quality standards. These standards must carry out the purposes of the act. Blocking disposal of dredged material is not a purpose of the Clean Water Act. Any new State water quality standard must go through notice and comment rulemaking and also can be litigated. WRDA 2016 does not affect that process.

Mrs. BOXER. As the ranking member of the Environment and Public Works Committee, I agree with the explanation provided by Senator INHOFE.

Mr. BLUMENTHAL. I would like to thank Senators INHOFE and BOXER for their work on the Water Resources Development Act.

I would also like to thank them for helping to explain section 2004. As Senator INHOFE noted, this section has caused concern in some quarters that I think is useful to discuss.

It is critical for the record to reflect the intent and context of this provision and to spell out what it does and does not do.

Dredging is incredibly important to my State of Connecticut, which has a robust maritime economy.

Long Island Sound in particular is a treasured and integral resource, one that generates $9 billion annually through tourism, recreation, and economic activity and is home to some of our most significant national security assets in terms of submarines and submarine manufacturing.

But in order to enjoy the benefits of the sound, our coves, harbors, and navigation channels have to be dredged.

My State has over 50 Federal dredging projects pending with the Army Corps of Engineers. It also has everything from small mom-and-pop marinas to Electric Boat that have significant equities in the sound and in the dredging of navigable channels.

For nearly 35 years, clean, nontoxic material dredged from Federal projects in Connecticut has been safely disposed of in Long Island Sound, meeting stringent water quality standards that have been approved by the EPA. Connecticut goes to great lengths to ensure that the material disposed of in the sound is protective of water quality and the environment.

Mr. MURPHY. That is correct. Sediment from Federal projects and larger private projects are required to undergo toxicity testing, and if they fail, the sediment cannot be disposed of at the Long Island Sound sites.

Connecticut requires ''capping'' or placement of clean sediment on top of sediments containing contaminants above certain levels as a best practice. It is not required, but our State does it as an added measure of protection.

We understand though that there are some who remain uncomfortable with the open-water disposal of dredged material, even if the material passes toxicity tests.

As the Senate affirmed when it adopted the amendment to S. 2848 that Senator BLUMENTHAL and I filed, the best way to resolve these types of disagreements over State water quality standards is collaboratively, with input from all relevant stakeholders.

Water quality standards that apply to the disposal of dredged material in Long Island Sound should be worked out by the States bordering the sound, working with appropriate Federal entities. One State should not arbitrarily impose its will on the other.

And that is the process I intend to work towards with my colleagues in Connecticut and New York, as we continue to address the issue of dredging in Long Island Sound.

If I understand correctly what Senator INHOFE just explained, nothing in S. 2848 gives any State any new rights with which to impose its own water quality standards on any other State. Is that a correct reading of the bill?

Mr. INHOFE. Yes, the Senator is correct.

Mrs. BOXER. I agree with the chairman.

Mr. BLUMENTHAL. And is section 2004 simply a restatement of current law under the Clean Water Act?

Mrs. BOXER. Yes, as Senator INHOFE stated earlier, the section was added to S. 2848 to let the Corps of Engineers know they must comply with the law, and that includes compliance with State water quality standards, and Congress is paying attention.

Mr. MURPHY. Does section 2004 or any other provision in WRDA 2016 revise the Army Corps' Federal standard for disposal of dredged material from Federal projects?

Mr. INHOFE. No. The Federal standard applicable to the disposal of dredged material from Federal projects

is found in the Code of Federal Regulations at 33 C.F.R., section 335.7. That regulation requires that the method of disposal must be the least costly alternative that is consistent with sound engineering practices and environmentally protective, as provided under the guidelines established by EPA under section 404(b)(1) of the Clean Water Act. EPA's guidelines are found in the Code of Federal Regulations at 40 C.F.R., part 230.

Under EPA's guidelines, ''No discharge of dredged or fill material shall be permitted if it: (1) Causes or contributes, after consideration of disposal site dilution and dispersion, to violations of any applicable State water quality standard.'' S. 2848 does not change this requirement.

Mr. BLUMENTHAL. Does this provision or WRDA 2016 affect the process for approving new dredged material disposal sites?

Mr. INHOFE. No, it does not.

Mrs. BOXER. I agree with Senator INHOFE.

Mr. MURPHY. I would like to thank Chairman INHOFE and Ranking Member BOXER for this informative discussion and for their help in clarifying the content and intent of section 2004 and the dredging provisions contained in WRDA 2016.

Mr. BLUMENTHAL. I would also like to thank Chairman INHOFE and Ranking Member BOXER for this edifying and clear discussion about the dredging provisions contained in WRDA 2016 and the legislative intent behind those provisions.

Mr. BLUNT. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. RUBIO). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. INHOFE. Mr. President, at 11:30, we will be voting on the WRDA bill, which we have talked extensively about for the last 2 weeks and the benefits it has. I applaud my Senate colleagues for advancing the WRDA bill to the floor to get to this point. We all have a lot to be proud of in the bipartisan passage of another critical infrastructure bill. We are kind of on a roll, really, when we think about our FAST Act and the chemical bill. We have a lot of things we have been doing, and we are authorizing the Engineers' 30 Chief's reports that recommend the construction of new projects with significant economic benefits. The modernization projects bill will modernize our Nation's ports and make our waterways safe and reliable.

This Panamax chart shows that we have a problem in this country with some of our ports because as the Panama Canal has expanded—and we have this Panamax, which the top shows the new capacity and then the old capacity—we have to do something to help our various ports.

Take the Port of Charleston, It has a 45-foot deck. That is fine for the old ships, but for the new ones it is not. The alternative is to take the ships into the Caribbean, change them, offload some things, which is a great deal of expense. It is not necessary.

We deal with flood control projects in this bill. If we look at this chart and the picture, we must provide the necessary level of protection to our communities before another unfortunate disaster occurs like the one we are looking at in Louisiana. Of course, WRDA helps to do that.

The environmental projects in the bill also help our Nation's critical ecosystems, including water off the coast of Florida which is experiencing the algae blooms that are disrupting the economy. Of course, the occupier of the Chair is very much responsible for that.

It is important to note that this bill does a lot more than authorize new projects. WRDA 2016 includes substantive reforms to the Army Corps policy so local sponsors will be empowered to participate in the funding. This is a big deal, because we would think we shouldn't have to pass a law to accommodate those individuals who want to pay for things that otherwise the government is going to have to pay for. So we change the law.

It also establishes the FEMA assistance program to help States rehabilitate the unsafe dams. There are 14,726 which have been identified called high-hazard potential dams located all around the country. We can see that around the country—the term ''high hazard potential'' means that if a dam breaks or if a levee breaks, it will take American lives. It will cost lives. We have 14,000 of these scattered around the country.

The WRDA bill also provides reforms and assistance that will help communities address clean water and safe drinking water infrastructure mandates and help address aging infrastructure like this broken water main in Philadelphia. We can see it is not just in the larger, older parts of America. This is one where we have problems in the newer sections and the less-populated areas, such as my State of Oklahoma.

WRDA also supports innovative approaches to address drought and water supply issues, which is particularly a problem out West and in my State.

Finally, in addition to supporting infrastructure—and therefore the economy—WRDA carries four significant priority policies: It addresses the affordability of Clean Water Act mandates, unfunded mandates. We have been living with these since I was mayor of the city of Tulsa. Our biggest problem is unfunded mandates. In our area, we have a real serious problem in our smaller communities so it does address that.

It addresses EPA's coal ash rule. The coal ash rule is something that has been batted around for a long time. There are a lot of diverse thoughts on it. We came to a compromise on this, and it is something that will allow us to use the value of the coal ash for building roads and also taking care of the disposal problem.

WRDA 2016 includes exemptions from the SPCC rule for farmers. Senator FISCHER has championed this issue, and I have been with her all the way on this. The WRDA bill will exempt all animal feed tanks, and up to two tanks on separate parcels, to allow farmers to refuel their equipment out in the field without being subject to onerous regulations. She has done a great job.

Finally, the WRDA bill includes Gold King Mine legislation that will guarantee EPA will reimburse States, local governments, and tribes for the costs they incur cleaning up the mess that EPA makes.

So we are one step closer to getting back on track with passing the WRDA bill every 2 years. We went 7 years, from 2010 to 2017, without doing a WRDA bill. We are back on a 2-year schedule now. We want to stay that way. Senator BOXER and I have talked about this, and we have worked together to make sure this does get done. We have also talked to Chairman SHUSTER and Chairman UPTON of the House to make sure this gets done. As when I came way back many years ago, he feels very strongly about the relief that Flint has and the drinking water emergency. I will talk a little bit more about this later after we vote on the bill.

I thank not just Senator BOXER for being chair of the committee, she has been the ranking member, and then when Democrats were in charge, she was the chairman and I was the ranking member, all the way through this. We were able to do what we were supposed to do; that is, infrastructure. I do applaud Senator BOXER. I will share my time before our vote with her. Maybe we can visit more about the benefits of this. I look forward to thanking the rest of the people afterward.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, once again, I think Senator INHOFE and I have proven we can get things done around here.

I have been asked—and I know he has been asked—by many in the press: How do you do it? You are one of the most liberal and one of the most conservative, one of the most progressive——

Mr. INHOFE. I am the conservative.

Mrs. BOXER. I think people know that, clearly. I know they know that in my State and in your State, but people wonder how can we possibly bridge the divide. It is a fact that on certain issues we can't, and I think there is a lesson there. On certain issues, we can't bridge the divide. We recognize that, but we never ever have taken

those differences and made them personal. We always respected one another, we tried to understand one another, and we don't waste a lot of time arguing with each other about things where one is Venus and one is Mars, let's be clear, but we do come together as we work for this great country in our total belief that a sound infrastructure is essential for our Nation. You can't compete in a global economy if your infrastructure is failing.

If we look at the grade that is given to our infrastructure, our highways, our bridges, our roadways, our sewer systems, unfortunately, the independent engineers of our country—some of whom are Republican, some of whom are Democrats, some of whom are Independents, some of whom could care less about politics—they tell us a lot of our infrastructure is graded at C-minus, D-plus, D. It is sad when we look at the grades and think: Oh, my God. Thank goodness we got a C. That is not the way I raised my kids. We need to do better.

So we found this amazing area where we could work together. Even within that, we had different priorities, and that is OK. I know what his are and he knows what mine are.

I just want to say, in this bill, where we do so much to respond to the infrastructure needs—we fund so many Chief's reports, 30 of them in 19 States, addressing critical needs, flood risk management, coastal storm damage reduction, ecosystem restoration, navigation, all the things we have to do to literally keep our country moving—we also did something else. We knew that passing a water bill in this time without addressing lead in drinking water, which came to us in the most tragic story from Flint, MI—I am not going to get into why, how, and where. That is for others to talk about today. We knew we needed to address it in a way that not only helps the Flint people but helps people all over this country who are facing aging water supplies and have lead in the drinking water. We agree the science is clear on the impact of lead in drinking water. Now, we disagree on a lot of other science, but on that one we agree.

I am so grateful to my friend JIM INHOFE, for he brings to the table his experiences as not only a Senator, beloved in his State, but also as a dad and as a granddad, and if we have any obligation to our children—and we do—we need to fix this problem.

Mr. INHOFE. Mr. President, will the Senator yield?

Mrs. BOXER. I will.

Mr. INHOFE. Just for one comment because we want to make sure we get this clear. We still have to go to the House, and Senator BOXER and I are hoping we are going to be able to resolve this. In fact, we may see House action as soon as next week. I know there are some Members in the House who have said they are going to make it difficult on Chairman SHUSTER to pass the WRDA bill because it doesn't have the Senate provisions that address the water crisis across our Nation that involves failing and outdated critical infrastructure and the situation in Flint. I promise to address this in conference. I have been standing with my colleagues in Michigan from the beginning on our fiscally responsible solution to help the Flint community, and I will continue to do so in conference.

So let me be clear. It would be a shortsighted mistake for those trying to help the people of Flint to prevent the quick movement of WRDA in the House so we can conference immediately. I am confident that is going to happen, and this bill will become law before the end of this Congress. I just want to be sure we got that in the record before the vote took place today.

Mrs. BOXER. I am very pleased my colleague has stated unequivocally that the Flint provision—which again helps the whole country—is going to be strongly supported by him and by me and by others in the conference.

I would simply say to my friends in the House, through the Chair, if I can: There is a simple way to go—take up and pass the Senate bill. We have had 93 votes for cloture.

I see the majority leader. I thank him so much for his work. He promised me this would happen, and he kept that promise. And Senator REID—who had a lot of other fish to fry around here, but he said: You know what, let's get this done. That is very good for the country and for the way this place functions. When I am not here, I just hope to leave behind a few of these bipartisan crumbs that I have been able to work on in my time here.

In conclusion, I don't want to get into what the House does. I hope they take up and pass our bill. If they don't, we will have to work with them, but let me just say, it is heartening to hear my colleague say he will stand for this lead provision.

I also thank Senators STABENOW and PETERS for bringing this unbelievable crisis to our attention and staying on this day after day. I can't say how many phone calls I have had. She would call me and I would call Senator INHOFE. Then he would call her and they would call Senator PETERS. We have been standing together on this.

I hope we have a resounding vote. I thought 93 was great, but as my father used to say to me when I brought a 90-percent grade home: Hey, what happened to the other 10 percent? So I am looking for a 93, at a minimum, today. That is a heck of a message to send. I don't know if we could get that for any other issue.

I am thrilled to be part of this team. Again, I thank my friend and colleague for his devotion to getting work done around here. I am going to miss him, but I will be cheering from outside the Chamber.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I hate to see the Boxer-Inhofe team come to an end. We have had some great bipartisan accomplishments—this bill we are about to pass and the highway bill last year, which was something I think all of us and the three of us were very proud of.

I want to say to my colleague from California, as we have discussed on numerous occasions, there are not a whole lot of things we agree on, but when we do, we have a lot of fun working together. We are going to miss that opportunity next Congress.

Mrs. BOXER. I thank the Senator.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the cloture vote with respect to the motion to proceed to H.R. 5325 ripen at 5:30 p.m., Monday, September 19.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. We will continue to negotiate text for the short-term CR, the Zika bill, and moving the vote until Monday night will allow us to move forward next week.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 1:30 p.m. on Thursday, September 15—that is today—the Senate proceed to executive session for the consideration of Calendar No. 698, with no other business in order; that there be 15 minutes for debate only on the nomination, equally divided in the unusual form; that upon the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENTS NOS. 5075; 5063, AS MODIFIED; 5076; 5068; 5069; 5074, AS MODIFIED; 5077; AND 5066, AS MODIFIED, TO AMENDMENT NO. 4979

Mr. INHOFE. Mr. President, I ask unanimous consent that notwithstanding the adoption of amendment No. 4979, as amended, the following amendments be reported by number, called up, and agreed to en bloc: Isakson No. 5075; Sanders No. 5063, as modified; Cochran No. 5076; Paul No. 5068; Cardin No. 5069; Hoeven No. 5074, as

modified; Tester No. 5077; and Sasse No. 5066, as modified.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number en bloc.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE], for others, proposes amendments numbered 5075; 5063, as modified; 5076; 5068; 5069; 5074, as modified; 5077; and 5066, as modified, en bloc to amendment No. 4979.

The amendments are as follows:

AMENDMENT NO. 5075

(Purpose: To deauthorize the New Savannah Bluff Lock and Dam, Georgia and South Carolina)

At the appropriate place in section 5001 (relating to deauthorizations), insert the following:

(__) NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.—

(1) DEFINITIONS.—In this subsection:

(A) NEW SAVANNAH BLUFF LOCK AND DAM.—The term ''New Savannah Bluff Lock and Dam'' has the meaning given the term in section 348(*l*)(1) of the Water Resources Development Act of 2000 (114 Stat. 2630) (as in effect on the day before the date of enactment of this Act).

(B) PROJECT.—The term ''Project'' means the project for navigation, Savannah Harbor expansion, Georgia, authorized by section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1364).

(2) DEAUTHORIZATION.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act—

(i) the New Savannah Bluff Lock and Dam is deauthorized; and

(ii) notwithstanding section 348(*l*)(2)(B) of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) (as in effect on the day before the date of enactment of this Act) or any other provision of law, the New Savannah Bluff Lock and Dam shall not be conveyed to the city of North Augusta and Aiken County, South Carolina, or any other non-Federal entity.

(B) REPEAL.—Section 348 of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) is amended—

(i) by striking subsection (*l*); and

(ii) by redesignating subsections (m) and (n) as subsections (*l*) and (m), respectively.

(3) PROJECT MODIFICATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Project is modified to include, as the Secretary determines to be necessary—

(i)(I) repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure such that the structure is able—

(aa) to maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act; and

(bb) to allow safe passage via a rock ramp over the structure to historic spawning grounds of Shortnose sturgeon, Atlantic sturgeon, and other migratory fish; or

(II)(aa) construction at an appropriate location across the Savannah River of a rock weir that is able to maintain the pool for water supply and recreational activities, as in existence on the date of enactment of this Act; and

(bb) removal of the New Savannah Bluff Lock and Dam on completion of construction of the weir; and

(ii) conveyance by the Secretary to Augusta-Richmond County, Georgia, of the park and recreation area adjacent to the New Savannah Bluff Lock and Dam, without consideration.

(B) OPERATION AND MAINTENANCE COSTS.—The Federal share of the costs of operation and maintenance of any Project feature constructed pursuant to subparagraph (A) shall be 100 percent.

AMENDMENT NO. 5063, AS MODIFIED

(Purpose: To provide for rehabilitation of certain dams)

At the end of title III, insert the following:

SEC. 3. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED FLOOD CONTROL DAMS.

(a) IN GENERAL.—If the Secretary determines that the project is feasible, the Secretary may carry out a project for the rehabilitation of a dam described in subsection (b).

(b) ELIGIBLE DAMS.—A dam eligible for assistance under this section is a dam—

(1) that has been constructed, in whole or in part, by the Corps of Engineers for flood control purposes;

(2) for which construction was completed before 1940;

(3) that is classified as ''high hazard potential'' by the State dam safety agency of the State in which the dam is located; and

(4) that is operated by a non-Federal entity.

(c) COST SHARING.—Non-Federal interests shall provide 35 percent of the cost of construction of any project carried out under this section, including provision of all land, easements, rights-of-way, and necessary relocations.

(d) AGREEMENTS.—Construction of a project under this section shall be initiated only after a non-Federal interest has entered into a binding agreement with the Secretary—

(1) to pay the non-Federal share of the costs of construction under subsection (c); and

(2) to pay 100 percent of any operation, maintenance, and replacement and rehabilitation costs with respect to the project in accordance with regulations prescribed by the Secretary.

(e) COST LIMITATION.—The Secretary shall not expend more than $10,000,000 for a project at any single dam under this section.

(f) FUNDING.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2017 through 2026.

AMENDMENT NO. 5076

(Purpose: To make technical corrections)

Strike section 6009 and insert the following:

SEC. 6009. YAZOO BASIN, MISSISSIPPI.

The authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control known as the ''Yazoo Basin, Mississippi, Mississippi Delta Headwater Project, MS'', authorized by title I of Public Law 98–8 (97 Stat. 22), as amended, shall not be limited to watersheds referenced in reports accompanying appropriations bills for previous fiscal years.

AMENDMENT NO. 5068

(Purpose: To ensure that the Secretary does not charge a fee for certain surplus water)

At the end of title I, add the following:

SEC. 1___. SURPLUS WATER STORAGE.

(a) IN GENERAL.—The Secretary shall not charge a fee for surplus water under a contract entered into pursuant to section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the ''Flood Control Act of 1944'') if the contract is for surplus water stored in the Lake Cumberland Watershed, Kentucky and Tennessee.

(b) TERMINATION.—The limitation under subsection (a) shall expire on the date that is 2 years after the date of enactment of this Act.

(c) APPLICABILITY.—Nothing in this section—

(1) affects the authority of the Secretary under section 2695 of title 10, United States Code, to accept funds or to cover the administrative expenses relating to certain real property transactions;

(2) affects the application of section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the ''Flood Control Act of 1944'') or the Water Supply Act of 1958 (43 U.S.C. 390b) to surplus water stored outside of the Lake Cumberland Watershed, Kentucky and Tennessee; or

(3) affects the authority of the Secretary to accept funds under section 216(c) of the Water Resources Development Act of 1996 (33 U.S.C. 2321a).

AMENDMENT NO. 5069

(Purpose: To require an annual survey of sea grasses in the Chesapeake Bay)

Strike section 7206 and insert the following:

SEC. 7206. CHESAPEAKE BAY GRASS SURVEY.

Section 117(i) of the Federal Water Pollution Control Act (33 U.S.C. 1267(i)) is amended by adding at the end the following:

''(3) ANNUAL SURVEY.—The Administrator shall carry out an annual survey of sea grasses in the Chesapeake Bay.''.

AMENDMENT NO. 5074, AS MODIFIED

(Purpose: To limit the permit fees for cabins and trailers on land administered by the Dakotas Area Office of the Bureau of Reclamation and to allow trailer area permittees at Heart Butte Dam and Reservoir (Lake Tschida) to continue using trailer homes on their permitted lots)

At the end of title VIII, insert the following:

SEC. _____. BUREAU OF RECLAMATION DAKOTAS AREA OFFICE PERMIT FEES FOR CABINS AND TRAILERS.

During the period ending 5 years after the date of enactment of this Act, the Secretary of the Interior shall not increase the permit fee for a cabin or trailer on land in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation by more than 33 percent of the permit fee that was in effect on January 1, 2016.

SEC. _____. USE OF TRAILER HOMES AT HEART BUTTE DAM AND RESERVOIR (LAKE TSCHIDA).

(a) DEFINITIONS.—In this section:

(1) ADDITION.—The term ''addition'' means any enclosed structure added onto the structure of a trailer home that increases the living area of the trailer home.

(2) CAMPER OR RECREATIONAL VEHICLE.—The term ''camper or recreational vehicle'' includes—

(A) a camper, motorhome, trailer camper, bumper hitch camper, fifth wheel camper, or equivalent mobile shelter; and

(B) a recreational vehicle.

(3) IMMEDIATE FAMILY.—The term ''immediate family'' means a spouse, grandparent, parent, sibling, child, or grandchild.

(4) PERMIT.—The term ''permit'' means a permit issued by the Secretary authorizing the use of a lot in a trailer area.

(5) PERMIT YEAR.—The term ''permit year'' means the period beginning on April 1 of a calendar year and ending on March 31 of the following calendar year.

(6) PERMITTEE.—The term ''permittee'' means a person holding a permit.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(8) TRAILER AREA.—The term ''trailer area'' means any of the following areas at Heart

Butte Dam and Reservoir (Lake Tschida) (as described in the document of the Bureau of Reclamation entitled ''Heart Butte Reservoir Resource Management Plan'' (March 2008)):

(A) Trailer Area 1 and 2, also known as Management Unit 034.

(B) Southside Trailer Area, also known as Management Unit 014.

(9) TRAILER HOME.—The term ''trailer home'' means a dwelling placed on a supporting frame that—

(A) has or had a tow-hitch; and

(B) is made mobile, or is capable of being made mobile, by an axle and wheels.

(b) PERMIT RENEWAL AND PERMITTED USE.—

(1) IN GENERAL.—The Secretary shall use the same permit renewal process for trailer area permits as the Secretary uses for other permit renewals in other reservoirs in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation.

(2) TRAILER HOMES.—With respect to a trailer home, a permit for each permit year shall authorize the permittee—

(A) to park the trailer home on the lot;

(B) to use the trailer home on the lot;

(C) to physically move the trailer home on and off the lot; and

(D) to leave on the lot any addition, deck, porch, entryway, step to the trailer home, propane tank, or storage shed.

(3) CAMPERS OR RECREATIONAL VEHICLES.—With respect to a camper or recreational vehicle, a permit shall, for each permit year—

(A) from April 1 to October 31, authorize the permittee—

(i) to park the camper or recreational vehicle on the lot;

(ii) to use the camper or recreational vehicle on the lot; and

(iii) to move the camper or recreational vehicle on and off the lot; and

(B) from November 1 to March 31, require a permittee to remove the camper or recreational vehicle from the lot.

(c) REMOVAL.—

(1) IN GENERAL.—The Secretary may require removal of a trailer home from a lot in a trailer area if the trailer home is flooded after the date of enactment of this Act.

(2) REMOVAL AND NEW USE.—If the Secretary requires removal of a trailer home under paragraph (1), on request by the permittee, the Secretary shall authorize the permittee—

(A) to replace the trailer home on the lot with a camper or recreational vehicle in accordance with this section; or

(B) to place a trailer home on the lot from April 1 to October 31.

(d) TRANSFER OF PERMITS.—

(1) TRANSFER OF TRAILER HOME TITLE.—If a permittee transfers title to a trailer home permitted on a lot in a trailer area, the Secretary shall issue a permit to the transferee, under the same terms as the permit applicable on the date of transfer, subject to the conditions described in paragraph (3).

(2) TRANSFER OF CAMPER OR RECREATIONAL VEHICLE TITLE.—If a permittee who has a permit to use a camper or recreational vehicle on a lot in a trailer area transfers title to the interests of the permittee on or to the lot, the Secretary shall issue a permit to the transferee, subject to the conditions described in paragraph (3).

(3) CONDITIONS.—A permit issued by the Secretary under paragraph (1) or (2) shall be subject to the following conditions:

(A) A permit may not be held in the name of a corporation.

(B) A permittee may not have an interest in, or control of, more than 1 seasonal trailer home site in the Great Plains Region of the Bureau of Reclamation, inclusive of sites located on tracts permitted to organized groups on Reclamation reservoirs.

(C) Not more than 2 persons may be permittees under 1 permit, unless—

(i) approved by the Secretary; or

(ii) the additional persons are immediate family members of the permittees.

(e) ANCHORING REQUIREMENTS FOR TRAILER HOMES.—The Secretary shall require compliance with appropriate anchoring requirements for each trailer home (including additions to the trailer home) and other objects on a lot in a trailer area, as determined by the Secretary, after consulting with permittees.

(f) REPLACEMENT, REMOVAL, AND RETURN.—

(1) REPLACEMENT.—Permittees may replace their trailer home with another trailer home.

(2) REMOVAL AND RETURN.—Permittees may—

(A) remove their trailer home; and

(B) if the permittee removes their trailer home under subparagraph (A), return the trailer home to the lot of the permittee.

(g) LIABILITY; TAKING.—

(1) LIABILITY.—The United States shall not be liable for flood damage to the personal property of a permittee or for damages arising out of any act, omission, or occurrence relating to a lot to which a permit applies, other than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

(2) TAKING.—Any temporary flooding or flood damage to the personal property of a permittee shall not be a taking by the United States.

AMENDMENT NO. 5077

(Purpose: To achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for the Blackfeet Tribe of the Blackfeet Indian Reservation and the United States, for the benefit of the Tribe and allottees, and for other purposes.)

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

AMENDMENT NO. 5066, AS MODIFIED

(Purpose: To require a GAO review and report on certain projects)

At the end of title I, insert the following:

SEC. 10___. GAO REVIEW AND REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review, and submit to Congress a report on the implementation and effectiveness of the projects carried out under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835).

The PRESIDING OFFICER. Under the previous order, amendments Nos. 5075; 5063, as modified; 5076; 5068; 5069; 5074, as modified; 5077; and 5066, as modified, are agreed to.

Under the previous order, all postcloture time has expired.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. HOEVEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from New Hampshire (Ms. AYOTTE).

Further, if present and voting, the Senator from New Hampshire (Ms. AYOTTE) would have voted ''yea''.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) is necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote yea.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 3, as follows:

[Rollcall Vote No. 141 Leg.]

YEAS—95

Alexander	Fischer	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Rubio
Cantwell	Hoeven	Sanders
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	King	Sessions
Cassidy	Kirk	Shaheen
Coats	Klobuchar	Shelby
Cochran	Lankford	Stabenow
Collins	Leahy	Sullivan
Coons	Manchin	Tester
Corker	Markey	Thune
Cornyn	McCain	Tillis
Cotton	McCaskill	Toomey
Crapo	McConnell	Udall
Cruz	Menendez	Vitter
Daines	Merkley	Warner
Donnelly	Mikulski	Warren
Durbin	Moran	Whitehouse
Enzi	Murkowski	Wicker
Ernst	Murphy	Wyden
Feinstein	Murray	

NAYS—3

Flake	Lee	Sasse

NOT VOTING—2

Ayotte	Kaine

The bill (S. 2848), as amended, was passed, as follows:

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. Aquaculture study.
Sec. 1027. Levee vegetation.
Sec. 1028. Planning assistance to States.
Sec. 1029. Prioritization.
Sec. 1030. Kennewick Man.
Sec. 1031. Disposition studies.
Sec. 1032. Transfer of excess credit.
Sec. 1033. Surplus water storage.
Sec. 1034. Hurricane and storm damage reduction.
Sec. 1035. Fish hatcheries.
Sec. 1036. Feasibility studies and watershed assessments.
Sec. 1037. Shore damage prevention or mitigation.
Sec. 1038. Enhancing lake recreation opportunities.
Sec. 1039. Cost estimates.
Sec. 1040. Tribal partnership program.
Sec. 1041. Cost sharing for territories and Indian tribes.
Sec. 1042. Local government water management plans.
Sec. 1043. Credit in lieu of reimbursement.
Sec. 1044. Retroactive changes to cost-sharing agreements.
Sec. 1045. Easements for electric, telephone, or broadband service facilities eligible for financing under the Rural Electrification Act of 1936.
Sec. 1046. Study on the performance of innovative materials.
Sec. 1047. Deauthorization of inactive projects.
Sec. 1048. Review of reservoir operations.
Sec. 1049. Written agreement requirement for water resources projects.
Sec. 1050. Maximum cost of projects.
Sec. 1051. Conversion of surplus water agreements.
Sec. 1052. Authorized funding for interagency and international support.
Sec. 1053. Surplus water storage.
Sec. 1054. GAO review and report.

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.
Sec. 2018. Great Lakes Navigation System.
Sec. 2019. Harbor Maintenance Trust Fund.

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.
Sec. 3005. Expedited completion of authorized projects for flood damage reduction.
Sec. 3006. Cumberland River Basin Dam repairs.
Sec. 3007. Indian dam safety.
Sec. 3008. Rehabilitation of Corps of Engineers constructed flood control dams.

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

Sec. 4001. Gulf Coast oyster bed recovery plan.
Sec. 4002. Columbia River, Platte River, and Arkansas 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.
Sec. 4015. South Atlantic coastal study.
Sec. 4016. Kanawha River Basin.
Sec. 4017. Consideration of full array of measures for coastal risk reduction.
Sec. 4018. Waterfront community revitalization and resiliency.
Sec. 4019. Table Rock Lake, Arkansas and Missouri.
Sec. 4020. Pearl River Basin, Mississippi.

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.
Sec. 6004. Expedited completion of reports.
Sec. 6005. Extension of expedited consideration in Senate.
Sec. 6006. GAO study on Corps of Engineers methodology and performance metrics.
Sec. 6007. Inventory assessment.
Sec. 6008. Saint Lawrence Seaway modernization.
Sec. 6009. Yazoo Basin, Mississippi.

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.
Sec. 7114. Small system technical assistance.
Sec. 7115. Definition of Indian tribe.
Sec. 7116. Technical assistance for tribal water systems.
Sec. 7117. Requirement for the use of American materials.

Subtitle B—Clean Water

Sec. 7201. Sewer overflow control grants.
Sec. 7202. Small and medium treatment works.
Sec. 7203. Integrated plans.
Sec. 7204. Green infrastructure promotion.
Sec. 7205. Financial capability guidance.
Sec. 7206. Chesapeake Bay Grass Survey.
Sec. 7207. Great Lakes harmful algal bloom coordinator.

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 State water pollution control revolving loan funds.
Sec. 7309. Innovation in drinking water State revolving loan funds.
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
Sec. 7611. Great Lakes Restoration Initiative.
Sec. 7612. Amendments to the Great Lakes Fish and Wildlife Restoration Act of 1990.
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.
PART IV—DELAWARE RIVER BASIN CONSERVATION
Sec. 7641. Findings.
Sec. 7642. Definitions.
Sec. 7643. Program establishment.
Sec. 7644. Grants and assistance.
Sec. 7645. Annual reports.
Sec. 7646. Authorization of appropriations.
PART V—COLUMBIA RIVER BASIN RESTORATION
Sec. 7651. Columbia River Basin restoration.
Subtitle G—Innovative Water Infrastructure Workforce Development
Sec. 7701. Innovative water infrastructure workforce development program.
Subtitle H—Offset
Sec. 7801. Offset.
TITLE VIII—MISCELLANEOUS PROVISIONS
Sec. 8001. Approval of State programs for control of coal combustion residuals.
Sec. 8002. Choctaw Nation of Oklahoma and the Chickasaw Nation water settlement.
Sec. 8003. Land transfer and trust land for the Muscogee (Creek) Nation.
Sec. 8004. Reauthorization of Denali Commission.
Sec. 8005. Recreational access of floating cabins.
Sec. 8006. Regulation of aboveground storage at farms.
Sec. 8007. Salt cedar removal permit reviews.
Sec. 8008. International outfall interceptor repair, operations, and maintenance.
Sec. 8009. Pechanga Band of Luiseño Mission Indians water rights settlement.
Sec. 8010. Gold King Mine spill recovery.
Sec. 8011. Reports by the Comptroller General.
Sec. 8012. Sense of Congress.
Sec. 8013. Bureau of Reclamation Dakotas Area Office permit fees for cabins and trailers.
Sec. 8014. Use of trailer homes at heart butte dam and reservoir (Lake Tschida).
TITLE IX—BLACKFEET WATER RIGHTS SETTLEMENT ACT
Sec. 9001. Short title.
Sec. 9002. Purposes.
Sec. 9003. Definitions.
Sec. 9004. Ratification of compact.
Sec. 9005. Milk River water right.
Sec. 9006. Water delivery through Milk River project.
Sec. 9007. Bureau of Reclamation activities to improve water management.
Sec. 9008. St. Mary canal hydroelectric power generation.
Sec. 9009. Storage allocation from Lake Elwell.
Sec. 9010. Irrigation activities.
Sec. 9011. Design and construction of MR&I System.
Sec. 9012. Design and construction of water storage and irrigation facilities.
Sec. 9013. Blackfeet water, storage, and development projects.
Sec. 9014. Easements and rights-of-way.
Sec. 9015. Tribal water rights.
Sec. 9016. Blackfeet settlement trust fund.
Sec. 9017. Blackfeet water settlement implementation fund.
Sec. 9018. Authorization of appropriations.
Sec. 9019. Water rights in Lewis and Clark National Forest and Glacier National Park.
Sec. 9020. Waivers and releases of claims.
Sec. 9021. Satisfaction of claims.
Sec. 9022. Miscellaneous provisions.
Sec. 9023. Expiration on failure to meet enforceability date.
Sec. 9024. Antideficiency.

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 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) CONCURRENT REVIEW.—

''(1) NEPA REVIEW.—

''(A) 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.

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

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

''(ii) 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).

''(2) REVIEWS BY SECRETARY.—In any case in which the Secretary of the Army is required to approve an action under this section and under another authority, including sections 9 and 10 of this Act, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413), the Secretary shall—

''(A) coordinate the reviews and, to the maximum extent practicable, carry out the reviews concurrently; and

''(B) adopt and use any document prepared by the Corps of Engineers for the purpose of complying with the same law and that addresses the same types of impacts in the same geographic area if the document, as determined by the Secretary, is current and applicable.

''(3) CONTRIBUTED FUNDS.—The Secretary of the Army may accept and expend funds received from non-Federal public or private entities to evaluate under this section an alteration or permanent occupation or use of a work built by the United States.''.

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) CONTRIBUTED FUNDS.—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—

(1) by striking ''funds appropriated by the United States for''; and

(2) in the first proviso, by inserting after ''authorized purposes of the project:'' the following: ''*Provided further*, That the Secretary may receive and expend funds from a State or a political subdivision of a State and other non-Federal interests to formulate, review, or revise, consistent with authorized project purposes, operational documents for any reservoir owned and operated by the Secretary (other than reservoirs in the Upper Missouri River, the Apalachicola-Chattahoochee-Flint River system, the Alabama-Coosa-Tallapoosa River system, and the Stones River):''

(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 may review proposals to increase the quantity of available supplies of water at Federal water resources projects 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 the project;

(2) diversion of water released or withdrawn from the project—

(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 Secretary;

(4) construction of facilities to access water; and

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

(c) EXCLUSIONS.—This section shall not apply to a proposal that—

(1) reallocates existing water supply or hydropower storage; or

(2) reduces water available for any authorized project purpose.

(d) OTHER FEDERAL PROJECTS.—In any case in which a proposal relates to a Federal project that is not owned by the Secretary, this section shall apply only to activities under the authority of the Secretary.

(e) REVIEW PROCESS.—

(1) NOTICE.—On receipt of a proposal submitted under subsection (a), the Secretary shall provide a copy of the proposal to each entity described in paragraph (2) and if applicable, the Federal agency that owns the project, in the case of a project owned by an agency other than the Department of the Army.

(2) PUBLIC PARTICIPATION.—In reviewing proposals submitted under subsection (a), and prior to making any decisions regarding a proposal, the Secretary shall comply with all applicable public participation requirements under law, including consultation with—

(A) affected States;

(B) Power Marketing Administrations, in the case of reservoirs with Federal hydropower projects;

(C) entities responsible for operation and maintenance costs;

(D) any entity that has a contractual right from the Federal Government or a State to withdraw water from, or use storage at, the project;

(E) entities that the State determines hold rights under State law to the use of water from the project; and

(F) units of local government with flood risk reduction responsibilities downstream of the project.

(f) AUTHORITIES.—A proposal submitted to the Secretary under subsection (a) may be reviewed and approved, if applicable and appropriate, under—

(1) the specific authorization for the water resources project;

(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 Act of 1899'') (33 U.S.C. 408).

(g) LIMITATIONS.—The Secretary shall not approve a proposal submitted under subsection (a) that—

(1) is not supported by the Federal agency that owns the project if the owner is not the Secretary;

(2) interferes with an authorized purpose of the project;

(3) adversely impacts contractual rights to water or storage at the reservoir;

(4) adversely impacts legal rights to water under State law, as determined by an affected State;

(5) increases costs for any entity other than the entity that submitted the proposal; or

(6) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section unless the modification is submitted to and authorized by Congress.

(h) COST SHARE.—

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

(2) PLANNING ASSISTANCE TO STATES.—In the case of a proposal from an entity authorized to receive assistance under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16), the Secretary may use funds available under that section to pay 50 percent of the cost of a review of a proposal submitted under subsection (a).

(3) OPERATION AND MAINTENANCE COSTS.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the operation and maintenance costs for the non-Federal sponsor of a proposal submitted under subsection (a) shall be 100 percent of the separable operation and maintenance costs associated with the costs of implementing the proposal.

(B) CERTAIN WATER SUPPLY STORAGE PROJECTS.—For a proposal submitted under subsection (a) for constructing additional water supply storage at a reservoir for use under a water supply storage agreement, in addition to the costs under subparagraph (A), the non-Federal costs shall include the proportional share of any joint-use costs for operation, maintenance, repair, replacement, or rehabilitation of the reservoir project determined in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(C) VOLUNTARY CONTRIBUTIONS.—An entity other than an entity described in subparagraph (A) may voluntarily contribute to the costs of implementing a proposal submitted under subsection (a).

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

(j) ASSISTANCE.—On request by a non-Federal interest, the Secretary may provide technical assistance in the development or implementation of a proposal under subsection (a), including assistance in obtaining necessary permits for construction, if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.

(k) EXCLUSION.—This section shall not apply to reservoirs in—

(1) the Upper Missouri River;

(2) the Apalachicola-Chattahoochee-Flint river system;

(3) the Alabama-Coosa-Tallapoosa river system; and

(4) the Stones River.

(l) EFFECT OF SECTION.—Nothing in this section affects or modifies any authority of the Secretary to review or modify reservoirs.

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 research, design, and development of systems and frameworks for—

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures;

(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'';

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

(C) by striking paragraph (11) and inserting the following:

''(11) EFFECT.—Nothing in this subsection—

''(A) requires the Secretary to undertake additional mitigation for existing projects for which mitigation has already been initiated, including the addition of fish passage to an existing water resources development project; or

''(B) affects the mitigation responsibilities of the Secretary under any other provision of law.''; 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.

''(k) MEASURES.—The Secretary shall consult with interested members of the public, the Director of the United States Fish and Wildlife Service, the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration, States, including State fish and game departments, and interested local governments to identify standard measures under subsection (h)(6)(C) that reflect the best available scientific information for evaluating habitat connectivity.''.

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 in water resources development feasibility studies of the entire amount of potential in-kind credits available at mitigation banks and in-lieu fee programs with an approved service area that includes the projected impacts of the water resource development project.

''(B) REQUIREMENTS.—All potential mitigation bank and in-lieu fee credits that meet the criteria under subparagraph (A) 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.

''(C) EFFECT.—Nothing in this paragraph modifies or alters any requirement for a water resources project to comply with applicable laws or regulations, including section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283).''.

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'';

(2) by 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. 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, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or law of the State of Washington, 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) SECRETARY.—The Secretary shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SEC. 1031. DISPOSITION STUDIES.

In carrying out any disposition study for a project of the Corps of Engineers (including a study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a)), the Secretary shall consider the extent to which the property has economic or recreational significance or impacts at the national, State, or local level.

SEC. 1032. 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. 1033. 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. 1034. 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. 1035. 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. 1036. 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. 1037. 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).''.

SEC. 1038. ENHANCING LAKE RECREATION OPPORTUNITIES.

Section 3134 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1142) is amended by striking subsection (e).

SEC. 1039. COST ESTIMATES.

Section 2008 of the Water Resources Development Act of 2007 (33 U.S.C. 2340) is amended by striking subsection (c).

SEC. 1040. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''the Secretary'' and all that follows through ''projects'' and inserting ''the Secretary may carry out water-related planning activities, or activities relating to the study, design, and construction of water resources development projects or projects for the preservation of cultural and natural resources,'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''(2) MATTERS TO BE STUDIED.—A study'' and inserting the following:

''(2) AUTHORIZED ACTIVITIES.—Any activity''; and

(C) by adding at the end the following:

''(3) FEASIBILITY STUDY AND REPORTS.—

''(A) IN GENERAL.—On the request of an Indian tribe, the Secretary shall conduct a study, and provide to the Indian tribe a report describing the feasibility of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1).

''(B) RECOMMENDATION.—A report under subparagraph (A) may, but shall not be required to, contain a recommendation on a specific water resources development project.

''(C) FUNDING.—The first $100,000 of a study under this paragraph shall be at full Federal expense.

''(4) DESIGN AND CONSTRUCTION.—

''(A) IN GENERAL.—The Secretary may carry out the design and construction of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1) that the Secretary determines is feasible if the Federal share of the cost of the project is not more than $10,000,000.

''(B) SPECIFIC AUTHORIZATION.—If the Federal share of the cost of a project described in subparagraph (A) is more than $10,000,000, the Secretary may only carry out the project if Congress enacts a law authorizing the Secretary to carry out the project.'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''studies'' and inserting ''any activity''; and

(B) in paragraph (2)(B), by striking ''carrying out projects studied'' and inserting ''any activity conducted'';

(3) in subsection (d)—

(A) in paragraph (1)(A), by striking ''a study'' and inserting ''any activity conducted''; and

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

''(2) CREDIT.—The Secretary may credit toward the non-Federal share of the costs of any activity conducted under subsection (b) the cost of services, studies, supplies, or other in-kind contributions provided by the non-Federal interest.

''(3) SOVEREIGN IMMUNITY.—The Secretary shall not require an Indian tribe to waive the sovereign immunity of the Indian tribe as a condition to entering into a cost-sharing agreement under this subsection.

''(4) WATER RESOURCES DEVELOPMENT PROJECTS.—

''(A) IN GENERAL.—The non-Federal share of costs for the study of a water resources development project described in subsection (b)(1) shall be 50 percent.

''(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be assigned to the appropriate project purposes described in sections 101 and 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2213) and shared in the same percentages as the purposes to which the costs are assigned.

''(5) PROJECTS FOR THE PRESERVATION OF CULTURAL AND NATURAL RESOURCES.—

''(A) IN GENERAL.—The non-Federal share of costs for the study of a project for the preservation of cultural and natural resources described in subsection (b)(1) shall be 50 percent.

''(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be 65 percent.

''(6) WATER-RELATED PLANNING ACTIVITIES.—

''(A) IN GENERAL.—The non-Federal share of costs of a watershed and river basin assessment shall be 25 percent.

''(B) OTHER COSTS.—The non-Federal share of costs of other water-related planning activities described in subsection (b)(1) shall be 65 percent.''; and

(4) by striking subsection (e).

SEC. 1041. COST SHARING FOR TERRITORIES AND INDIAN TRIBES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) in the section heading, by striking ''**TERRITORIES**'' and inserting ''**TERRITORIES AND INDIAN TRIBES**''; and

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

''(a) IN GENERAL.—The Secretary shall waive local cost-sharing requirements up to $200,000 for all studies, projects, and assistance under section 22(a) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16(a))—

''(1) in American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, Puerto Rico, and the Trust Territory of the Pacific Islands; and

''(2) for any Indian tribe (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130)).''.

SEC. 1042. LOCAL GOVERNMENT WATER MANAGEMENT PLANS.

The Secretary, with the consent of the non-Federal sponsor of a feasibility study for a water resources development project, may enter into a feasibility study cost-sharing agreement under section 221(a) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)), to allow a unit of local government in a watershed that has adopted a local or regional water management plan to participate in the feasibility study to determine if there is an opportunity to include additional feasible elements in the project being studied to help achieve the purposes identified in the local or regional water management plan.

SEC. 1043. CREDIT IN LIEU OF REIMBURSEMENT.

Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a), by striking ''that has been constructed by a non-Federal interest under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) before the date of enactment of this Act'' and inserting ''for which a written agreement with the Corps of Engineers for construction was finalized on or before December 31, 2014, under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) (as it existed before the repeal made by section 1014(c)(3))''; and

(2) in subsection (b), by striking ''share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies'' and inserting ''non-Federal share of the cost of carrying out other water resources development projects or studies of the non-Federal interest''.

SEC. 1044. RETROACTIVE CHANGES TO COST-SHARING AGREEMENTS.

Study costs incurred before the date of execution of a feasibility cost-sharing agreement for a project to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) shall be Federal costs, if—

(1) the study was initiated before October 1, 2006; and

(2) the feasibility cost-sharing agreement was not executed before January 1, 2014.

SEC. 1045. EASEMENTS FOR ELECTRIC, TELEPHONE, OR BROADBAND SERVICE FACILITIES ELIGIBLE FOR FINANCING UNDER THE RURAL ELECTRIFICATION ACT OF 1936.

(a) DEFINITION OF WATER RESOURCES DEVELOPMENT PROJECT.—In this section, the term ''water resources development project'' means a project under the administrative jurisdiction of the Corps of Engineers that is subject to part 327 of title 36, Code of Federal Regulations (or successor regulations).

(b) NO CONSIDERATION FOR EASEMENTS.—The Secretary may not collect consideration for an easement across water resources development project land for the electric, telephone, or broadband service facilities of nonprofit organizations eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).

(c) ADMINISTRATIVE EXPENSES.—Nothing in this section affects the authority of the Secretary under section 2695 of title 10, United States Code, or under section 9701 of title 31, United State Code, to collect funds to cover reasonable administrative expenses incurred by the Secretary.

SEC. 1046. STUDY ON THE PERFORMANCE OF INNOVATIVE MATERIALS.

(a) DEFINITION OF INNOVATIVE MATERIAL.—In this section, the term ''innovative material'', with respect to a water resources development project, includes high performance concrete formulations, geosynthetic materials, advanced alloys and metals, reinforced polymer composites, and any other material, as determined by the Secretary.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall offer to enter into a contract with the Transportation Research Board of the National Academy of Sciences—

(A) to develop a proposal to study the use and performance of innovative materials in water resources development projects carried out by the Corps of Engineers; and

(B) after the opportunity for public comment provided in accordance with subsection (c), to carry out the study proposed under subparagraph (A).

(2) CONTENTS.—The study under paragraph (1) shall identify—

(A) the conditions that result in degradation of water resources infrastructure;

(B) the capabilities of the innovative materials in reducing degradation;

(C) barriers to the expanded successful use of innovative materials;

(D) recommendations on including performance-based requirements for the incorporation of innovative materials into the Unified Facilities Guide Specifications;

(E) recommendations on how greater use of innovative materials could increase performance of an asset of the Corps of Engineers in relation to extended service life;

(F) additional ways in which greater use of innovative materials could empower the Corps of Engineers to accomplish the goals of the Strategic Plan for Civil Works of the Corps of Engineers; and

(G) recommendations on any further research needed to improve the capabilities of innovative materials in achieving extended service life and reduced maintenance costs in water resources development infrastructure.

(c) PUBLIC COMMENT.—After developing the study proposal under subsection (b)(1)(A) and before carrying out the study under subsection (b)(1)(B), the Secretary shall provide an opportunity for public comment on the study proposal.

(d) CONSULTATION.—In carrying out the study under subsection (b)(1), the Secretary, at a minimum, shall consult with relevant experts on engineering, environmental, and industry considerations.

(e) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study required under subsection (b)(1).

SEC. 1047. DEAUTHORIZATION OF INACTIVE PROJECTS.

(a) IN GENERAL.—Section 6001(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b(c)) is amended by adding at the end the following:

''(5) DEFINITION OF CONSTRUCTION.—In this subsection, the term 'construction' includes the obligation or expenditure of non-Federal funds for construction of elements integral to the authorized project, whether or not the activity takes place pursuant to any agreement with, expenditure by, or obligation from the Secretary.''.

(b) NOTICES OF CORRECTION.—Not later than 60 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a notice of correction removing from the lists under subsections (c) and (d) of section 6001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b) any project that was listed even though construction (as defined in subsection (c)(5) of that section) took place.

SEC. 1048. REVIEW OF RESERVOIR OPERATIONS.

(a) DEFINITIONS.—In this section:

(1) RESERVED WORKS.—The term ''reserved works'' means any Bureau of Reclamation project facility at which the Secretary of the Interior carries out the operation and maintenance of the project facility.

(2) TRANSFERRED WORKS.—The term ''transferred works'' means a Bureau of Reclamation project facility, the operation and maintenance of which is carried out by a non-Federal entity under the provisions of a formal operation and maintenance transfer contract.

(3) TRANSFERRED WORKS OPERATING ENTITY.—The term ''transferred works operating entity'' means the organization that is contractually responsible for operation and maintenance of transferred works.

(b) APPLICABILITY.—

(1) IN GENERAL.—This section applies to reservoirs that are subject to regulation by the Secretary under section 7 of the Act of December 22, 1944 (33 U.S.C. 709) located in a State in which a Bureau of Reclamation project is located.

(2) EXCLUSIONS.—This section shall not apply to—

(A) any project authorized by the Boulder Canyon Project Act (43 U.S.C. 617 et seq.);

(B) the initial units of the Colorado River Storage Project, as authorized by the first section of the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620);

(C) any dam or reservoir operated by the Bureau of Reclamation as reserved works, unless all non-Federal project sponsors of the reserved works jointly provide to the Secretary a written request for application of this section to the project;

(D) any dam or reservoir owned and operated by the Corps of Engineers; or

(E) any Bureau of Reclamation transferred works, unless the transferred works operating entity provides to the Secretary a written request for application of this section to the project.

(c) REVIEW.—

(1) IN GENERAL.—In accordance with the authorities of the Secretary in effect on the day before the date of enactment of this Act, at the reservoirs described in paragraph (2), the Secretary may—

(A) review any flood control rule curves developed by the Secretary; and

(B) determine, based on the best available science (including improved weather forecasts and forecast-informed operations, new watershed data, or structural improvements) whether an update to the flood control rule curves and associated changes to the water operations manuals is appropriate.

(2) DESCRIPTION OF RESERVOIRS.—The reservoirs referred to in paragraph (1) are reservoirs—

(A)(i) located in areas with prolonged drought conditions; or

(ii) for which no review has occurred during the 10-year period preceding the date of enactment of this Act; and

(B) for which individuals or entities, including the individuals or entities responsible for operations and maintenance costs or that have storage entitlements or contracts at a reservoir, a unit of local government, the owner of a non-Federal project, or the non-Federal transferred works operating entity, as applicable, have submitted to the Secretary a written request to carry out the review described in paragraph (1).

(3) REQUIRED CONSULTATION.—In carrying out a review under paragraph (1) and prior to updating any flood control rule curves and manuals under subsection (e), the Secretary shall comply with all applicable public participation and agency review requirements, including consultation with—

(A) affected States, Indian tribes, and other Federal and State agencies with jurisdiction over a portion of or all of the project or the operations of the project;

(B) the applicable power marketing administration, in the case of reservoirs with Federal hydropower projects;

(C) any non-Federal entity responsible for operation and maintenance costs;

(D) any entity that has a contractual right to withdraw water from, or use storage at, the project;

(E) any entity that the State determines holds rights under State law to the use of water from the project; and

(F) any unit of local government with flood risk reduction responsibilities downstream of the project.

(d) AGREEMENT.—Before carrying out an activity under this section, the Secretary shall enter into a cooperative agreement, memorandum of understanding, or other agreement with an affected State, any owner or operator of the reservoir, and, on request, any non-Federal entities responsible for operation and maintenance costs at the reservoir, that describes the scope and goals of the activity and the coordination among the parties.

(e) UPDATES.—If the Secretary determines under subsection (c) that an update to a flood control rule curve and associated changes to a water operations manual is appropriate, the Secretary may update the flood control rule curve and manual in accordance with the authorities in effect on the day before the date of enactment of this Act.

(f) FUNDING.—

(1) IN GENERAL.—Subject to subsection (d), the Secretary may accept and expend amounts from the entities described in paragraph (2) to fund all or part of the cost of carrying out a review under subsection (c) or an update under subsection (e), including any associated environmental documentation.

(2) DESCRIPTION OF ENTITIES.—The entities referred to in paragraph (1) are—

(A) non-Federal entities responsible for operations and maintenance costs at the affected reservoir;

(B) individuals and non-Federal entities with storage entitlements at the affected reservoir;

(C) a Federal power marketing agency that markets power produced by the affected reservoir;

(D) units of local government;

(E) public or private entities holding contracts with the Federal Government for water storage or water supply at the affected reservoir; and

(F) a nonprofit entity, with the consent of the affected unit of local government.

(3) IN-KIND CONTRIBUTIONS.—The Secretary may—

(A) accept and use materials and services contributed by an entity described in paragraph (2) under this subsection; and

(B) credit the value of the contributed materials and services toward the cost of carrying out a review or revision of operational documents under this section.

(g) PROTECTION OF EXISTING RIGHTS.—The Secretary shall not issue an updated flood control rule curve or operations manual under subsection (e) that—

(1) interferes with an authorized purpose of the project or the existing purposes of a non-Federal project regulated for flood control by the Secretary;

(2) reduces the ability to meet contractual rights to water or storage at the reservoir;

(3) adversely impacts legal rights to water under State law;

(4) fails to address appropriate credit for the appropriate power marketing agency, if applicable; or

(5) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section, unless the modification is submitted to and authorized by Congress.

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

(1) authorizes the Secretary to take any action not otherwise authorized as of the date of enactment of this Act;

(2) affects or modifies any obligation of the Secretary under Federal or State law; or

(3) affects or modifies any other authority of the Secretary to review or modify reservoir operations.

SEC. 1049. WRITTEN AGREEMENT REQUIREMENT FOR WATER RESOURCES PROJECTS.

Section 221(a)(3) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(3)) is amended by striking ''State legislature, the agreement may reflect'' and inserting ''State legislature, on the request of the State, body politic, or entity, the agreement shall reflect''.

SEC. 1050. MAXIMUM COST OF PROJECTS.

Section 902 of the Water Resources Development of 1986 (33 U.S.C. 2280) is amended—

(1) in subsection (a)(2)(A), by striking ''indexes'' and inserting ''indexes, including actual appreciation in relevant real estate markets''; and

(2) in subsection (b)—

(A) by striking ''Notwithstanding subsection (a), in accordance with section 5 of the Act of June 22, 1936 (33 U.S.C. 701h)'' and inserting the following:

''(1) IN GENERAL.—Notwithstanding subsection (a)'';

(B) in paragraph (1) (as so designated)—

(i) by striking ''funds'' the first place it appears and inserting ''funds, in-kind contributions, and land, easements, and right-of-way, relocations, and dredged material disposal areas''; and

(ii) by striking ''such funds'' each place it appears and inserting ''the contributions''; and

(C) by adding at the end the following:

''(2) LIMITATION.—Funds, in-kind contributions, and land, easements, and right-of-way, relocations, and dredged material disposal areas provided under this subsection are not eligible for credit or repayment and shall not be included in calculating the total cost of the project.''.

SEC. 1051. CONVERSION OF SURPLUS WATER AGREEMENTS.

Section 6 of the Act of December 22, 1944 (33 U.S.C. 708), is amended—

(1) by striking ''**SEC. 6.** That the Secretary'' and inserting the following:

''SEC. 6. SALE OF SURPLUS WATERS FOR DOMESTIC AND INDUSTRIAL USES.

''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(b) CONTINUATION OF CERTAIN WATER SUPPLY AGREEMENTS.—In any case in which a water supply agreement was predicated on water that was surplus to a purpose and provided for contingent permanent storage rights under section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) pending the need for storage for that purpose, and that purpose is no longer authorized, the Secretary of the Army shall continue the agreement with the same payment and all other terms as in effect prior to deauthorization of the purpose if the non-Federal entity has met all of the conditions of the agreement.

''(c) PERMANENT STORAGE AGREEMENTS.—In any case in which a water supply agreement with a duration of 30 years or longer was predicated on water that was surplus to a purpose and provided for the complete payment of the actual investment costs of storage to be used, and that purpose is no longer authorized, the Secretary of the Army shall provide to the non-Federal entity an opportunity to convert the agreement to a permanent storage agreement in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), with the same payment terms incorporated in the agreement.''.

SEC. 1052. AUTHORIZED FUNDING FOR INTER-AGENCY AND INTERNATIONAL SUPPORT.

Section 234(d)(1) of the Water Resources Development Act of 1996 (33 U.S.C. 2323a(d)(1)) is amended by striking ''$1,000,000'' and inserting ''$5,000,000''.

SEC. 1053. SURPLUS WATER STORAGE.

(a) IN GENERAL.—The Secretary shall not charge a fee for surplus water under a contract entered into pursuant to section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the ''Flood Control Act of 1944'') if the contract is for surplus water stored in the Lake Cumberland Watershed, Kentucky and Tennessee.

(b) TERMINATION.—The limitation under subsection (a) shall expire on the date that is 2 years after the date of enactment of this Act.

(c) APPLICABILITY.—Nothing in this section—

(1) affects the authority of the Secretary under section 2695 of title 10, United States Code, to accept funds or to cover the administrative expenses relating to certain real property transactions;

(2) affects the application of section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the ''Flood Control Act of 1944'') or the Water Supply Act of 1958 (43 U.S.C. 390b) to surplus water stored outside of the Lake Cumberland Watershed, Kentucky and Tennessee; or

(3) affects the authority of the Secretary to accept funds under section 216(c) of the Water Resources Development Act of 1996 (33 U.S.C. 2321a).

SEC. 1054. GAO REVIEW AND REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review, and submit to Congress a report on the implementation and effectiveness of the projects carried out under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835).

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 for the purposes of identifying the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (or successor regulations)) 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 to restore and maintain the authorized dimensions of the harbors.

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

(1) in subsection (a)(1)—

(A) by striking ''For sediment'' and inserting the following:

''(A) IN GENERAL.—For sediment''; and

(B) by adding at the end the following:

''(B) SEDIMENT FROM OTHER FEDERAL SOURCES AND NON-FEDERAL SOURCES.—For purposes of projects carried out under this section, the Secretary may include sediment from other Federal sources and non-Federal sources, subject to the requirement that any sediment obtained from a non-Federal source shall not be obtained at Federal expense.''; and

(2) in subsection (d), 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 by striking ''for each of fiscal years 2015 through 2022'' and inserting ''for each fiscal year''.

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)—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(B) by inserting after paragraph (1) the following:

''(2) DISCRETIONARY CARGO.—The term 'discretionary cargo' means maritime cargo that is destined for inland locations and that can be economically shipped through multiple seaports located in different countries or regions.'';

(C) in paragraph (3) (as redesignated)—

(i) by redesignating subparagraphs (A) through (D) as clause (i) through (iv), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as redesignated), by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term''; and

(iii) by adding at the end the following:

''(B) CALCULATION.—For the purpose of calculating the percentage described in subparagraph (A)(iii), payments described under subsection (c)(1) shall not be included.'';

(D) in paragraph (5)(A) (as redesignated), by striking ''Code of Federal Regulation'' and inserting ''Code of Federal Regulations''; and

(E) by adding at the end the following:

''(8) MEDIUM-SIZED DONOR PORT.—The term 'medium-sized donor port' means a port—

''(A) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

''(B) at which the total amount of harbor maintenance taxes collected comprise annually more than $5,000,000 but less than $15,000,000 of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986;

''(C) that received less than 25 percent of the total amount of harbor maintenance taxes collected at that port in the previous 5 fiscal years; and

''(D) that is located in a State in which more than 2,000,000 cargo containers were unloaded from or loaded onto vessels in fiscal year 2012.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''donor ports'' and inserting ''donor ports, medium-sized donor ports,'';

(B) in paragraph (2)—

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

(ii) by striking subparagraph (B) and inserting the following:

''(B) shall be made available to a port as either a donor port, medium-sized donor port, or an energy transfer port, and no port may receive amounts from more than 1 designation; and

''(C) for donor ports and medium-sized donor ports—

''(i) 50 percent of the funds shall be equally divided between the eligible donor ports as authorized by this section; and

''(ii) 50 percent of the funds shall be divided between the eligible donor ports and eligible medium-sized donor ports based on the percentage of the total Harbor Maintenance Tax revenues generated at each eligible donor port and medium-sized donor port.'';

(3) in subsection (c), in the matter preceding paragraph (1), by striking ''donor port'' and inserting ''donor port, a medium-sized donor port,'';

(4) by striking subsection (d) and inserting the following:

''(d) ADMINISTRATION OF PAYMENTS.—

''(1) IN GENERAL.—If a donor port, a medium-sized donor port, or an energy transfer port elects to provide payments to importers or shippers under subsection (c), the Secretary shall transfer to the Commissioner of Customs and Border Protection the amount that would otherwise be provided to the port under this section that is equal to those payments to provide the payments to the importers or shippers of the discretionary cargo that is—

''(A) shipped through respective eligible ports; and

''(B) most at risk of diversion to seaports outside of the United States.

''(2) REQUIREMENT.—The Secretary, in consultation with the eligible port, shall limit payments to top importers or shippers through an eligible port, as ranked by value of discretionary cargo.''; and

(5) in subsection (f)—

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

''(1) IN GENERAL.—If the total amounts made available from the Harbor Maintenance Trust Fund exceed the total amounts made available from the Harbor Maintenance Trust Fund in fiscal year 2012, there is authorized to be appropriated to carry out this section $50,000,000 from the Harbor Maintenance Trust Fund.'';

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

''(2) DIVISION BETWEEN DONOR PORTS, MEDIUM-SIZED DONOR PORTS, AND ENERGY TRANSFER PORTS.—For each fiscal year, amounts made available to carry out this section shall be provided in equal amounts to—

''(A) donor ports and medium-sized donor ports; and

''(B) energy transfer ports.''; and

(C) by striking paragraph (3).

SEC. 2011. HARBOR DEEPENING.

(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 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) 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) 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.

SEC. 2018. GREAT LAKES NAVIGATION SYSTEM.

Section 210(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(d)(1)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking ''For each of fiscal years 2015 through 2024'' and inserting ''For each fiscal year''; and

(2) in subparagraph (B), in the matter preceding clause (i), by striking ''For each of fiscal years 2015 through 2024'' and inserting ''For each fiscal year''.

SEC. 2019. HARBOR MAINTENANCE TRUST FUND.

The Secretary shall allocate funding made available to the Secretary from the Harbor Maintenance Trust Fund, established under section 9505 of the Internal Revenue Code of 1986, in accordance with section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238).

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 has assumed, as of the date of enactment of this Act, responsibility 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; or

(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).

SEC. 3005. EXPEDITED COMPLETION OF AUTHORIZED PROJECTS FOR FLOOD DAMAGE REDUCTION.

The Secretary shall expedite the completion of the following projects for flood damage reduction and flood risk management:

(1) Chicagoland Underflow Plan, Illinois, phase 2, as authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (Public Law 100–676; 102 Stat. 4013) and modified by section 319 of the Water Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3715) and section 501 of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 334).

(2) Cedar River, Cedar Rapids, Iowa, as authorized by section 7002(2)(3) of the Water Resources Development Act of 2014 (Public Law 113–121; 128 Stat. 1366).

(3) Comite River, Louisiana, authorized as part of the project for flood control, Amite River and Tributaries, Louisiana, by section 101(11) of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4802) and modified by section 301(b)(5) of the Water Resources Development Act of 1996 (Public Law 104–03; 110 Stat. 3709) and section 371 of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 321).

(4) Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, as authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 277) and modified by section 116 of division D of Public Law 108–7 (117 Stat. 140) and section 3074 of the Water

Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1124).

SEC. 3006. CUMBERLAND RIVER BASIN DAM REPAIRS.

(a) IN GENERAL.—Costs incurred in carrying out any repair to correct a seepage problem at any dam in the Cumberland River Basin shall be—

(1) treated as costs for a dam safety project; and

(2) subject to cost-sharing requirements in accordance with section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n).

(b) APPLICATION.—Subsection (a) shall apply only to repairs for projects for which construction has not begun and appropriations have not been made as of the date of enactment of this Act.

SEC. 3007. INDIAN DAM SAFETY.

(a) DEFINITIONS.—In this section:

(1) DAM.—

(A) IN GENERAL.—The term ''dam'' has the meaning given the term in section 2 of the National Dam Safety Program Act (33 U.S.C. 467).

(B) INCLUSIONS.—The term ''dam'' includes any structure, facility, equipment, or vehicle used in connection with the operation of a dam.

(2) FUND.—The term ''Fund'' means, as applicable—

(A) the High-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(1)(A); or

(B) the Low-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(2)(A).

(3) HIGH HAZARD POTENTIAL DAM.—The term ''high hazard potential dam'' means a dam assigned to the significant or high hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled ''Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams'' (FEMA Publication Number 333).

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(5) LOW HAZARD POTENTIAL DAM.—The term ''low hazard potential dam'' means a dam assigned to the low hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled ''Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams'' (FEMA Publication Number 333).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, in consultation with the Secretary of the Army.

(b) INDIAN DAM SAFETY DEFERRED MAINTENANCE FUNDS.—

(1) HIGH-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ''High-Hazard Indian Dam Safety Deferred Maintenance Fund'', consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund $22,750,000 from the general fund of the Treasury.

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) $22,750,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than $22,750,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

(2) LOW-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ''Low-Hazard Indian Dam Safety Deferred Maintenance Fund'', consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund $10,000,000 from the general fund of the Treasury.

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) $10,000,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than $10,000,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

(c) REPAIR, REPLACEMENT, AND MAINTENANCE OF CERTAIN INDIAN DAMS.—

(1) PROGRAM ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a program to address the deferred maintenance needs of Indian dams that—

(i) create flood risks or other risks to public or employee safety or natural or cultural resources; and

(ii) unduly impede the management and efficiency of Indian dams.

(B) FUNDING.—

(i) HIGH-HAZARD FUND.—Consistent with subsection (b)(1)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than $22,750,000 of amounts in the High-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(A).

(ii) LOW-HAZARD FUND.—Consistent with subsection (b)(2)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than $10,000,000 of amounts in the Low-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(B).

(C) COMPLIANCE WITH DAM SAFETY POLICIES.—Maintenance, repair, and replacement activities for Indian dams under this section shall be carried out in accordance with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(2) ELIGIBLE DAMS.—

(A) HIGH HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(i) are Indian high hazard potential dams in the United States that—

(i) are included in the safety of dams program established pursuant to the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(B) LOW HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(ii) are Indian low hazard potential dams in the United States that, on the date of enactment of this Act—

(i) are covered under the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(3) REQUIREMENTS AND CONDITIONS.—Not later than 120 days after the date of enactment of this Act and as a precondition to amounts being expended from the Fund to carry out this subsection, the Secretary, in consultation with representatives of affected Indian tribes, shall develop and submit to Congress—

(A) programmatic goals to carry out this subsection that—

(i) would enable the completion of repairing, replacing, improving, or performing maintenance on Indian dams as expeditiously as practicable, subject to the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(ii) facilitate or improve the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam; and

(iii) ensure that the results of government-to-government consultation required under paragraph (4) be addressed; and

(B) funding prioritization criteria to serve as a methodology for distributing funds under this subsection that take into account—

(i) the extent to which deferred maintenance of Indian dams poses a threat to—

(I) public or employee safety or health;

(II) natural or cultural resources; or

(III) the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam;

(ii) the extent to which repairing, replacing, improving, or performing maintenance on an Indian dam will—

(I) improve public or employee safety, health, or accessibility;

(II) assist in compliance with codes, standards, laws, or other requirements;

(III) address unmet needs; or

(IV) assist in protecting natural or cultural resources;

(iii) the methodology of the rehabilitation priority index of the Secretary, as in effect on the date of enactment of this Act;

(iv) the potential economic benefits of the expenditures on job creation and general economic development in the affected tribal communities;

(v) the ability of an Indian dam to address tribal, regional, and watershed level flood prevention needs;

(vi) the need to comply with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(vii) the ability of the water storage capacity of an Indian dam to be increased to prevent flooding in downstream tribal and nontribal communities; and

(viii) such other factors as the Secretary determines to be appropriate to prioritize the use of available funds that are, to the fullest extent practicable, consistent with tribal and user recommendations received pursuant to the consultation and input process under paragraph (4).

(4) TRIBAL CONSULTATION AND USER INPUT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), before expending funds on an Indian dam pursuant to paragraph (1) and not later than 60 days after the date of enactment of this Act, the Secretary shall—

(i) consult with the Director of the Bureau of Indian Affairs on the expenditure of funds;

(ii) ensure that the Director of the Bureau of Indian Affairs advises the Indian tribe that has jurisdiction over the land on which a dam eligible to receive funding under paragraph (2) is located on the expenditure of funds; and

(iii) solicit and consider the input, comments, and recommendations of the landowners served by the Indian dam.

(B) EMERGENCIES.—If the Secretary determines that an emergency circumstance exists with respect to an Indian dam, subparagraph (A) shall not apply with respect to that Indian dam.

(5) ALLOCATION AMONG DAMS.—

(A) IN GENERAL.—Subject to subparagraph (B), to the maximum extent practicable, the Secretary shall ensure that, for each of fiscal years 2017 through 2037, each Indian dam eligible for funding under paragraph (2) that has critical maintenance needs receives part of the funding under paragraph (1) to address critical maintenance needs.

(B) PRIORITY.—In allocating amounts under paragraph (1)(B), in addition to considering the funding priorities described in paragraph (3), the Secretary shall give priority to Indian dams eligible for funding under paragraph (2) that serve—

(i) more than 1 Indian tribe within an Indian reservation; or

(ii) highly populated Indian communities, as determined by the Secretary.

(C) CAP ON FUNDING.—

(i) IN GENERAL.—Subject to clause (ii), in allocating amounts under paragraph (1)(B), the Secretary shall allocate not more than $10,000,000 to any individual dam described in paragraph (2) during any consecutive 3-year period.

(ii) EXCEPTION.—Notwithstanding the cap described in clause (i), if the full amount under paragraph (1)(B) cannot be fully allocated to eligible Indian dams because the costs of the remaining activities authorized in paragraph (1)(B) of an Indian dam would exceed the cap described in clause (i), the Secretary may allocate the remaining funds to eligible Indian dams in accordance with this subsection.

(D) BASIS OF FUNDING.—Any amounts made available under this paragraph shall be nonreimbursable.

(E) APPLICABILITY OF ISDEAA.—The Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall apply to activities carried out under this paragraph.

(d) TRIBAL SAFETY OF DAMS COMMITTEE.—

(1) ESTABLISHMENT OF COMMITTEE.—

(A) ESTABLISHMENT.—The Secretary of the Interior shall establish within the Bureau of Indian Affairs the Tribal Safety of Dams Committee (referred to in this paragraph as the ''Committee'').

(B) MEMBERSHIP.—

(i) COMPOSITION.—The Committee shall be composed of 15 members, of whom—

(I) 11 shall be appointed by the Secretary of the Interior from among individuals who, to the maximum extent practicable, have knowledge and expertise in dam safety issues and flood prevention and mitigation, of whom not less than 1 shall be a member of an Indian tribe in each of the Bureau of Indian Affairs regions of—

(aa) the Northwest Region;

(bb) the Pacific Region;

(cc) the Western Region;

(dd) the Navajo Region;

(ee) the Southwest Region;

(ff) the Rocky Mountain Region;

(gg) the Great Plans Region; and

(hh) the Midwest Region;

(II) 2 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Indian Affairs who have knowledge and expertise in dam safety issues and flood prevention and mitigation;

(III) 1 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Reclamation who have knowledge and expertise in dam safety issues and flood prevention and mitigation; and

(IV) 1 shall be appointed by the Secretary of the Army from among employees of the Corps of Engineers who have knowledge and expertise in dam safety issues and flood prevention and mitigation.

(ii) NONVOTING MEMBERS.—The members of the Committee appointed under subclauses (II) and (III) of clause (i) shall be nonvoting members.

(iii) DATE.—The appointments of the members of the Committee shall be made as soon as practicable after the date of enactment of this Act.

(C) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Committee.

(D) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee, but shall be filled in the same manner as the original appointment.

(E) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Committee have been appointed, the Committee shall hold the first meeting.

(F) MEETINGS.—The Committee shall meet at the call of the Chairperson.

(G) QUORUM.—A majority of the members of the Committee shall constitute a quorum, but a lesser number of members may hold hearings.

(H) CHAIRPERSON AND VICE CHAIRPERSON.—The Committee shall select a Chairperson and Vice Chairperson from among the members.

(2) DUTIES OF THE COMMITTEE.—

(A) STUDY.—The Committee shall conduct a thorough study of all matters relating to the modernization of the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(B) RECOMMENDATIONS.—The Committee shall develop recommendations for legislation to improve the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(C) REPORT.—Not later than 1 year after the date on which the Committee holds the first meeting, the Committee shall submit a report containing a detailed statement of the findings and conclusions of the Committee, together with recommendations for legislation that the Committee considers appropriate, to—

(i) the Committee on Indian Affairs of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(3) POWERS OF THE COMMITTEE.—

(A) HEARINGS.—The Committee may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Committee considers appropriate to carry out this paragraph.

(B) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Committee may secure directly from any Federal department or agency such information as the Committee considers necessary to carry out this paragraph.

(ii) REQUEST.—On request of the Chairperson of the Committee, the head of any Federal department or agency shall furnish information described in clause (i) to the Committee.

(C) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(D) GIFTS.—The Committee may accept, use, and dispose of gifts or donations of services or property.

(4) COMMITTEE PERSONNEL MATTERS.—

(A) COMPENSATION OF MEMBERS.—

(i) NON-FEDERAL MEMBERS.—Each member of the Committee who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

(ii) FEDERAL MEMBERS.—Each member of the Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to that received for services as an officer or employee of the Federal Government.

(B) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(C) STAFF.—

(i) IN GENERAL.—

(I) APPOINTMENT.—The Chairperson of the Committee may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Committee to perform the duties of the Committee.

(II) CONFIRMATION.—The employment of an executive director shall be subject to confirmation by the Committee.

(ii) COMPENSATION.—The Chairperson of the Committee may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(D) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Committee may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(5) TERMINATION OF THE COMMITTEE.—The Committee shall terminate 90 days after the date on which the Committee submits the report under paragraph (2)(C).

(6) FUNDING.—Of the amounts authorized to be expended from either Fund, $1,000,000 shall be made available from either Fund during fiscal year 2017 to carry out this subsection, to remain available until expended.

(e) INDIAN DAM SURVEYS.—

(1) TRIBAL REPORTS.—The Secretary shall request that, not less frequently than once every 180 days, each Indian tribe submit to the Secretary a report providing an inventory of the dams located on the land of the Indian tribe.

(2) BIA REPORTS.—Not less frequently than once each year, the Secretary shall submit to Congress a report describing the condition of each dam under the partial or total jurisdiction of the Secretary.

(f) FLOOD PLAIN MANAGEMENT PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish, within the Bureau of Indian Affairs, a flood plain management pilot program (referred to in this subsection as the ''program'') to provide, at the request of an Indian tribe, guidance to the Indian tribe relating to best practices for the mitigation and prevention of floods, including consultation with the Indian tribe on—

(A) flood plain mapping; or

(B) new construction planning.

(2) TERMINATION.—The program shall terminate on the date that is 4 years after the date of enactment of this Act.

(3) FUNDING.—Of the amounts authorized to be expended from either Fund, $250,000 shall be made available from either Fund during each of fiscal years 2017, 2018, and 2019 to carry out this subsection, to remain available until expended.

SEC. 3008. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED FLOOD CONTROL DAMS.

(a) IN GENERAL.—If the Secretary determines that the project is feasible, the Secretary may carry out a project for the rehabilitation of a dam described in subsection (b).

(b) ELIGIBLE DAMS.—A dam eligible for assistance under this section is a dam—

(1) that has been constructed, in whole or in part, by the Corps of Engineers for flood control purposes;

(2) for which construction was completed before 1940;

(3) that is classified as ''high hazard potential'' by the State dam safety agency of the State in which the dam is located; and

(4) that is operated by a non-Federal entity.

(c) COST SHARING.—Non-Federal interests shall provide 35 percent of the cost of construction of any project carried out under this section, including provision of all land, easements, rights-of-way, and necessary relocations.

(d) AGREEMENTS.—Construction of a project under this section shall be initiated only after a non-Federal interest has entered into a binding agreement with the Secretary—

(1) to pay the non-Federal share of the costs of construction under subsection (c); and

(2) to pay 100 percent of any operation, maintenance, and replacement and rehabilitation costs with respect to the project in accordance with regulations prescribed by the Secretary.

(e) COST LIMITATION.—The Secretary shall not expend more than $10,000,000 for a project at any single dam under this section.

(f) FUNDING.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2017 through 2026.

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, PLATTE RIVER, AND ARKANSAS 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.—Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

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

''(b) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated such sums as are necessary, but not more than $65,000,000, to carry out this section for each fiscal year, of which—

''(A) $20,000,000 shall be made available to carry out subsection (d)(1)(A)(i); and

''(B) $25,000,000 shall be made available to carry out clauses (ii) and (iii) of subsection (d)(1)(A).

''(2) ALLOCATION.—Any funds made available under paragraph (1) that are employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based on—

''(A) the urgency and need of each area; and

''(B) the availability of local funds.''; and

(2) in subsection (d)—

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

''(1) ESTABLISHMENT, OPERATION, AND MAINTENANCE.—

''(A) IN GENERAL.—In carrying out this section, the Secretary may establish, operate, and maintain watercraft inspection stations to protect—

''(i) the Columbia River Basin;

''(ii) the Platte River Basin located in the States of Colorado, Nebraska, and Wyoming; and

''(iii) the Arkansas River Basin located in the States of Arkansas, Colorado, Kansas, New Mexico, Oklahoma, and Texas.

''(B) LOCATION.—The watercraft inspection stations under subparagraph (A) shall be located in areas, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.''; and

(B) 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 for 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 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 estimated in the report as having received no relocation assistance.

(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 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 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1316) is amended—

(1) in subsection (a), by striking ''conduct a study to determine the feasibility of carrying out projects'' and inserting ''develop a comprehensive assessment and management plan at Federal expense'';

(2) in subsection (b), by striking the subsection designation and heading and all that follows through ''In carrying out the study'' and inserting the following:

''(b) ASSESSMENT AND MANAGEMENT PLAN.—In developing the comprehensive assessment and management plan''; and

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking ''identified in the study pursuant to subsection (a)'' and inserting ''identified in the comprehensive assessment and management plan under this section''.

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.

(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 the section heading, by inserting ''**PROGRAM**'' after ''**RESTORATION**'';

(2) in subsection (b)—

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

(B) in paragraph (1)—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(ii) by inserting before subparagraph (B) (as redesignated) the following:

''(A) ESTABLISHMENT.—The Secretary shall carry out a program to implement projects

to restore the Salton Sea in accordance with this section.'';

(iii) in subparagraph (B) (as redesignated by clause (i)), by striking ''the pilot''; and

(iv) in subparagraph (C) (as redesignated by clause (i))—

(I) in clause (i), in the matter preceding subclause (I), by striking ''the pilot projects referred to in subparagraph (A)'' and inserting ''the projects referred to in subparagraph (B)'';

(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

(3) 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.

(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) in paragraph (1), by inserting ''Indian tribes,'' after ''nonprofit organizations,'';

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

(3) 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.—

(1) IN GENERAL.—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.

(2) CONSULTATION.—The interagency working group convened under paragraph (1) shall—

(A) participate in any activity carried out by an organization authorized by a State to study and issue recommendations on how to address the impacts on Federal assets of recurrent flooding and sea level rise, including providing consultation regarding policies, programs, studies, plans, and best practices relating to recurrent flooding and sea level rise in areas with significant Federal assets; and

(B) share physical, biological, and socioeconomic data among such State organizations, as appropriate.

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.

SEC. 4015. SOUTH ATLANTIC COASTAL STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps of Engineers to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.

(b) REQUIREMENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) conduct a comprehensive analysis of current hurricane and storm damage reduction measures with an emphasis on regional sediment management practices to sustainably maintain or enhance current levels of storm protection;

(2) identify risks and coastal vulnerabilities in the areas affected by sea level rise;

(3) recommend measures to address the vulnerabilities described in paragraph (2); and

(4) develop a long-term strategy for—

(A) addressing increased hurricane and storm damages that result from rising sea levels; and

(B) identifying opportunities to enhance resiliency, increase sustainability, and lower risks in—

(i) populated areas;

(ii) areas of concentrated economic development; and

(iii) areas with vulnerable environmental resources.

(c) CONSULTATION.—The Secretary shall coordinate, as appropriate, with the heads of other Federal departments and agencies, the Governors of the affected States, regional governmental agencies, and units of local government to address coastal impacts resulting from sea level rise.

(d) REPORT.—Not later than 4 years 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 recommending specific and detailed actions to address risks and vulnerabilities of the areas described in subsection (a) to increased hurricane and storm damage as a result of sea level rise.

SEC. 4016. KANAWHA RIVER BASIN.

The Secretary shall conduct studies to determine the feasibility of implementing projects for flood risk management, ecosystem restoration, navigation, water supply, recreation, and other water resource related purposes within the Kanawha River Basin, West Virginia, Virginia, and North Carolina.

SEC. 4017. CONSIDERATION OF FULL ARRAY OF MEASURES FOR COASTAL RISK REDUCTION.

(a) DEFINITIONS.—In this section:

(1) NATURAL FEATURE.—The term ''natural feature'' means a feature that is created through the action of physical, geological, biological, and chemical processes over time.

(2) NATURE-BASED FEATURE.—The term ''nature-based feature'' means a feature that is created by human design, engineering, and construction to protect, and in concert with, natural processes to provide risk reduction in coastal areas.

(b) REQUIREMENT.—In developing projects for coastal risk reduction, the Secretary shall consider, as appropriate—

(1) natural features;

(2) nature-based features;

(3) nonstructural measures; and

(4) structural measures.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1, 2020, 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 implementation of subsection (b).

(2) CONTENTS.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of guidance or instructions issued, and other measures taken, by the Secretary and the Chief of Engineers to implement subsection (b).

(B) An assessment of the costs, benefits, impacts, and trade-offs associated with measures recommended by the Secretary for coastal risk reduction and the effectiveness of those measures.

(C) A description of any statutory, fiscal, or regulatory barriers to the appropriate consideration and use of a full array of measures for coastal risk reduction.

SEC. 4018. WATERFRONT COMMUNITY REVITALIZATION AND RESILIENCY.

(a) FINDINGS.—Congress finds that—

(1) many communities in the United States were developed along waterfronts;

(2) water proximity and access is a recognized economic driver;

(3) water shortages faced by parts of the United States underscore the need to manage water sustainably and restore water quality;

(4) interest in waterfront revitalization and development has grown, while the circumstances driving waterfront development have changed;

(5) waterfront communities face challenges to revitalizing and leveraging water resources, such as outdated development patterns, deteriorated water infrastructure, industrial contamination of soil and sediment, and lack of public access to the waterfront, which are often compounded by overarching economic distress in the community;

(6) public investment in waterfront community development and infrastructure should reflect changing ecosystem conditions and extreme weather projections to ensure strategic, resilient investments;

(7) individual communities have unique priorities, concerns, and opportunities related to waterfront restoration and community revitalization; and

(8) the Secretary of Commerce has unique expertise in Great Lakes and ocean coastal resiliency and economic development.

(b) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) RESILIENT WATERFRONT COMMUNITY.—The term ''resilient waterfront community'' means a unit of local government or Indian tribe that is—

(A)(i) bound in part by—

(I) a Great Lake; or

(II) an ocean; or

(ii) bordered or traversed by a riverfront or an inland lake;

(B) self-nominated as a resilient waterfront community; and

(C) designated by the Secretary as a resilient waterfront community on the basis of the development by the community of an eligible resilient waterfront community plan, with eligibility determined by the Secretary after considering the requirements of paragraphs (2) and (3) of subsection (c).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(c) RESILIENT WATERFRONT COMMUNITIES DESIGNATION.—

(1) DESIGNATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall designate resilient waterfront communities based on the extent to which a community meets the criteria described in paragraph (2).

(B) COLLABORATION.—For inland lake and riverfront communities, in making the designation described in subparagraph (A), the Secretary shall work with the Administrator of the Environmental Protection Agency and the heads of other Federal agencies, as the Secretary determines to be necessary.

(2) RESILIENT WATERFRONT COMMUNITY PLAN.—A resilient waterfront community plan is a community-driven vision and plan that is developed—

(A) voluntarily at the discretion of the community—

(i) to respond to local needs; or

(ii) to take advantage of new water-oriented opportunities;

(B) with the leadership of the relevant governmental entity or Indian tribe with the active participation of—

(i) community residents;

(ii) utilities; and

(iii) interested business and nongovernmental stakeholders;

(C) as a new document or by amending or compiling community planning documents, as necessary, at the discretion of the Secretary;

(D) in consideration of all applicable Federal and State coastal zone management planning requirements;

(E) to address economic competitive strengths; and

(F) to complement and incorporate the objectives and recommendations of applicable regional economic plans.

(3) COMPONENTS OF A RESILIENT WATERFRONT COMMUNITY PLAN.—A resilient waterfront community plan shall—

(A) consider all, or a portion of, the waterfront area and adjacent land and water to which the waterfront is connected ecologically, economically, or through local governmental or tribal boundaries;

(B) describe a vision and plan for the community to develop as a vital and resilient waterfront community, integrating consideration of—

(i) the economic opportunities resulting from water proximity and access, including—

(I) water-dependent industries;

(II) water-oriented commerce; and

(III) recreation and tourism;

(ii) the community relationship to the water, including—

(I) quality of life;

(II) public health;

(III) community heritage; and

(IV) public access, particularly in areas in which publicly funded ecosystem restoration is underway;

(iii) ecosystem challenges and projections, including unresolved and emerging impacts to the health and safety of the waterfront and projections for extreme weather and water conditions;

(iv) infrastructure needs and opportunities, to facilitate strategic and sustainable capital investments in—

(I) docks, piers, and harbor facilities;

(II) protection against storm surges, waves, and flooding;

(III) stormwater, sanitary sewer, and drinking water systems, including green infrastructure and opportunities to control nonpoint source runoff; and

(IV) other community facilities and private development; and

(v) such other factors as are determined by the Secretary to align with metrics or indicators for resiliency, considering environmental and economic changes.

(4) DURATION.—After the designation of a community as a resilient waterfront community under paragraph (1), a resilient waterfront community plan developed in accordance with paragraphs (2) and (3) may be—

(A) effective for the 10-year period beginning on the date on which the Secretary approves the resilient waterfront community plan; and

(B) updated by the resilient waterfront community and submitted to the Secretary for the approval of the Secretary before the expiration of the 10-year period.

(d) RESILIENT WATERFRONT COMMUNITIES NETWORK.—

(1) IN GENERAL.—The Secretary shall develop and maintain a resilient waterfront communities network to facilitate the sharing of best practices among waterfront communities.

(2) PUBLIC RECOGNITION.—In consultation with designated resilient waterfront communities, the Secretary shall provide formal public recognition of the designated resilient waterfront communities to promote tourism, investment, or other benefits.

(e) WATERFRONT COMMUNITY REVITALIZATION ACTIVITIES.—

(1) IN GENERAL.—To support a community in leveraging other sources of public and private investment, the Secretary may use existing authority to support—

(A) the development of a resilient waterfront community plan, including planning and feasibility analysis; and

(B) the implementation of strategic components of a resilient waterfront community plan after the resilient waterfront community plan has been approved by the Secretary.

(2) NON-FEDERAL PARTNERS.—

(A) LEAD NON-FEDERAL PARTNERS.—A unit of local government or an Indian tribe shall be eligible to be considered as a lead non-Federal partner if the unit of local government or Indian tribe is—

(i) bound in part by—

(I) a Great Lake; or

(II) an ocean; or

(ii) bordered or traversed by a riverfront or an inland lake.

(B) NON-FEDERAL IMPLEMENTATION PARTNERS.—Subject to paragraph (4)(C), a lead non-Federal partner may contract with an eligible non-Federal implementation partner for implementation activities described in paragraph (4)(B).

(3) PLANNING ACTIVITIES.—

(A) IN GENERAL.—Technical assistance may be provided for the development of a resilient waterfront community plan.

(B) ELIGIBLE PLANNING ACTIVITIES.—In developing a resilient waterfront community plan, a resilient waterfront community may—

(i) conduct community visioning and outreach;

(ii) identify challenges and opportunities;

(iii) develop strategies and solutions;

(iv) prepare plan materials, including text, maps, design, and preliminary engineering;

(v) collaborate across local agencies and work with regional, State, and Federal agencies to identify, understand, and develop responses to changing ecosystem and economic circumstances; and

(vi) conduct other planning activities that the Secretary considers necessary for the development of a resilient waterfront community plan that responds to revitalization and resiliency issues confronted by the resilient waterfront community.

(4) IMPLEMENTATION ACTIVITIES.—

(A) IN GENERAL.—Implementation assistance may be provided—

(i) to initiate implementation of a resilient waterfront community plan and facilitate high-quality development, including leveraging local and private sector investment; and

(ii) to address strategic community priorities that are identified in the resilient waterfront community plan.

(B) ASSISTANCE.—Assistance may be provided to advance implementation activities, such as—

(i) site preparation;

(ii) environmental review;

(iii) engineering and design;

(iv) acquiring easements or land for uses such as green infrastructure, public amenities, or assembling development sites;

(v) updates to zoning codes;

(vi) construction of—

(I) public waterfront or boating amenities; and

(II) public spaces;

(vii) infrastructure upgrades to improve coastal resiliency;

(viii) economic and community development marketing and outreach; and

(ix) other activities at the discretion of the Secretary.

(C) IMPLEMENTATION PARTNERS.—

(i) IN GENERAL.—To assist in the completion of implementation activities, a lead non-Federal partner may contract or otherwise collaborate with a non-Federal implementation partner, including—

(I) a nonprofit organization;

(II) a public utility;

(III) a private entity;

(IV) an institution of higher education;

(V) a State government; or

(VI) a regional organization.

(ii) LEAD NON-FEDERAL PARTNER RESPONSIBILITY.—The lead non-Federal partner shall ensure that assistance and resources received by the lead non-Federal partner to advance the resilient waterfront community plan of the lead non-Federal partner and for related activities are used for the purposes of, and in a manner consistent with, any initiative advanced by the Secretary for the purpose of promoting waterfront community revitalization and resiliency.

(5) USE OF NON-FEDERAL RESOURCES.—

(A) IN GENERAL.—A resilient waterfront community receiving assistance under this subsection shall provide non-Federal funds toward completion of planning or implementation activities.

(B) NON-FEDERAL RESOURCES.—Non-Federal funds may be provided by—

(i) 1 or more units of local or tribal government;

(ii) a State government;

(iii) a nonprofit organization;

(iv) a private entity;

(v) a foundation;

(vi) a public utility; or

(vii) a regional organization.

(f) INTERAGENCY AWARENESS.—At regular intervals, the Secretary shall provide a list of resilient waterfront communities to the applicable States and the heads of national and regional offices of interested Federal agencies, including at a minimum—

(1) the Secretary of Transportation;

(2) the Secretary of Agriculture;

(3) the Administrator of the Environmental Protection Agency;

(4) the Administrator of the Federal Emergency Management Agency;

(5) the Assistant Secretary of the Army for Civil Works;

(6) the Secretary of the Interior; and

(7) the Secretary of Housing and Urban Development.

(g) NO NEW REGULATORY AUTHORITY.—Nothing in this section may be construed as establishing new authority for any Federal agency.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $25,000,000 for each of fiscal years 2017 through 2021.

(i) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section $800,000, to remain available until expended.

SEC. 4019. TABLE ROCK LAKE, ARKANSAS AND MISSOURI.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary—

(1) shall include a 60-day public comment period for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan revision; and

(2) shall finalize the revision for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan during the 2-year period beginning on the date of enactment of this Act.

(b) SHORELINE USE PERMITS.—During the period described in subsection (a)(2), the Secretary shall lift or suspend the moratorium on the issuance of new, and modifications to existing, shoreline use permits based on the existing Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(c) OVERSIGHT COMMITTEE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish an oversight committee (referred to in this subsection as the ''Committee'').

(2) PURPOSES.—The purposes of the Committee shall be—

(A) to review any permit to be issued under the existing Table Rock Lake Master Plan at the recommendation of the District Engineer; and

(B) to advise the District Engineer on revisions to the new Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(3) MEMBERSHIP.—Membership in the Committee shall not exceed 6 members and shall include—

(A) not more than 1 representative each from the State of Missouri and the State of Arkansas;

(B) not more than 1 representative each from local economic development organizations with jurisdiction over Table Rock Lake; and

(C) not more than 1 representative each representing the boating and conservation interests of Table Rock Lake.

(4) STUDY.—The Secretary shall—

(A) carry out a study on the need to revise permit fees relating to Table Rock Lake to better reflect the cost of issuing those fees and achieve cost savings;

(B) submit to Congress a report on the results of the study described in subparagraph (A); and

(C) begin implementation of the new permit fee structure based on the findings of the study described in subparagraph (A).

SEC. 4020. PEARL RIVER BASIN, MISSISSIPPI.

The Secretary shall expedite review and decision on the recommendation for the project for flood damage reduction authorized by section 401(e)(3) of the Water Resources Development Act of 1986 (100 Stat. 4132), as amended by section 3104 of the Water Resources Development Act of 2007 (121 Stat. 1134), submitted to the Secretary under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) (as in effect on the day before the date of enactment of the Water Resources Reform and Development Act of 2014).

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 AND BARREN RIVER, KENTUCKY.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, commercial navigation at the locks and dams identified in the report of the Chief of Engineers entitled ''Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky'' and dated April 30, 2015, shall no longer be authorized, and the land and improvements associated with the locks and dams shall be—

(A) disposed of consistent with paragraph (2); and

(B) subject to such terms and conditions as the Secretary determines to be necessary and appropriate in the public interest.

(2) DISPOSITION.—

(A) GREEN RIVER LOCK AND DAM 3.—The Secretary shall convey to the Rochester Dam Regional Water Commission all right, title, and interest of the United States in and to Green River Lock and Dam 3, located in Ohio County and Muhlenberg County, Kentucky, together with any improvements on the land.

(B) GREEN RIVER LOCK AND DAM 4.—The Secretary shall convey to Butler County, Kentucky, all right, title, and interest of the United States in and to Green River Lock and Dam 4, located in Butler County, Kentucky, together with any improvements on the land.

(C) GREEN RIVER LOCK AND DAM 5.—The Secretary shall convey to the State of Kentucky, a political subdivision of the State of Kentucky, or a nonprofit, nongovernmental organization all right, title, and interest of the United States in and to Green River Lock and Dam 5 for the express purposes of—

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

(ii) making the land available for conservation and public recreation, including river access.

(D) GREEN RIVER LOCK AND DAM 6.—

(i) IN GENERAL.—The Secretary shall transfer to the Secretary of the Interior administrative jurisdiction over the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the left descending bank of the Green River, together with any improvements on the land, for inclusion in Mammoth Cave National Park.

(ii) TRANSFER TO THE STATE OF KENTUCKY.—The Secretary shall transfer to the State of Kentucky all right, title, and interest of the United States in and to the portion of Green

River Lock and Dam 6, Edmonson County, Kentucky, that is located on the right descending bank of the Green River, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

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

(II) making the land available for conservation and public recreation, including river access.

(E) BARREN RIVER LOCK AND DAM 1.—The Secretary shall convey to the State of Kentucky, all right, title, and interest of the United States in and to Barren River Lock and Dam 1, located in Warren County, Kentucky, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

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

(ii) making the land available for conservation and public recreation, including river access.

(3) CONDITIONS.—

(A) IN GENERAL.—The exact acreage and legal description of any land to be disposed of, transferred, or conveyed under this subsection shall be determined by a survey satisfactory to the Secretary.

(B) QUITCLAIM DEED.—A conveyance under subparagraph (A), (B), (D), or (E) of paragraph (2) shall be accomplished by quitclaim deed and without consideration.

(C) ADMINISTRATIVE COSTS.—The Secretary shall be responsible for all administrative costs associated with a transfer or conveyance under this subsection, including the costs of a survey carried out under subparagraph (A).

(D) REVERSION.—If the Secretary determines that the land transferred or conveyed under this subsection is not used by a non-Federal entity for a purpose that is consistent with the purpose of the transfer or conveyance, all right, title, and interest in and to the land, including any improvements on the land, shall revert, at the discretion of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the land.

(f) ESSEX RIVER, MASSACHUSETTS.—

(1) IN GENERAL.—The portions of the project for navigation, Essex River, Massachusetts, authorized by the first section of the Act of July 13, 1892 (27 Stat. 96, chapter 158), and modified by the first section of the Act of March 3, 1899 (30 Stat. 1133, chapter 425), and the first section of the Act of March 2, 1907 (34 Stat. 1075, chapter 2509), that do not lie within the areas described in paragraph (2) are no longer authorized beginning on the date of enactment of this Act.

(2) AREAS DESCRIBED.—The areas described in this paragraph are—

(A) beginning at a point N. 3056139.82, E. 851780.21;

(B) running southwesterly about 156.88 feet to a point N. 3055997.75, E. 851713.67;

(C) running southwesterly about 64.59 feet to a point N. 3055959.37, E. 851661.72;

(D) running southwesterly about 145.14 feet to a point N. 3055887.10, E. 851535.85;

(E) running southwesterly about 204.91 feet to a point N. 3055855.12, E. 851333.45;

(F) running northwesterly about 423.50 feet to a point N. 3055976.70, E. 850927.78;

(G) running northwesterly about 58.77 feet to a point N. 3056002.99, E. 850875.21;

(H) running northwesterly about 240.57 feet to a point N. 3056232.82, E. 850804.14;

(I) running northwesterly about 203.60 feet to a point N. 3056435.41, E. 850783.93;

(J) running northwesterly about 78.63 feet to a point N. 3056499.63, E. 850738.56;

(K) running northwesterly about 60.00 feet to a point N. 3056526.30, E. 850684.81;

(L) running southwesterly about 85.56 feet to a point N. 3056523.33, E. 850599.31;

(M) running southwesterly about 36.20 feet to a point N. 3056512.37, E. 850564.81;

(N) running southwesterly about 80.10 feet to a point N. 3056467.08, E. 850498.74;

(O) running southwesterly about 169.05 feet to a point N. 3056334.36, E. 850394.03;

(P) running northwesterly about 48.52 feet to a point N. 3056354.38, E. 850349.83;

(Q) running northeasterly about 83.71 feet to a point N. 3056436.35, E. 850366.84;

(R) running northeasterly about 212.38 feet to a point N. 3056548.70, E. 850547.07;

(S) running northeasterly about 47.60 feet to a point N. 3056563.12, E. 850592.43;

(T) running northeasterly about 101.16 feet to a point N. 3056566.62, E. 850693.53;

(U) running southeasterly about 80.22 feet to a point N. 3056530.97, E. 850765.40;

(V) running southeasterly about 99.29 feet to a point N. 3056449.88, E. 850822.69;

(W) running southeasterly about 210.12 feet to a point N. 3056240.79, E. 850843.54;

(X) running southeasterly about 219.46 feet to a point N. 3056031.13, E. 850908.38;

(Y) running southeasterly about 38.23 feet to a point N. 3056014.02, E. 850942.57;

(Z) running southeasterly about 410.93 feet to a point N. 3055896.06, E. 851336.21;

(AA) running northeasterly about 188.43 feet to a point N. 3055925.46, E. 851522.33;

(BB) running northeasterly about 135.47 feet to a point N. 3055992.91, E. 851639.80;

(CC) running northeasterly about 52.15 feet to a point N. 3056023.90, E. 851681.75; and

(DD) running northeasterly about 91.57 feet to a point N. 3056106.82, E. 851720.59.

(g) HANNIBAL SMALL BOAT HARBOR, HANNIBAL, MISSOURI.—The project for navigation at Hannibal Small Boat Harbor on the Mississippi River, Hannibal, Missouri, authorized by section 101 of the River and Harbor Act of 1950 (Public Law 81–516; 64 Stat. 166, chapter 188), is no longer authorized beginning on the date of enactment of this Act, and any maintenance requirements associated with the project are terminated.

(h) 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).

(i) 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.).

(j) 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.

(k) NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.—

(1) DEFINITIONS.—In this subsection:

(A) NEW SAVANNAH BLUFF LOCK AND DAM.—The term ''New Savannah Bluff Lock and Dam'' has the meaning given the term in section 348(*l*)(1) of the Water Resources Development Act of 2000 (114 Stat. 2630) (as in effect on the day before the date of enactment of this Act).

(B) PROJECT.—The term ''Project'' means the project for navigation, Savannah Harbor expansion, Georgia, authorized by section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1364).

(2) DEAUTHORIZATION.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act—

(i) the New Savannah Bluff Lock and Dam is deauthorized; and

(ii) notwithstanding section 348(l)(2)(B) of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) (as in effect on the day before the date of enactment of this Act) or any other provision of law, the New Savannah Bluff Lock and Dam shall not be conveyed to the city of North Augusta and Aiken County, South Carolina, or any other non-Federal entity.

(B) REPEAL.—Section 348 of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) is amended—

(i) by striking subsection (l); and

(ii) by redesignating subsections (m) and (n) as subsections (*l*) and (m), respectively.

(3) PROJECT MODIFICATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Project is modified to include, as the Secretary determines to be necessary—

(i)(I) repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure such that the structure is able—

(aa) to maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act; and

(bb) to allow safe passage via a rock ramp over the structure to historic spawning grounds of Shortnose sturgeon, Atlantic sturgeon, and other migratory fish; or

(II)(aa) construction at an appropriate location across the Savannah River of a rock weir that is able to maintain the pool for water supply and recreational activities, as in existence on the date of enactment of this Act; and

(bb) removal of the New Savannah Bluff Lock and Dam on completion of construction of the weir; and

(ii) conveyance by the Secretary to Augusta-Richmond County, Georgia, of the park and recreation area adjacent to the New Savannah Bluff Lock and Dam, without consideration.

(B) OPERATION AND MAINTENANCE COSTS.—The Federal share of the costs of operation and maintenance of any Project feature constructed pursuant to subparagraph (A) shall be 100 percent.

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) PENSACOLA DAM AND RESERVOIR, GRAND RIVER, OKLAHOMA.—

(1) IN GENERAL.—Notwithstanding the Act of June 28, 1938 (52 Stat. 1215, chapter 795), as amended by section 3 of the Act of August 18, 1941 (55 Stat. 645, chapter 377), and notwithstanding section 3 of the Act of July 31, 1946 (60 Stat. 744, chapter 710), the Secretary shall convey, by quitclaim deed and without consideration, to the Grand River Dam Authority, an agency of the State of Oklahoma, for flood control purposes, all right, title, and interest of the United States in and to real property under the administrative jurisdiction of the Secretary acquired in connection with the Pensacola Dam project, together with any improvements on the property.

(2) FLOOD CONTROL PURPOSES.—If any interest in the real property described in paragraph (1) ceases to be managed for flood control or other public purposes and is conveyed to a non-public entity, the transferee, as part of the conveyance, shall pay to the United States the fair market value for the interest.

(3) NO EFFECT.—Nothing in this subsection—

(A) amends, modifies, or repeals any existing authority vested in the Federal Energy Regulatory Commission; or

(B) amends, modifies, or repeals any authority of the Secretary or the Chief of Engineers pursuant to section 7 of the Act of December 22, 1944 (33 U.S.C. 709).

(d) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by December 31, 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.

(e) WEBER BASIN PROJECT, UTAH.—

(1) IN GENERAL.—The Secretary of the Interior shall allow for the prepayment of repayment obligations under the repayment contract numbered 14–06–400–33 between the United States and the Weber Basin Water Conservancy District (referred to in this subsection as the ''District''), dated December 12, 1952, and supplemented and amended on June 30, 1961, on April 15, 1966, on September 20, 1968, and on May 9, 1985, including any other amendments and all related applicable contracts to the repayment contract, providing for repayment of Weber Basin Project construction costs allocated to irrigation and municipal and industrial purposes for which repayment is provided pursuant to the repayment contract under terms and conditions similar to the terms and conditions used in implementing the prepayment provisions in section 210 of the Central Utah Project Completion Act (Public Law 102–575; 106 Stat. 4624) for prepayment of Central Utah Project, Bonneville Unit repayment obligations.

(2) AUTHORIZATIONS AND REQUIREMENTS.—The prepayment authorized under paragraph (1)—

(A) shall result in the United States recovering the net present value of all repayment streams that would have been payable to the United States if this section was not in effect;

(B) may be provided in several installments;

(C) may not be adjusted on the basis of the type of prepayment financing used by the District; and

(D) shall be made in a manner that provides that total repayment is made not later than September 30, 2026.

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
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
9. PA	Upper Ohio River, Allegheny and Beaver Counties	September 12, 2016	Federal: $1,324,235,500 Non-Federal: $1,324,235,500 Total: $2,648,471,000

(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
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

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
8. TN	Mill Creek, Nashville	October 15, 2015	Federal: $17,759,000 Non-Federal: $10,745,000 Total: $28,504,000

(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	April 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
7. LA	Southwest Coastal Louisiana	July 29, 2016	Federal: $2,011,279,000 Non-Federal: $1,082,997,000 Total: $3,094,276,000

(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

(6) SPECIAL RULE.—The portion of the Mill Creek Flood Risk Management project authorized by paragraph (2) that consists of measures within the Mill Creek Basin shall be carried out pursuant to section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

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

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. 5304)) 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) DELAWARE RIVER BASIN, NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the operations of the projects for flood control, Delaware River Basin, New York, New Jersey, Pennsylvania, and Delaware, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 644, chapter 596), and section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1182), to enhance opportunities for ecosystem restoration and water supply.

(t) CINCINNATI, OHIO.—

(1) REVIEW.—The Secretary shall review the Central Riverfront Park Master Plan, dated December 1999, and the Ohio Riverfront Study, Cincinnati, Ohio, dated August 2002, to determine the feasibility of carrying out flood risk reduction, ecosystem restoration, and recreation components beyond the ecosystem restoration and recreation components that were undertaken pursuant to section 5116 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1238) as a second phase of that project.

(2) AUTHORIZATION.—The project authorized under section 5116 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1238) is modified to authorize the Secretary to undertake the additional flood risk reduction and ecosystem restoration components described in paragraph (1), at a total cost of $30,000,000, if the Secretary determines that the additional flood risk reduction, ecosystem restoration, and recreation components, considered together, are feasible.

(u) 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.

(v) 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.

(w) 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.

(x) 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.

(y) 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.

(z) 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.

(aa) 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.

SEC. 6004. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall expedite completion of the reports for the following projects, in accordance with section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348), and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction, engineering, and design in accordance with section 910 of the Water Resources Development Act of 1986 (33 U.S.C. 2287):

(1) The project for navigation, St. George Harbor, Alaska.

(2) The project for flood risk management, Rahway River Basin, New Jersey.

(3) The Hudson-Raritan Estuary Comprehensive Restoration Project.

(4) The project for navigation, Mobile Harbor, Alabama.

SEC. 6005. EXTENSION OF EXPEDITED CONSIDERATION IN SENATE.

Section 7004(b)(4) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1374) is amended by striking ''2018'' and inserting ''2020''.

SEC. 6006. GAO STUDY ON CORPS OF ENGINEERS METHODOLOGY AND PERFORMANCE METRICS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General 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 study of the methodologies and performance metrics used by the Corps of Engineers to calculate benefit-to-cost ratios and evaluate construction projects.

(b) CONSIDERATIONS.—The study under subsection (a) shall address—

(1) whether and to what extent the current methodologies and performance metrics place small and rural geographic areas at a competitive disadvantage;

(2) whether the value of property for which damage would be prevented as a result of a flood risk management project is the best measurement for the primary input in benefit-to-cost calculations for flood risk management projects;

(3) any recommendations for approaches to modify the metrics used to improve benefit-to-cost ratio results for small and rural geographic areas; and

(4) whether a reevaluation of existing approaches and the primary criteria used to calculate the economic benefits of a Corps of Engineers construction project could provide greater construction project completion results for small and rural geographic areas without putting a strain on the budget of the Corps of Engineers.

SEC. 6007. INVENTORY ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, the Secretary shall complete the assessment and inventory required under section 6002(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1349).

SEC. 6008. SAINT LAWRENCE SEAWAY MODERNIZATION.

(a) DEFINITIONS.—In this section:

(1) GREAT LAKES REGION.—The term ''Great Lakes region'' means the region comprised of the Great Lakes States.

(2) GREAT LAKES STATES.—The term ''Great Lakes States'' means each of the States of Illinois, Indiana, Michigan, Minnesota, Ohio, Pennsylvania, New York, and Wisconsin.

(3) SEAWAY.—The term ''Seaway'' means the Saint Lawrence Seaway.

(b) STUDY.—

(1) IN GENERAL.—The Comptroller General, in cooperation with appropriate Federal, State, and local authorities, shall conduct a study to—

(A) assess the condition of the Seaway; and

(B) evaluate options available in the 21st century for modernizing the Seaway as a globally significant transportation corridor.

(2) SCOPE OF STUDY.—In conducting the study under paragraph (1), the Comptroller General shall—

(A) assess the condition of the Seaway and the capacity of the Seaway to drive commerce and other economic activity in the Great Lakes region;

(B) detail the importance of the Seaway to the functioning of the United States economy, with an emphasis on the domestic manufacturing sector, including the domestic steel manufacturing industry;

(C) evaluate options—

(i) to modernize physical navigation infrastructure, facilities, and related assets not operated or maintained by the Secretary along the corridor of the Seaway, including an assessment of alternative means for the Great Lakes region to finance large-scale initiatives;

(ii) to increase exports of domestically produced goods and study the trade balance and regional economic impact of the possible increase in imports of agricultural products, steel, aggregates, and other goods commonly transported through the Seaway;

(iii) increase economic activity and development in the Great Lakes region by advancing the multimodal transportation and economic network in the region;

(iv) ensure the competitiveness of the Seaway as a transportation corridor in an increasingly integrated global transportation network; and

(v) attract tourists to the Great Lakes region by improving attractions and removing barriers to tourism and travel throughout the Seaway; and

(D) evaluate the existing and potential financing authorities of the Seaway as compared to other Federal agencies and instrumentalities with development responsibilities.

(3) DEADLINE.—The Comptroller General shall complete the study under paragraph (1) as soon as practicable and not later than 2 years after the date of enactment of this Act.

(4) COORDINATION.—The Comptroller General shall conduct the study under paragraph (1) with input from representatives of the Saint Lawrence Seaway Development Corporation, the Economic Development Administration, the Coast Guard, the Corps of Engineers, the Department of Homeland Security, and State and local entities (including port authorities throughout the Seaway).

(5) REPORT.—The Comptroller General shall submit to Congress a report on the results of the study under paragraph (1) not later than the earlier of—

(A) the date that is 180 days after the date on which the study is completed; or

(B) the date that is 30 months after the date of enactment of this Act.

SEC. 6009. YAZOO BASIN, MISSISSIPPI.

The authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control known as the ''Yazoo Basin, Mississippi, Mississippi Delta Headwater Project, MS'', authorized by title I of Public Law 98–8 (97 Stat. 22), as amended, shall not be limited to watersheds referenced in reports accompanying appropriations bills for previous fiscal years.

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 16½ 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)) 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

(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 any lead service lines, and 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 plans to protect source water identified in a source water assessment under section 1453.''; 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) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)) is amended—

(1) in paragraph (1)(D), by inserting before the period at the end the following: ''and the implementation of plans to protect source water identified in a source water assessment under section 1453''; and

(2) in paragraph (2)(E), by inserting after ''wellhead protection programs'' the following: ''and implement plans to protect source water identified in a source water assessment under section 1453''.

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 either, as determined by the Administrator—

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

''(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 public 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 household water quality testing, including testing for unregulated contaminants.

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

''(1) is—

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

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

''(C) a State, on behalf of an underserved community; 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) TECHNICAL, MANAGERIAL, AND FINANCIAL CAPABILITY.—The Administrator may provide assistance to increase the technical, managerial, and financial capability of an eligible entity receiving a grant under this section if the Administrator determines that the eligible entity lacks appropriate technical, managerial, and financial capability.

''(g) 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.

''(h) 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.

''(i) 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. 5304)).

''(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) 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 other 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 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;

(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.''; and

(5) by adding at the end the following:

''(6) STRATEGIC PLAN.—Not later than 120 days after the date of enactment of this paragraph, the Administrator, in collaboration with States and owners and operators of public water systems, shall establish a strategic plan for how the Administrator, a State with primary enforcement responsibility, and the owners and operators of public water systems shall conduct targeted outreach, education, technical assistance, and risk communication to populations affected by lead in a public water system.''.

(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 (4)(B) (as redesignated by subsection (a)(3)), 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.—The Administrator shall require electronic submission of available compliance monitoring data, if practicable—

''(A) by public water systems (or a certified laboratory on behalf of a public water system)—

''(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, as a condition on the receipt of funds under this Act.

''(2) CONSIDERATIONS.—In determining whether the requirement referred to in paragraph (1) is practicable, the Administrator shall consider—

''(A) the ability of a public water system (or a certified laboratory on behalf of a public water system) or a 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 licensed under State law.

''(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) LIMITATION ON USE OF FUNDS.—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.

The Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding after Part F the following:

''PART G—ADDITIONAL PROVISIONS

''SEC. 1471. WATERSENSE PROGRAM.

''(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

''(1) IN GENERAL.—There is established within the 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 of Energy, 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 of the Energy Policy and Conservation Act (42 U.S.C. 6294a), and WaterSense under this section, the Secretary of Energy 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.

SEC. 7114. SMALL SYSTEM TECHNICAL ASSISTANCE.

Section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j–12(q)) is amended by striking ''appropriated'' and all that follows through ''2003'' and inserting ''made available for each of fiscal years 2016 through 2021''.

SEC. 7115. DEFINITION OF INDIAN TRIBE.

Section 1401(14) of the Safe Drinking Water Act (42 U.S.C. 300(f)(14)) is amended by striking ''section 1452'' and inserting ''sections 1452, 1459A, and 1459B''.

SEC. 7116. TECHNICAL ASSISTANCE FOR TRIBAL WATER SYSTEMS.

(a) TECHNICAL ASSISTANCE.—Section 1442(e)(7) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)(7)) is amended by striking ''Tribes'' and inserting ''tribes, including grants to provide training and operator certification services under section 1452(i)(5)''.

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

(1) in paragraph (1), in the first sentence, by striking ''Tribes and Alaska Native villages'' and inserting ''tribes, Alaska Native villages, and, for the purpose of carrying out paragraph (5), intertribal consortia or tribal organizations''; and

(2) by adding at the end the following:

''(5) TRAINING AND OPERATOR CERTIFICATION.—

''(A) IN GENERAL.—The Administrator may use funds made available under this subsection and section 1442(e)(7) to make grants to intertribal consortia or tribal organizations for the purpose of providing operations and maintenance training and operator certification services to Indian tribes.

''(B) ELIGIBLE TRIBAL ORGANIZATIONS.—An intertribal consortium or tribal organization eligible for a grant under subparagraph (A) is an intertribal consortium or tribal organization that—

''(i) is the most qualified to provide training and technical assistance to Indian tribes; and

''(ii) Indian tribes determine to be the most beneficial and effective.''.

SEC. 7117. REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.

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

''(4) REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.—

''(A) DEFINITION OF IRON AND STEEL PRODUCTS.—In this paragraph, the term 'iron and steel products' means the following products made, in part, of iron or steel:

''(i) Lined or unlined pipe and fittings.

''(ii) Manhole covers and other municipal castings.

''(iii) Hydrants.

''(iv) Tanks.

''(v) Flanges.

''(vi) Pipe clamps and restraints.

''(vii) Valves.

''(viii) Structural steel.

''(ix) Reinforced precast concrete.

''(x) Construction materials.

''(B) REQUIREMENT.—Except as provided in subparagraph (C), funds made available by a State loan fund authorized under this section may not be used for a project for the construction, alteration, maintenance, or repair of a public water system unless all the iron and steel products used in the project are produced in the United States.

''(C) EXCEPTION.—Subparagraph (B) shall not apply in any case or category of cases in which the Administrator finds that—

''(i) applying subparagraph (B) would be inconsistent with the public interest;

''(ii) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

''(iii) inclusion of iron and steel products produced in the United States will increase the cost of the overall product by more than 25 percent.

''(D) PUBLIC NOTICE; WRITTEN JUSTIFICATION.—

''(i) PUBLIC NOTICE.—If the Administrator receives a request for a waiver under this paragraph, the Administrator shall—

''(I) make available to the public on an informal basis, including on the public website of the Administrator—

''(aa) a copy of the request; and

''(bb) any information available to the Administrator regarding the request; and

''(II) provide notice of, and opportunity for informal public comment on, the request for a period of not less than 15 days before making a finding under subparagraph (C).

''(ii) WRITTEN JUSTIFICATION.—If, after the period provided under clause (i), the Administrator makes a finding under subparagraph (C), the Administrator shall publish in the Federal Register a written justification as to why subparagraph (B) is being waived.

''(E) APPLICATION.—This paragraph shall be applied in a manner consistent with United States obligations under international agreements.

''(F) MANAGEMENT AND OVERSIGHT.—The Administrator may use not more than 0.25 percent of any funds made available to carry out this title for management and oversight of the requirements of this paragraph.''.

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 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 (as those terms are defined in section 222) 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 June 5, 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—

''(i) 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); and

''(ii) the Administrator or a State to authorize a schedule of compliance that extends beyond the date of expiration of a permit term if the schedule of compliance meets the requirements of section 122.47 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(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 duties of the municipal ombudsman shall include the provision of—

(A) technical assistance to municipalities seeking to comply with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(B) 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.).

(5) INFORMATION SHARING.—The municipal ombudsman shall publish on the website of the Environmental Protection Agency—

(A) general information relating to—

(i) the technical assistance referred to in paragraph (2)(A);

(ii) the financial assistance referred to in paragraph (3)(A);

(iii) the flexibility referred to in paragraph 3(B); and

(iv) any resources related to integrated plans developed by the Administrator; and

(B) a copy of each permit, order, or judicial consent decree that implements or incorporates an integrated plan.

(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 (including a judicial consent decree) 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.''.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Administrator 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 and make publicly available a report on each integrated plan developed and implemented through a permit, order, or judicial consent decree since the date of publication of the ''Integrated Municipal Stormwater and Wastewater Planning Approach Framework'' issued by the Environmental Protection Agency and dated June 5, 2012, including a description of the control measures, levels of control, estimated costs, and compliance schedules for the requirements implemented through an 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) REVISED GUIDANCE.—

(1) IN GENERAL.—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 described in subsection (a)(3).

(2) USE OF GUIDANCE.—Beginning on the date on which the revised guidance referred to in paragraph (1) is finalized, the Administrator shall use the revised guidance in lieu of the guidance described in subsection (a)(3).

(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 revised guidance issued to replace the guidance shall be developed in consultation with stakeholders.

(e) PUBLICATION AND SUBMISSION.—

(1) IN GENERAL.—On completion of the revision of the 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 revised guidance.

(2) EXPLANATION.—If the Administrator makes a determination not to follow 1 or more recommendations of the study referred to in subsection (c)(1), the Administrator shall include in the publication and submission under paragraph (1) an explanation of that decision.

(f) EFFECT.—Nothing in this section preempts or interferes with any obligation to comply with any Federal law, including the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 7206. CHESAPEAKE BAY GRASS SURVEY.

Section 117(i) of the Federal Water Pollution Control Act (33 U.S.C. 1267(i)) is amended by adding at the end the following:

''(3) ANNUAL SURVEY.—The Administrator shall carry out an annual survey of sea grasses in the Chesapeake Bay.''.

SEC. 7207. GREAT LAKES HARMFUL ALGAL BLOOM COORDINATOR.

The Administrator, acting as the chair of the Great Lakes Interagency Task Force, shall appoint a coordinator to work with appropriate Federal agencies and State, local, tribal, and foreign governments to coordinate efforts to address the issue of harmful algal blooms in the Great Lakes.

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.—

(1) IN GENERAL.—Section 5026 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905) is amended—

(A) in paragraph (6)—

(i) by striking ''desalination project'' and inserting ''desalination project, including chloride control''; and

(ii) 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'';

(B) by redesignating paragraphs (7), (8), and (9) as paragraphs (8), (9), and (10), respectively;

(C) by inserting after paragraph (6) the following:

''(7) A project to prevent, reduce, or mitigate the effects of drought, including projects that enhance the resilience of drought-stricken watersheds.''; and

(D) in paragraph (10) (as redesignated by subparagraph (B)), by striking ''or (7)'' and inserting ''(7), or (8)''.

(2) CONFORMING AMENDMENTS.—

(A) Section 5023(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)) is amended—

(i) in paragraph (2), by striking ''and (8)'' and inserting ''(7), and (9)''; and

(ii) in paragraph (3), by striking ''paragraph (7) or (9)'' and inserting ''paragraph (8) or (10)''.

(B) Section 5024(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3903(b)) is amended by striking ''paragraph (8) or (9)'' and inserting ''paragraph (9) or (10)''.

(C) Section 5027(3) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3906(3)) is amended by striking ''section 5026(7)'' and inserting ''section 5026(8)''.

(D) Section 5028 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907) is amended—

(i) in subsection (a)(1)(E)—

(I) by striking ''section 5026(9)'' and inserting ''section 5026(10)''; and

(II) by striking ''section 5026(8)'' and inserting ''section 5026(9)''; and

(ii) in subsection (b)(3), by striking ''section 5026(8)'' and inserting ''section 5026(9)''.

(c) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 5028(b)(2)(F) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907(b)(2)(F)) is amended—

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

(2) by striking clause (ii) and inserting the following:

''(ii) helps maintain or protect the environment;

''(iii) resists hazards due to a natural disaster;

''(iv) continues to serve the primary function of the water resources infrastructure project following a natural disaster;

''(v) reduces the magnitude or duration of a disruptive event to a water resources infrastructure project; or

''(vi) has the absorptive, adaptive, and recoverable capacities to withstand a potentially disruptive event.''.

(d) 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 an eligible entity, 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).''.

(e) 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.''.

(f) 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'' (referred to in this section as the ''Fund''), consisting of such amounts as may be appropriated to or deposited in such fund as provided in this section.

(b) TRANSFERS TO TRUST FUND.—The Secretary of the Treasury (referred to in this section as the ''Secretary'') shall deposit in the Fund amounts equal to the fees received before January 1, 2022, under subsection (f)(2).

(c) EXPENDITURES.—Amounts in the Fund, including interest earned and advances to the Fund and proceeds from investment under subsection (d), shall be available for expenditure, without further appropriation, as follows:

(1) 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) 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 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 section.

(e) LIMITATION ON EXPENDITURES.—Amounts in the Fund may not be made available for a fiscal year under subsection (c) unless the sum of the funds appropriated to the Clean Water State Revolving Fund and the Safe Drinking Water State Revolving Fund through annual capitalization grants is not less than the average of the sum of the annual amounts provided in capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the 5-fiscal-year period immediately preceding such fiscal year.

(f) VOLUNTARY LABELING SYSTEM.—

(1) IN GENERAL.—The Administrator, in consultation with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Administrator 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 Fund.

(2) FEE.—The Administrator shall provide a label for a fee of 3 cents per unit.

(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 submit 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;

(N) address treatment byproduct and brine disposal alternatives; or

(O) 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—

(1) in subsection (a)—

(A) in paragraph (6), by striking ''and'' at the end;

(B) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(8) development of metrics to analyze the costs and benefits of desalination relative to other sources of water (including costs and benefits related to associated infrastructure, energy use, environmental impacts, and diversification of water supplies); and

''(9) development of design and siting specifications that avoid, minimize, or offset adverse social, economic, and environmental impacts.''; and

(2) 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) for the benefit of drought-stricken States and communities;

''(2) for the benefit of 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.—The White House Office of Science and Technology Policy shall develop a coordinated strategic plan that—

''(1) establishes priorities for future Federal investments in desalination;

''(2) 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;

''(3) strengthens research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology; and

''(4) promotes public-private partnerships to develop a framework for assessing needs for, and to optimize siting and design of, future ocean desalination projects.''.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) IN GENERAL.—The Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Administrator, and other appropriate Federal agency heads along with State, local, and tribal governments, shall jointly develop nonregulatory national drought resilience guidelines relating to drought preparedness planning and investments for communities, water utilities, and other water users and providers, in a manner consistent with the Presidential Memorandum entitled ''Building National Capabilities for Long-Term Drought Resilience'' (81 Fed. Reg. 16053 (March 21, 2016)).

(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 STATE WATER POLLUTION CONTROL REVOLVING LOAN 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 DRINKING WATER STATE REVOLVING LOAN FUNDS.

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 for a period of 18 months beginning on the date on which the funds are made available, for the purposes described in subsection (b)(2), and after the end of the 18-month period, until expended for the purposes described in subparagraph (C).

(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.—Of 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—

(i) 50 percent shall be available to provide additional grants under section 1459A of the Safe Drinking Water Act (as added by section 7106); and

(ii) 50 percent shall be available to provide additional grants under section 1459B of the Safe Drinking Water Act (as added by section 7107).

(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

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.''.

SEC. 7612. AMENDMENTS TO THE GREAT LAKES FISH AND WILDLIFE RESTORATION ACT OF 1990.

(a) REFERENCES.—Except as otherwise expressly provided, wherever in this section an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Great Lakes Fish and Wildlife Restoration Act of 1990 (16 U.S.C. 941 et seq.).

(b) FINDINGS.—The Act is amended by striking section 1002 and inserting the following:

''SEC. 1002. FINDINGS.

''Congress finds that—

''(1) the Great Lakes have fish and wildlife communities that are structurally and functionally changing;

''(2) successful fish and wildlife management focuses on the lakes as ecosystems, and effective management requires the coordination and integration of efforts of many partners;

''(3) it is in the national interest to undertake activities in the Great Lakes Basin that support sustainable fish and wildlife resources of common concern provided under the Great Lakes Restoration Initiative Action Plan based on the recommendations of the Great Lakes Regional Collaboration authorized under Executive Order 13340 (69 Fed. Reg. 29043; relating to the Great Lakes Interagency Task Force);

''(4) additional actions and better coordination are needed to protect and effectively manage the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin;

''(5) as of the date of enactment of this Act, actions are not funded that are considered essential to meet the goals and objectives in managing the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin; and

''(6) this Act allows Federal agencies, States, and Indian tribes to work in an effective partnership by providing the funding for restoration work.''.

(c) IDENTIFICATION, REVIEW, AND IMPLEMENTATION OF PROPOSALS AND REGIONAL PROJECTS.—

(1) REQUIREMENTS FOR PROPOSALS AND REGIONAL PROJECTS.—Section 1005(b)(2)(B) (16 U.S.C. 941c(b)(2)(B)) is amended—

(A) in clause (v), by striking ''and'' at the end;

(B) in clause (vi), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(vii) the strategic action plan of the Great Lakes Restoration Initiative; and

''(viii) each applicable State wildlife action plan.''.

(2) REVIEW OF PROPOSALS.—Section 1005(c)(2)(C) (16 U.S.C. 941c(c)(2)(C)) is amended by striking ''Great Lakes Coordinator of the''.

(3) COST SHARING.—Section 1005(e) (16 U.S.C. 941c(e)) is amended—

(A) in paragraph (1)—

(i) by striking ''Except as provided in paragraphs (2) and (4), not less than 25 percent of the cost of implementing a proposal'' and inserting the following:

''(A) NON-FEDERAL SHARE.—Except as provided in paragraphs (3) and (5) and subject to paragraph (2), not less than 25 percent of the cost of implementing a proposal or regional project''; and

(ii) by adding at the end the following:

''(B) TIME PERIOD FOR PROVIDING MATCH.—The non-Federal share of the cost of implementing a proposal or regional project required under subparagraph (A) may be provided at any time during the 2-year period preceding January 1 of the year in which the Director receives the application for the proposal or regional project.'';

(B) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(C) by inserting before paragraph (3) (as so redesignated) the following:

''(2) AUTHORIZED SOURCES OF NON-FEDERAL SHARE.—

''(A) IN GENERAL.—The Director may determine the non-Federal share under paragraph (1) by taking into account—

''(i) the appraised value of land or a conservation easement as described in subparagraph (B); or

''(ii) as described in subparagraph (C), the costs associated with—

''(I) land acquisition or securing a conservation easement; and

''(II) restoration or enhancement of that land or conservation easement.

''(B) APPRAISAL OF LAND OR CONSERVATION EASEMENT.—

''(i) IN GENERAL.—The value of land or a conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the Director determines that the land or conservation easement—

''(I) meets the requirements of subsection (b)(2);

''(II) is acquired before the end of the grant period of the proposal or regional project;

''(III) is held in perpetuity for the conservation purposes of the programs of the United States Fish and Wildlife Service related to the Great Lakes Basin, as described in section 1006, by an accredited land trust or conservancy or a Federal, State, or tribal agency;

''(IV) is connected either physically or through a conservation planning process to the proposal or regional project; and

''(V) is appraised in accordance with clause (ii).

''(ii) APPRAISAL.—With respect to the appraisal of land or a conservation easement described in clause (i)—

''(I) the appraisal valuation date shall be not later than 1 year after the price of the land or conservation easement was set under a contract; and

''(II) the appraisal shall—

''(aa) conform to the Uniform Standards of Professional Appraisal Practice (USPAP); and

''(bb) be completed by a Federal- or State-certified appraiser.

''(C) COSTS OF LAND ACQUISITION OR SECURING CONSERVATION EASEMENT.—

''(i) IN GENERAL.—All costs associated with land acquisition or securing a conservation easement and restoration or enhancement of that land or conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the activities and expenses associated with the land acquisition or securing the conservation easement and restoration or enhancement of that land or conservation easement meet the requirements of subparagraph (B)(i).

''(ii) INCLUSION.—The costs referred to in clause (i) may include cash, in-kind contributions, and indirect costs.

''(iii) EXCLUSION.—The costs referred to in clause (i) may not be costs associated with mitigation or litigation (other than costs associated with the Natural Resource Damage Assessment program).''.

(d) ESTABLISHMENT OF OFFICES.—Section 1007 (16 U.S.C. 941e) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking ''FISHERY RESOURCES'' and inserting ''FISH AND WILDLIFE CONSERVATION''; and

(B) by striking ''Fishery Resources'' each place it appears and inserting ''Fish and Wildlife Conservation'';

(2) in subsection (c)—

(A) in the subsection heading, by striking ''FISHERY RESOURCES'' and inserting ''FISH AND WILDLIFE CONSERVATION''; and

(B) by striking ''Fishery Resources'' each place it appears and inserting ''Fish and Wildlife Conservation'';

(3) by striking subsection (a); and

(4) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(e) REPORTS.—Section 1008 (16 U.S.C. 941f) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''2011'' and inserting ''2021'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''2007 through 2012'' and inserting ''2016 through 2020''; and

(B) in paragraph (5), by inserting ''the Great Lakes Restoration Initiative Action Plan based on'' after ''in support of''; and

(3) by striking subsection (c) and inserting the following:

''(c) CONTINUED MONITORING AND ASSESSMENT OF STUDY FINDINGS AND RECOMMENDATIONS.—The Director—

''(1) shall continue to monitor the status, and the assessment, management, and restoration needs, of the fish and wildlife resources of the Great Lakes Basin; and

''(2) may reassess and update, as necessary, the findings and recommendations of the Report.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 1009 (16 U.S.C. 941g) is amended—

(1) in the matter preceding paragraph (1), by striking ''2007 through 2012'' and inserting ''2016 through 2021'';

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''$14,000,000'' and inserting ''$6,000,000'';

(B) in subparagraph (A), by striking ''$4,600,000'' and inserting ''$2,000,000''; and

(C) in subparagraph (B), by striking ''$700,000'' and inserting ''$300,000''; and

(3) in paragraph (2), by striking ''the activities of'' and all that follows through ''section 1007'' and inserting ''the activities of the Upper Great Lakes Fish and Wildlife Conservation Offices and the Lower Great Lakes Fish and Wildlife Conservation Office under section 1007''.

(g) CONFORMING AMENDMENT.—Section 8 of the Great Lakes Fish and Wildlife Restoration Act of 2006 (16 U.S.C. 941 note; Public Law 109–326) is repealed.

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 $1,955,500,000 to the Lake Tahoe Basin, including—

''(A) $635,400,000 from the Federal Government;

''(B) $758,600,000 from the State of California;

''(C) $123,700,000 from the State of Nevada;

''(D) $98,900,000 from units of local government; and

''(E) $338,900,000 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) 'LTRA USFS–CA Land Exchange/West Shore'; and

''(iii) 'LTRA USFS–CA Land Exchange/South Shore'; and

''(B) dated January 4, 2016, 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 the program categories 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 the non-Federal land described in subparagraph (B)(i), the Secretary—

''(i) may accept the offer; and

''(ii) 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.

''(B) DESCRIPTION OF LAND.—

''(i) NON-FEDERAL LAND.—The non-Federal land referred to in subparagraph (A) includes—

''(I) the approximately 1,936 acres of land administered by the California Tahoe Conservancy and identified on the Maps as 'Tahoe Conservancy to the USFS'; and

''(II) the approximately 183 acres of land administered by California State Parks and

identified on the Maps as 'Total USFS to California'.

''(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.

''(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of California accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

''(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.

''(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of Nevada accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

''(4) AUTHORIZATION FOR CONVEYANCE OF FOREST SERVICE URBAN LOTS.—

''(A) CONVEYANCE AUTHORITY.—Except in the case of land described in paragraphs (2) and (3), the Secretary of Agriculture may convey any urban lot within the Lake Tahoe Basin under the administrative jurisdiction of the Forest Service.

''(B) CONSIDERATION.—A conveyance under subparagraph (A) shall require consideration in an amount equal to the fair market value of the conveyed lot.

''(C) AVAILABILITY AND USE.—The proceeds from a conveyance under subparagraph (A) shall be retained by the Secretary of Agriculture and used for—

''(i) purchasing inholdings throughout the Lake Tahoe Basin; or

''(ii) providing additional funds to carry out the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) in excess of amounts made available under section 10 of that Act.

''(D) OBLIGATION LIMIT.—The obligation and expenditure of proceeds retained under this paragraph shall be subject to such fiscal year limitation as may be specified in an Act making appropriations for the Forest Service for a fiscal year.

''(5) 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.

''(6) 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), (3), and (4).

''(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.

PART IV—DELAWARE RIVER BASIN CONSERVATION

SEC. 7641. FINDINGS.

Congress finds that—

(1) the Delaware River Basin is a national treasure of great cultural, environmental, ecological, and economic importance;

(2) the Basin contains over 12,500 square miles of land in the States of Delaware, New Jersey, New York, and Pennsylvania, including nearly 800 square miles of bay and more than 2,000 tributary rivers and streams;

(3) the Basin is home to more than 8,000,000 people who depend on the Delaware River and the Delaware Bay as an economic engine, a place of recreation, and a vital habitat for fish and wildlife;

(4) the Basin provides clean drinking water to more than 15,000,000 people, including New York City, which relies on the Basin for approximately half of the drinking water supply of the city, and Philadelphia, whose most significant threat to the drinking water supply of the city is loss of forests and other natural cover in the Upper Basin, according to a study conducted by the Philadelphia Water Department;

(5) the Basin contributes $25,000,000,000 annually in economic activity, provides $21,000,000,000 in ecosystem goods and services per year, and is directly or indirectly responsible for 600,000 jobs with $10,000,000,000 in annual wages;

(6) almost 180 species of fish and wildlife are considered special status species in the Basin due to habitat loss and degradation, particularly sturgeon, eastern oyster, horseshoe crabs, and red knots, which have been identified as unique species in need of habitat improvement;

(7) the Basin provides habitat for over 200 resident and migrant fish species, includes significant recreational fisheries, and is an important source of eastern oyster, blue crab, and the largest population of the American horseshoe crab;

(8) the annual dockside value of commercial eastern oyster fishery landings for the Delaware Estuary is nearly $4,000,000, making it the fourth most lucrative fishery in the Delaware River Basin watershed, and proven management strategies are available to increase oyster habitat, abundance, and harvest;

(9) the Delaware Bay has the second largest concentration of shorebirds in North America and is designated as one of the 4 most important shorebird migration sites in the world;

(10) the Basin, 50 percent of which is forested, also has over 700,000 acres of wetland, more than 126,000 acres of which are recognized as internationally important, resulting in a landscape that provides essential ecosystem services, including recreation, commercial, and water quality benefits;

(11) much of the remaining exemplary natural landscape in the Basin is vulnerable to further degradation, as the Basin gains approximately 10 square miles of developed land annually, and with new development, urban watersheds are increasingly covered by impervious surfaces, amplifying the quantity of polluted runoff into rivers and streams;

(12) the Delaware River is the longest undammed river east of the Mississippi; a critical component of the National Wild and Scenic Rivers System in the Northeast, with more than 400 miles designated; home to one of the most heavily visited National Park units in the United States, the Delaware Water Gap National Recreation Area; and the location of 6 National Wildlife Refuges;

(13) the Delaware River supports an internationally renowned cold water fishery in more than 80 miles of its northern headwaters that attracts tens of thousands of visitors each year and generates over $21,000,000 in annual revenue through tourism and recreational activities;

(14) management of water volume in the Basin is critical to flood mitigation and habitat for fish and wildlife, and following 3 major floods along the Delaware River since 2004, the Governors of the States of Delaware, New Jersey, New York, and Pennsylvania have called for natural flood damage reduction measures to combat the problem, including restoring the function of riparian corridors;

(15) the Delaware River Port Complex (including docking facilities in the States of Delaware, New Jersey, and Pennsylvania) is one of the largest freshwater ports in the world, the Port of Philadelphia handles the largest volume of international tonnage and 70 percent of the oil shipped to the East Coast, and the Port of Wilmington, a full-service deepwater port and marine terminal supporting more than 12,000 jobs, is the busiest terminal on the Delaware River, handling more than 400 vessels per year with an annual import/export cargo tonnage of more than 4,000,000 tons;

(16) the Delaware Estuary, where freshwater from the Delaware River mixes with saltwater from the Atlantic Ocean, is one of the largest and most complex of the 28 estuaries in the National Estuary Program, and the Partnership for the Delaware Estuary works to improve the environmental health of the Delaware Estuary;

(17) the Delaware River Basin Commission is a Federal-interstate compact government agency charged with overseeing a unified approach to managing the river system and implementing important water resources management projects and activities throughout the Basin that are in the national interest;

(18) restoration activities in the Basin are supported through several Federal and State agency programs, and funding for those important programs should continue and complement the establishment of the Delaware River Basin Restoration Program, which is intended to build on and help coordinate restoration and protection funding mechanisms at the Federal, State, regional, and local levels; and

(19) the existing and ongoing voluntary conservation efforts in the Delaware River

Basin necessitate improved efficiency and cost effectiveness, as well as increased private-sector investments and coordination of Federal and non-Federal resources.

SEC. 7642. DEFINITIONS.

In this part:

(1) BASIN.—The term ''Basin'' means the 4-State Delaware Basin region, including all of Delaware Bay and portions of the States of Delaware, New Jersey, New York, and Pennsylvania located in the Delaware River watershed.

(2) BASIN STATE.—The term ''Basin State'' means each of the States of Delaware, New Jersey, New York, and Pennsylvania.

(3) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(4) FOUNDATION.—The term ''Foundation'' means the National Fish and Wildlife Foundation, a congressionally chartered foundation established by section 2 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701).

(5) GRANT PROGRAM.—The term ''grant program'' means the voluntary Delaware River Basin Restoration Grant Program established under section 7644.

(6) PROGRAM.—The term ''program'' means the nonregulatory Delaware River Basin restoration program established under section 7643.

(7) RESTORATION AND PROTECTION.—The term ''restoration and protection'' means the conservation, stewardship, and enhancement of habitat for fish and wildlife to preserve and improve ecosystems and ecological processes on which they depend, and for use and enjoyment by the public.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director.

(9) SERVICE.—The term ''Service'' means the United States Fish and Wildlife Service.

SEC. 7643. PROGRAM ESTABLISHMENT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program to be known as the ''Delaware River Basin restoration program''.

(b) DUTIES.—In carrying out the program, the Secretary shall—

(1) draw on existing and new management plans for the Basin, or portions of the Basin, and work in consultation with applicable management entities, including representatives of the Partnership for the Delaware Estuary, the Delaware River Basin Commission, the Federal Government, and other State and local governments, and regional and nonprofit organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Basin;

(2) adopt a Basinwide strategy that—

(A) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with paragraph (1);

(B) targets cost-effective projects with measurable results; and

(C) maximizes conservation outcomes with no net gain of Federal full-time equivalent employees; and

(3) establish the voluntary grant and technical assistance programs in accordance with section 7644.

(c) COORDINATION.—In establishing the program, the Secretary shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Administrator;

(B) the Administrator of the National Oceanic and Atmospheric Administration;

(C) the Chief of the Natural Resources Conservation Service;

(D) the Chief of Engineers; and

(E) the head of any other applicable agency;

(2) the Governors of the Basin States;

(3) the Partnership for the Delaware Estuary;

(4) the Delaware River Basin Commission;

(5) fish and wildlife joint venture partnerships; and

(6) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Basin.

(d) PURPOSES.—The purposes of the program include—

(1) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Basin; and

(2) carrying out coordinated restoration and protection activities, and providing for technical assistance throughout the Basin and Basin States—

(A) to sustain and enhance fish and wildlife habitat restoration and protection activities;

(B) to improve and maintain water quality to support fish and wildlife, as well as the habitats of fish and wildlife, and drinking water for people;

(C) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(D) to improve opportunities for public access and recreation in the Basin consistent with the ecological needs of fish and wildlife habitat;

(E) to facilitate strategic planning to maximize the resilience of natural systems and habitats under changing watershed conditions;

(F) to engage the public through outreach, education, and citizen involvement, to increase capacity and support for coordinated restoration and protection activities in the Basin;

(G) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities; and

(H) to provide technical assistance to carry out restoration and protection activities in the Basin.

SEC. 7644. GRANTS AND ASSISTANCE.

(a) DELAWARE RIVER BASIN RESTORATION GRANT PROGRAM.—To the extent that funds are available to carry out this section, the Secretary shall establish a voluntary grant and technical assistance program to be known as the ''Delaware River Basin Restoration Grant Program'' to provide competitive matching grants of varying amounts to State and local governments, nonprofit organizations, institutions of higher education, and other eligible entities to carry out activities described in section 7643(d).

(b) CRITERIA.—The Secretary, in consultation with the organizations described in section 7643(c), shall develop criteria for the grant program to help ensure that activities funded under this section accomplish one or more of the purposes identified in section 7643(d)(2) and advance the implementation of priority actions or needs identified in the Basinwide strategy adopted under section 7643(b)(2).

(c) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the activity, as determined by the Secretary.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(d) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary may enter into an agreement to manage the grant program with the National Fish and Wildlife Foundation or a similar organization that offers grant management services.

(2) FUNDING.—If the Secretary enters into an agreement under paragraph (1), the organization selected shall—

(A) for each fiscal year, receive amounts to carry out this section in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, of that fiscal year;

(B) invest and reinvest those amounts for the benefit of the grant program; and

(C) otherwise administer the grant program to support partnerships between the public and private sectors in accordance with this part.

(3) REQUIREMENTS.—If the Secretary enters into an agreement with the Foundation under paragraph (1), any amounts received by the Foundation under this section shall be subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), excluding section 10(a) of that Act (16 U.S.C. 3709(a)).

SEC. 7645. ANNUAL REPORTS.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary shall submit to Congress a report on the implementation of this part, including a description of each project that has received funding under this part.

SEC. 7646. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this part $5,000,000 for each of fiscal years 2017 through 2022.

(b) USE.—Of any amount made available under this section for each fiscal year, the Secretary shall use at least 75 percent to carry out the grant program under section 7644 and to provide, or provide for, technical assistance under that program.

PART V—COLUMBIA RIVER BASIN RESTORATION

SEC. 7651. COLUMBIA RIVER BASIN RESTORATION.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 123. COLUMBIA RIVER BASIN RESTORATION.

''(a) DEFINITIONS.—

''(1) COLUMBIA RIVER BASIN.—The term 'Columbia River Basin' means the entire United States portion of the Columbia River watershed.

''(2) ESTUARY PARTNERSHIP.—The term 'Estuary Partnership' means the Lower Columbia Estuary Partnership, an entity created by the States of Oregon and Washington and the Environmental Protection Agency under section 320.

''(3) ESTUARY PLAN.—

''(A) IN GENERAL.—The term 'Estuary Plan' means the Estuary Partnership Comprehensive Conservation and Management Plan adopted by the Environmental Protection Agency and the Governors of Oregon and Washington on October 20, 1999, under section 320.

''(B) INCLUSION.—The term 'Estuary Plan' includes any amendments to the plan.

''(4) LOWER COLUMBIA RIVER ESTUARY.—The term 'Lower Columbia River Estuary' means the mainstem Columbia River from the Bonneville Dam to the Pacific Ocean and tidally influenced portions of tributaries to the Columbia River in that region.

''(5) MIDDLE AND UPPER COLUMBIA RIVER BASIN.—The term 'Middle and Upper Columbia River Basin' means the region consisting of the United States portion of the Columbia River Basin above Bonneville Dam.

''(6) PROGRAM.—The term 'Program' means the Columbia River Basin Restoration Program established under subsection (b)(1)(A).

''(b) COLUMBIA RIVER BASIN RESTORATION PROGRAM.—

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—The Administrator shall establish within the Environmental Protection Agency a Columbia River Basin Restoration Program.

''(B) EFFECT.—

''(i) The establishment of the Program does not modify any legal or regulatory authority or program in effect as of the date of enactment of this section, including the roles of Federal agencies in the Columbia River Basin.

''(ii) This section does not create any new regulatory authority.

''(2) SCOPE OF PROGRAM.—The Program shall consist of a collaborative stakeholder-based program for environmental protection and restoration activities throughout the Columbia River Basin.

''(3) DUTIES.—The Administrator shall—

''(A) assess trends in water quality, including trends that affect uses of the water of the Columbia River Basin;

''(B) collect, characterize, and assess data on water quality to identify possible causes of environmental problems; and

''(C) provide grants in accordance with subsection (d) for projects that assist in—

''(i) eliminating or reducing pollution;

''(ii) cleaning up contaminated sites;

''(iii) improving water quality;

''(iv) monitoring to evaluate trends;

''(v) reducing runoff;

''(vi) protecting habitat; or

''(vii) promoting citizen engagement or knowledge.

''(c) STAKEHOLDER WORKING GROUP.—

''(1) ESTABLISHMENT.—The Administrator shall establish a Columbia River Basin Restoration Working Group (referred to in this subsection as the 'Working Group').

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—Membership in the Working Group shall be on a voluntary basis and any person invited by the Administrator under this subsection may decline membership.

''(B) INVITED REPRESENTATIVES.—The Administrator shall invite, at a minimum, representatives of—

''(i) each State located in whole or in part within the Columbia River Basin;

''(ii) the Governors of each State located in whole or in part with the Columbia River Basin;

''(iii) each federally recognized Indian tribe in the Columbia River Basin;

''(iv) local governments located in the Columbia River Basin;

''(v) industries operating in the Columbia River Basin that affect or could affect water quality;

''(vi) electric, water, and wastewater utilities operating in the Columba River Basin;

''(vii) private landowners in the Columbia River Basin;

''(viii) soil and water conservation districts in the Columbia River Basin;

''(ix) nongovernmental organizations that have a presence in the Columbia River Basin;

''(x) the general public in the Columbia River Basin; and

''(xi) the Estuary Partnership.

''(3) GEOGRAPHIC REPRESENTATION.—The Working Group shall include representatives from—

''(A) each State; and

''(B) each of the Lower, Middle, and Upper Basins of the Columbia River.

''(4) DUTIES AND RESPONSIBILITIES.—The Working Group shall—

''(A) recommend and prioritize projects and actions; and

''(B) review the progress and effectiveness of projects and actions implemented.

''(5) LOWER COLUMBIA RIVER ESTUARY.—

''(A) ESTUARY PARTNERSHIP.—The Estuary Partnership shall perform the duties and fulfill the responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary for such time as the Estuary Partnership is the management conference for the Lower Columbia River National Estuary Program under section 320.

''(B) DESIGNATION.—If the Estuary Partnership ceases to be the management conference for the Lower Columbia River National Estuary Program under section 320, the Administrator may designate the new management conference to assume the duties and responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary.

''(C) INCORPORATION.—If the Estuary Partnership is removed from the National Estuary Program, the duties and responsibilities for the lower 146 miles of the Columbia River pursuant to this Act shall be incorporated into the duties of the Working Group.

''(d) GRANTS.—

''(1) IN GENERAL.—The Administrator shall establish a voluntary, competitive Columbia River Basin program to provide grants to State governments, tribal governments, regional water pollution control agencies and entities, local government entities, nongovernmental entities, or soil and water conservation districts to develop or implement projects authorized under this section for the purpose of environmental protection and restoration activities throughout the Columbia River Basin.

''(2) FEDERAL SHARE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of the cost of any project or activity carried out using funds from a grant provided to any person (including a State, tribal, or local government or interstate or regional agency) under this subsection for a fiscal year—

''(i) shall not exceed 75 percent of the total cost of the project or activity; and

''(ii) shall be made on condition that the non-Federal share of that total cost shall be provided from non-Federal sources.

''(B) EXCEPTIONS.—With respect to cost-sharing for a grant provided under this subsection—

''(i) a tribal government may use Federal funds for the non-Federal share; and

''(ii) the Administrator may increase the Federal share under such circumstances as the Administrator determines to be appropriate.

''(3) ALLOCATION.—In making grants using funds appropriated to carry out this section, the Administrator shall—

''(A) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Lower Columbia River Estuary;

''(B) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Middle and Upper Columbia River Basin, which includes the Snake River Basin; and

''(C) retain for Environmental Protection Agency not more than 5 percent of the funds for purposes of implementing this section.

''(4) REPORTING.—

''(A) IN GENERAL.—Each grant recipient under this subsection shall submit to the Administrator reports on progress being made in achieving the purposes of this section.

''(B) REQUIREMENTS.—The Administrator shall establish requirements and timelines for recipients of grants under this subsection to report on progress made in achieving the purposes of this section.

''(5) RELATIONSHIP TO OTHER FUNDING.—

''(A) IN GENERAL.—Nothing in this subsection limits the eligibility of the Estuary Partnership to receive funding under section 320(g).

''(B) LIMITATION.—None of the funds made available under this subsection may be used for the administration of a management conference under section 320.

''(e) ANNUAL BUDGET PLAN.—The President, as part of the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, shall submit information regarding each Federal agency involved in protection and restoration of the Columbia River Basin, including an interagency crosscut budget that displays for each Federal agency—

''(1) the amounts obligated for the preceding fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin;

''(2) the estimated budget for the current fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin; and

''(3) the proposed budget for protection and restoration projects, programs, and studies relating to the Columbia River Basin.''.

Subtitle G—Innovative Water Infrastructure Workforce Development

SEC. 7701. INNOVATIVE WATER INFRASTRUCTURE WORKFORCE DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED.—The Administrator shall establish a competitive grant program to assist the development of innovative activities relating to workforce development in the water utility sector.

(b) SELECTION OF GRANT RECIPIENTS.—In awarding grants under subsection (a), the Administrator shall, to the maximum extent practicable, select water utilities that—

(1) are geographically diverse;

(2) address the workforce and human resources needs of large and small public water and wastewater utilities;

(3) address the workforce and human resources needs of urban and rural public water and wastewater utilities;

(4) advance training relating to construction, utility operations, treatment and distribution, green infrastructure, customer service, maintenance, and engineering; and

(5)(A) have a high retiring workforce rate; or

(B) are located in areas with a high unemployment rate.

(c) USE OF FUNDS.—Grants awarded under subsection (a) may be used for activities such as—

(1) targeted internship, apprenticeship, preapprenticeship, and post-secondary bridge programs for mission-critical skilled trades, in collaboration with labor organizations, community colleges, and other training and education institutions that provide—

(A) on-the-job training;

(B) soft and hard skills development;

(C) test preparation for skilled trade apprenticeships; or

(D) other support services to facilitate post-secondary success;

(2) kindergarten through 12th grade and young adult education programs that—

(A) educate young people about the role of water and wastewater utilities in the communities of the young people;

(B) increase the career awareness and exposure of the young people to water utility careers through various work-based learning opportunities inside and outside the classroom; and

(C) connect young people to post-secondary career pathways related to water utilities;

(3) regional industry and workforce development collaborations to identify water utility employment needs, map existing career

pathways, support the development of curricula, facilitate the sharing of resources, and coordinate candidate development, staff preparedness efforts, and activities that engage and support—

(A) water utilities employers;

(B) educational and training institutions;

(C) local community-based organizations;

(D) public workforce agencies; and

(E) other related stakeholders;

(4) integrated learning laboratories embedded in high schools or other secondary educational institutions that provide students with—

(A) hands-on, contextualized learning opportunities;

(B) dual enrollment credit for post-secondary education and training programs; and

(C) direct connection to industry employers; and

(5) leadership development, occupational training, mentoring, or cross-training programs that ensure that incumbent water and wastewater utilities workers are prepared for higher-level supervisory or management-level positions.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section $1,000,000 for each of fiscal years 2017 through 2021.

Subtitle H—Offset

SEC. 7801. 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.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 8001. APPROVAL OF STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.

Section 4005 of the Solid Waste Disposal Act (42 U.S.C. 6945) is amended by adding at the end the following:

''(d) STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.—

''(1) APPROVAL BY ADMINISTRATOR.—

''(A) IN GENERAL.—Each State may submit to the Administrator, in such form as the Administrator may establish, evidence of a permit program or other system of prior approval and conditions under State law for regulation by the State of coal combustion residual units that are located in the State in lieu of a Federal program under this subsection.

''(B) REQUIREMENT.—Not later than 90 days after the date on which a State submits the evidence described in subparagraph (A), the Administrator shall approve, in whole or in part, a permit program or other system of prior approval and conditions submitted under subparagraph (A) if the Administrator determines that the program or other system requires each coal combustion residual unit located in the State to achieve compliance with—

''(i) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a); or

''(ii) such other State criteria that the Administrator, after consultation with the State, determines to be at least as protective as the criteria described in clause (i).

''(C) PERMIT REQUIREMENTS.—The Administrator may approve under subparagraph (B)(ii) a State permit program or other system of prior approval and conditions that allows a State to include technical standards for individual permits or conditions of approval that differ from the technical standards under part 257 of title 40, Code of Federal Regulations (or successor regulations), if, based on site-specific conditions, the technical standards established pursuant to an approved State program or other system are at least as protective as the technical standards under that part.

''(D) WITHDRAWAL OF APPROVAL.—

''(i) PROGRAM REVIEW.—The Administrator shall review programs or other systems approved under subparagraph (B)—

''(I) from time to time, but not less frequently than once every 5 years; or

''(II) on request of any State.

''(ii) NOTIFICATION AND OPPORTUNITY FOR A PUBLIC HEARING.—The Administrator shall provide to the relevant State notice and an opportunity for a public hearing if the Administrator determines that—

''(I) a revision or correction to the permit program or other system of prior approval and conditions of the State is required for the State to achieve compliance with the requirements of subparagraph (B);

''(II) the State has not adopted and implemented an adequate permit program or other system of prior approval and conditions for each coal combustion residual unit located in the State to ensure compliance with the requirements of subparagraph (B); or

''(III) the State has, at any time, approved or failed to revoke a permit under this subsection that would lead to the violation of a law to protect human health or the environment of any other State.

''(iii) WITHDRAWAL.—

''(I) IN GENERAL.—The Administrator shall withdraw approval of a State permit program or other system of prior approval and conditions if, after the Administrator provides notice and an opportunity for a public hearing to the relevant State under clause (ii), the Administrator determines that the State has not corrected the deficiency.

''(II) REINSTATEMENT OF STATE APPROVAL.—Any withdrawal of approval under subclause (I) shall cease to be effective on the date on which the Administrator makes a determination that the State permit program or other system of prior approval and conditions complies with the requirements of subparagraph (B).

''(2) NONPARTICIPATING STATES.—

''(A) DEFINITION OF NONPARTICIPATING STATE.—In this paragraph, the term 'nonparticipating State' means a State—

''(i) for which the Administrator has not approved a State permit program or other system of prior approval and conditions under paragraph (1)(B);

''(ii) the Governor of which has not submitted to the Administrator for approval evidence to operate a State permit program or other system of prior approval and conditions under paragraph (1)(A);

''(iii) the Governor of which has provided notice to the Administrator that, not fewer than 90 days after the date on which the Governor provides notice to the Administrator, the State relinquishes an approval under paragraph (1)(B) to operate a permit program or other system of prior approval and conditions; or

''(iv) for which the Administrator has withdrawn approval for a permit program or other system of prior approval and conditions under paragraph (1)(D)(iii).

''(B) PERMIT PROGRAM.—In the case of a nonparticipating State for which the Administrator makes a determination that the nonparticipating State lacks the capacity to implement a permit program or other system of prior approval and conditions and subject to the availability of appropriations, the Administrator may implement a permit program to require each coal combustion residual unit located in the nonparticipating State to achieve compliance with applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

''(3) APPLICABILITY OF CRITERIA.—The applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a), shall apply to each coal combustion residual unit in a State unless—

''(A) a permit under a State permit program or other system of prior approval and conditions approved by the Administrator under paragraph (1)(B) is in effect; or

''(B) a permit issued by the Administrator in a State in which the Administrator is implementing a permit program under paragraph (2)(B) is in effect.

''(4) PROHIBITION ON OPEN DUMPING.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)(i) and subject to subparagraph (B)(ii), the Administrator may use the authority provided by sections 3007 and 3008 to enforce the prohibition against open dumping contained in subsection (a) with respect to a coal combustion residual unit.

''(B) FEDERAL ENFORCEMENT IN APPROVED STATE.—

''(i) IN GENERAL.—In the case of a coal combustion residual unit located in a State that is approved to operate a permit program or other system of prior approval and conditions under paragraph (1)(B), the Administrator may commence an administrative or judicial enforcement action under section 3008 if—

''(I) the State requests that the Administrator provide assistance in the performance of the enforcement action; or

''(II) after consideration of any other administrative or judicial enforcement action involving the coal combustion residual unit, the Administrator determines that an enforcement action is likely to be necessary to ensure that the coal combustion residual unit is operating in accordance with the criteria established under the permit program or other system of prior approval and conditions.

''(ii) NOTIFICATION.—In the case of an enforcement action by the Administrator under clause (i)(II), before issuing an order or commencing a civil action, the Administrator shall notify the State in which the coal combustion residual unit is located.

''(iii) ANNUAL REPORT TO CONGRESS.—Not later than December 31, 2017, and December 31 of each year thereafter, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes any enforcement action commenced under clause (i)(II), including a description of the basis for the enforcement action.

''(5) INDIAN COUNTRY.—The Administrator may establish and carry out a permit program, in accordance with this subsection, for coal combustion residual units in Indian country (as defined in section 1151 of title 18, United States Code) to require each coal combustion residual unit located in Indian country to achieve compliance with the applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

''(6) TREATMENT OF COAL COMBUSTION RESIDUAL UNITS.—A coal combustion residual unit shall be considered to be a sanitary landfill for purposes of subsection (a) only if the coal combustion residual unit is operating in accordance with—

''(A) the requirements established pursuant to a program for which an approval is provided by—

''(i) the State in accordance with a program or system approved under paragraph (1)(B); or

''(ii) the Administrator pursuant to paragraph (2)(B) or paragraph (5); or

''(B) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a).

''(7) EFFECT OF SUBSECTION.—Nothing in this subsection affects any authority, regulatory determination, other law, or legal obligation in effect on the day before the date of enactment of the Water Resources Development Act of 2016.''.

SEC. 8002. CHOCTAW NATION OF OKLAHOMA AND THE CHICKASAW NATION WATER SETTLEMENT.

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

(1) to permanently resolve and settle those claims to Settlement Area Waters of the Choctaw Nation of Oklahoma and the Chickasaw Nation as set forth in the Settlement Agreement and this section, including all claims or defenses in and to Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–927 (W.D. Ok.), OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any future stream adjudication;

(2) to approve, ratify, and confirm the Settlement Agreement;

(3) to authorize and direct the Secretary of the Interior to execute the Settlement Agreement and to perform all obligations of the Secretary of the Interior under the Settlement Agreement and this section;

(4) to approve, ratify, and confirm the amended storage contract among the State, the City and the Trust;

(5) to authorize and direct the Secretary to approve the amended storage contract for the Corps of Engineers to perform all obligations under the 1974 storage contract, the amended storage contract, and this section; and

(6) to authorize all actions necessary for the United States to meet its obligations under the Settlement Agreement, the amended storage contract, and this section.

(b) DEFINITIONS.—In this section:

(1) 1974 STORAGE CONTRACT.—The term ''1974 storage contract'' means the contract approved by the Secretary on April 9, 1974, between the Secretary and the Water Conservation Storage Commission of the State of Oklahoma pursuant to section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), and other applicable Federal law.

(2) 2010 AGREEMENT.—The term ''2010 agreement'' means the agreement entered into among the OWRB and the Trust, dated June 15, 2010, relating to the assignment by the State of the 1974 storage contract and transfer of rights, title, interests, and obligations under that contract to the Trust, including the interests of the State in the conservation storage capacity and associated repayment obligations to the United States.

(3) ADMINISTRATIVE SET-ASIDE SUBCONTRACTS.—The term ''administrative set-aside subcontracts'' means the subcontracts the City shall issue for the use of Conservation Storage Capacity in Sardis Lake as provided by section 4 of the amended storage contract.

(4) ALLOTMENT.—The term ''allotment'' means the land within the Settlement Area held by an allottee subject to a statutory restriction on alienation or held by the United States in trust for the benefit of an allottee.

(5) ALLOTTEE.—The term ''allottee'' means an enrolled member of the Choctaw Nation or citizen of the Chickasaw Nation who, or whose estate, holds an interest in an allotment.

(6) AMENDED PERMIT APPLICATION.—The term ''amended permit application'' means the permit application of the City to the OWRB, No. 2007–17, as amended as provided by the Settlement Agreement.

(7) AMENDED STORAGE CONTRACT TRANSFER AGREEMENT; AMENDED STORAGE CONTRACT.—The terms ''amended storage contract transfer agreement'' and ''amended storage contract'' mean the 2010 Agreement between the City, the Trust, and the OWRB, as amended, as provided by the Settlement Agreement and this section.

(8) ATOKA AND SARDIS CONSERVATION PROJECTS FUND.—The term ''Atoka and Sardis Conservation Projects Fund'' means the Atoka and Sardis Conservation Projects Fund established, funded, and managed in accordance with the Settlement Agreement.

(9) CITY.—The term ''City'' means the City of Oklahoma City, or the City and the Trust acting jointly, as applicable.

(10) CITY PERMIT.—The term ''City permit'' means any permit issued to the City by the OWRB pursuant to the amended permit application and consistent with the Settlement Agreement.

(11) CONSERVATION STORAGE CAPACITY.—The term ''conservation storage capacity'' means the total storage space as stated in the 1974 storage contract in Sardis Lake between elevations 599.0 feet above mean sea level and 542.0 feet above mean sea level, which is estimated to contain 297,200 acre-feet of water after adjustment for sediment deposits, and which may be used for municipal and industrial water supply, fish and wildlife, and recreation.

(12) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date on which the Secretary of the Interior publishes in the Federal Register a notice certifying that the conditions of subsection (i) have been satisfied.

(13) FUTURE USE STORAGE.—The term ''future use storage'' means that portion of the conservation storage capacity that was designated by the 1974 Contract to be utilized for future water use storage and was estimated to contain 155,500 acre feet of water after adjustment for sediment deposits, or 52.322 percent of the conservation storage capacity.

(14) NATIONS.—The term ''Nations'' means, collectively, the Choctaw Nation of Oklahoma (''Choctaw Nation'') and the Chickasaw Nation.

(15) OWRB.—The term ''OWRB'' means the Oklahoma Water Resources Board.

(16) SARDIS LAKE.—The term ''Sardis Lake'' means the reservoir, formerly known as Clayton Lake, whose dam is located in Section 19, Township 2 North, Range 19 East of the Indian Meridian, Pushmataha County, Oklahoma, the construction, operation, and maintenance of which was authorized by section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187).

(17) SETTLEMENT AGREEMENT.—The term ''Settlement Agreement'' means the settlement agreement as approved by the Nations, the State, the City, and the Trust effective August 22, 2016, as revised to conform with this section, as applicable.

(18) SETTLEMENT AREA.—The term ''settlement area'' means—

(A) the area lying between—

(i) the South Canadian River and Arkansas River to the north;

(ii) the Oklahoma–Texas State line to the south;

(iii) the Oklahoma–Arkansas State line to the east; and

(iv) the 98th Meridian to the west; and

(B) the area depicted in Exhibit 1 to the Settlement Agreement and generally including the following counties, or portions of, in the State:

(i) Atoka.
(ii) Bryan.
(iii) Carter.
(iv) Choctaw.
(v) Coal.
(vi) Garvin.
(vii) Grady.
(viii) McClain.
(ix) Murray.
(x) Haskell.
(xi) Hughes.
(xii) Jefferson.
(xiii) Johnston.
(xiv) Latimer.
(xv) LeFlore.
(xvi) Love.
(xvii) Marshall.
(xviii) McCurtain.
(xix) Pittsburgh.
(xx) Pontotoc.
(xxi) Pushmataha.
(xxii) Stephens.

(19) SETTLEMENT AREA WATERS.—The term ''settlement area waters'' means the waters located—

(A) within the settlement area; and

(B) within a basin depicted in Exhibit 10 to the Settlement Agreement, including any of the following basins as denominated in the 2012 Update of the Oklahoma Comprehensive Water Plan:

(i) Beaver Creek (24, 25, and 26).
(ii) Blue (11 and 12).
(iii) Clear Boggy (9).
(iv) Kiamichi (5 and 6).
(v) Lower Arkansas (46 and 47).
(vi) Lower Canadian (48, 56, 57, and 58).
(vii) Lower Little (2).
(viii) Lower Washita (14).
(ix) Mountain Fork (4).
(x) Middle Washita (15 and 16).
(xi) Mud Creek (23).
(xii) Muddy Boggy (7 and 8).
(xiii) Poteau (44 and 45).
(xiv) Red River Mainstem (1, 10, 13, and 21).
(xv) Upper Little (3).
(xvi) Walnut Bayou (22).

(20) STATE.—The term ''State'' means the State of Oklahoma.

(21) TRUST.—

(A) IN GENERAL.—The term ''Trust'' means the Oklahoma City Water Utilities Trust, formerly known as the Oklahoma City Municipal Improvement Authority, a public trust established pursuant to State law with the City as the beneficiary.

(B) REFERENCES.—A reference in this section to ''Trust'' shall refer to the Oklahoma City Water Utilities Trust, acting severally.

(c) APPROVAL OF THE SETTLEMENT AGREEMENT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except as modified by this section, and to the extent the Settlement Agreement does not conflict with this section, the Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—If an amendment is executed to make the Settlement Agreement consistent with this section, the amendment is also authorized, ratified and confirmed to the extent the amendment is consistent with this section.

(2) EXECUTION OF SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent the Settlement Agreement does not conflict with this section, the Secretary of the Interior shall promptly execute the Settlement Agreement, including all exhibits to or parts of the Settlement Agreement requiring the signature of the Secretary of the Interior and any amendments necessary to make the Settlement Agreement consistent with this section.

(B) NOT A MAJOR FEDERAL ACTION.—Execution of the Settlement Agreement by the

Secretary of the Interior under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) APPROVAL OF THE AMENDED STORAGE CONTRACT AND 1974 STORAGE CONTRACT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except to the extent any provision of the amended storage contract conflicts with any provision of this section, the amended storage contract is authorized, ratified, and confirmed.

(B) 1974 STORAGE CONTRACT.—To the extent the amended storage contract, as authorized, ratified, and confirmed, modifies or amends the 1974 storage contract, the modification or amendment to the 1974 storage contract is authorized, ratified, and confirmed.

(C) AMENDMENTS.—To the extent an amendment is executed to make the amended storage contract consistent with this section, the amendment is authorized, ratified, and confirmed.

(2) APPROVAL BY THE SECRETARY.—After the State and the City execute the amended storage contract, the Secretary shall approve the amended storage contract.

(3) MODIFICATION OF SEPTEMBER 11, 2009, ORDER IN UNITED STATES V. OKLAHOMA WATER RESOURCES BOARD, CIV 98–00521 (N.D. OK).—The Secretary, through counsel, shall cooperate and work with the State to file any motion and proposed order to modify or amend the order of the United States District Court for the Northern District of Oklahoma dated September 11, 2009, necessary to conform the order to the amended storage contract transfer agreement, the Settlement Agreement, and this section.

(4) CONSERVATION STORAGE CAPACITY.—The allocation of the use of the conservation storage capacity in Sardis Lake for administrative set-aside subcontracts, City water supply, and fish and wildlife and recreation as provided by the amended storage contract is authorized, ratified and approved.

(5) ACTIVATION; WAIVER.—

(A) FINDINGS.—Congress finds that—

(i) the earliest possible activation of any increment of future use storage in Sardis Lake will not occur until after 2050; and

(ii) the obligation to make annual payments for the Sardis future use storage operation, maintenance and replacement costs, capital costs, or interest attributable to Sardis future use storage only arises if, and only to the extent, that an increment of Sardis future use storage is activated by withdrawal or release of water from the future use storage that is authorized by the user for a consumptive use of water.

(B) WAIVER OF OBLIGATIONS FOR STORAGE THAT IS NOT ACTIVATED.—Notwithstanding section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187), the 1974 storage contract, or any other provision of law, effective as of January 1, 2050—

(i) the entirety of any repayment obligations (including interest), relating to that portion of conservation storage capacity allocated by the 1974 storage contract to future use storage in Sardis Lake is waived and shall be considered nonreimbursable; and

(ii) any obligation of the State and, on execution and approval of the amended storage contract, of the City and the Trust, under the 1974 storage contract regarding capital costs and any operation, maintenance, and replacement costs and interest otherwise attributable to future use storage in Sardis Lake is waived and shall be nonreimbursable, if by January 1, 2050, the right to future use storage is not activated by the withdrawal or release of water from future use storage for an authorized consumptive use of water.

(6) CONSISTENT WITH AUTHORIZED PURPOSES; NO MAJOR OPERATIONAL CHANGE.—

(A) CONSISTENT WITH AUTHORIZED PURPOSE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5)—

(i) are deemed consistent with the authorized purposes for Sardis Lake as described in section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187) and do not affect the authorized purposes for which the project was authorized, surveyed, planned, and constructed; and

(ii) shall not constitute a reallocation of storage.

(B) NO MAJOR OPERATIONAL CHANGE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5) shall not constitute a major operational change under section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)).

(7) NO FURTHER AUTHORIZATION REQUIRED.—This section shall be considered sufficient and complete authorization, without further study or analysis, for—

(A) the Secretary to approve the amended storage contract; and

(B) after approval under subparagraph (A), the Corps of Engineers to manage storage in Sardis Lake pursuant to and in accordance with the 1974 storage contract, the amended storage contract, and the Settlement Agreement.

(e) SETTLEMENT AREA WATERS.—

(1) FINDINGS.—Congress finds that—

(A) pursuant to the Atoka Agreement as ratified by section 29 of the Act of June 28, 1898 (30 Stat. 505, chapter 517) (as modified by the Act of July 1, 1902 (32 Stat. 641, chapter 1362)), the Nations issued patents to their respective tribal members and citizens and thereby conveyed to individual Choctaws and Chickasaws, all right, title, and interest in and to land that was possessed by the Nations, other than certain mineral rights; and

(B) when title passed from the Nations to their respective tribal members and citizens, the Nations did not convey and those individuals did not receive any right of regulatory or sovereign authority, including with respect to water.

(2) PERMITTING, ALLOCATION, AND ADMINISTRATION OF SETTLEMENT AREA WATERS PURSUANT TO THE SETTLEMENT AGREEMENT.—Beginning on the enforceability date, settlement area waters shall be permitted, allocated, and administered by the OWRB in accordance with the Settlement Agreement and this section.

(3) CHOCTAW NATION AND CHICKASAW NATION.—Beginning on the enforceability date, the Nations shall have the right to use and to develop the right to use settlement area waters only in accordance with the Settlement Agreement and this section.

(4) WAIVER AND DELEGATION BY NATIONS.—In addition to the waivers under subsection (h), the Nations, on their own behalf, shall permanently delegate to the State any regulatory authority each Nation may possess over water rights on allotments, which the State shall exercise in accordance with the Settlement Agreement and this subsection.

(5) RIGHT TO USE WATER.—

(A) IN GENERAL.—An allottee may use water on an allotment in accordance with the Settlement Agreement and this subsection.

(B) SURFACE WATER USE.—

(i) IN GENERAL.—An allottee may divert and use, on the allotment of the allottee, 6 acre-feet per year of surface water per 160 acres, to be used solely for domestic uses on an allotment that constitutes riparian land under applicable State law as of the date of enactment of this Act.

(ii) EFFECT OF STATE LAW.—The use of surface water described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may divert water under this subsection without a permit or any other authorization from the OWRB.

(C) GROUNDWATER USE.—

(i) IN GENERAL.—An allottee may drill wells on the allotment of the allottee to take and use for domestic uses the greater of—

(I) 5 acre-feet per year; or

(II) any greater quantity allowed under State law.

(ii) EFFECT OF STATE LAW.—The groundwater use described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may drill wells and use water under this subsection without a permit or any other authorization from the OWRB.

(D) FUTURE CHANGES IN STATE LAW.—

(i) IN GENERAL.—If State law changes to limit use of water to a quantity that is less than the applicable quantity specified in subparagraph (B) or (C), as applicable, an allottee shall retain the right to use water in accord with those subparagraphs, subject to paragraphs (6)(B)(iv) and (7).

(ii) OPPORTUNITY TO BE HEARD.—Prior to taking any action to limit the use of water by an individual, the OWRB shall provide to the individual an opportunity to demonstrate that the individual is—

(I) an allottee; and

(II) using water on the allotment pursuant to and in accordance with the Settlement Agreement and this section.

(6) ALLOTTEE OPTIONS FOR ADDITIONAL WATER.—

(A) IN GENERAL.—To use a quantity of water in excess of the quantities provided under paragraph (5), an allottee shall—

(i) file an action under subparagraph (B); or

(ii) apply to the OWRB for a permit pursuant to, and in accordance with, State law.

(B) DETERMINATION IN FEDERAL DISTRICT COURT.—

(i) IN GENERAL.—In lieu of applying to the OWRB for a permit to use more water than is allowed under paragraph (5), an allottee may, after written notice to the OWRB, file an action in the United States District Court for the Western District of Oklahoma for determination of the right to water of the allottee.

(ii) JURISDICTION.—For purposes of this subsection—

(I) the United States District Court for the Western District of Oklahoma shall have jurisdiction; and

(II) the waivers of immunity under subparagraphs (A) and (B) of subsection (j)(2) shall apply.

(iii) REQUIREMENTS.—An allottee filing an action pursuant to this subparagraph shall—

(I) join the OWRB as a party; and

(II) publish notice in a newspaper of general circulation within the Settlement Area Hydrologic Basin for 2 consecutive weeks, with the first publication appearing not later than 30 days after the date on which the action is filed.

(iv) DETERMINATION FINAL.—

(I) IN GENERAL.—Subject to subclause (II), if an allottee elects to have the rights of the allottee determined pursuant to this subparagraph, the determination shall be final as to any rights under Federal law and in

lieu of any rights to use water on an allotment as provided in paragraph (5).

(II) RESERVATION OF RIGHTS.—Subclause (I) shall not preclude an allottee from—

(aa) applying to the OWRB for water rights pursuant to State law; or

(bb) using any rights allowed by State law that do not require a permit from the OWRB.

(7) OWRB ADMINISTRATION AND ENFORCEMENT.—

(A) IN GENERAL.—If an allottee exercises any right under paragraph (5) or has rights determined under paragraph (6)(B), the OWRB shall have jurisdiction to administer those rights.

(B) CHALLENGES.—An allottee may challenge OWRB administration of rights determined under this paragraph, in the United States District Court for the Western District of Oklahoma.

(8) PRIOR EXISTING STATE LAW RIGHTS.—Water rights held by an allottee as of the enforceability date pursuant to a permit issued by the OWRB shall be governed by the terms of that permit and applicable State law (including regulations).

(f) CITY PERMIT FOR APPROPRIATION OF STREAM WATER FROM THE KIAMICHI RIVER.—The City permit shall be processed, evaluated, issued, and administered consistent with and in accordance with the Settlement Agreement and this section.

(g) SETTLEMENT COMMISSION.—

(1) ESTABLISHMENT.—There is established a Settlement Commission.

(2) MEMBERS.—

(A) IN GENERAL.—The Settlement Commission shall be comprised of 5 members, appointed as follows:

(i) 1 by the Governor of the State.

(ii) 1 by the Attorney General of the State.

(iii) 1 by the Chief of the Choctaw Nation.

(iv) 1 by the Governor of the Chickasaw Nation.

(v) 1 by agreement of the members described in clauses (i) through (iv).

(B) JOINTLY APPOINTED MEMBER.—If the members described in clauses (i) through (iv) of subparagraph (A) do not agree on a member appointed pursuant to subparagraph (A)(v)—

(i) the members shall submit to the Chief Judge for the United States District Court for the Eastern District of Oklahoma, a list of not less than 3 persons; and

(ii) from the list under clause (i), the Chief Judge shall make the appointment.

(C) INITIAL APPOINTMENTS.—The initial appointments to the Settlement Commission shall be made not later than 90 days after the enforceability date.

(3) MEMBER TERMS.—

(A) IN GENERAL.—Each Settlement Commission member shall serve at the pleasure of appointing authority.

(B) COMPENSATION.—A member of the Settlement Commission shall serve without compensation, but an appointing authority may reimburse the member appointed by the entity for costs associated with service on the Settlement Commission.

(C) VACANCIES.—If a member of the Settlement Commission is removed or resigns, the appointing authority shall appoint the replacement member.

(D) JOINTLY APPOINTED MEMBER.—The member of the Settlement Commission described in paragraph (2)(A)(v) may be removed or replaced by a majority vote of the Settlement Commission based on a failure of the member to carry out the duties of the member.

(4) DUTIES.—The duties and authority of the Settlement Commission shall be set forth in the Settlement Agreement, and the Settlement Commission shall not possess or exercise any duty or authority not stated in the Settlement Agreement.

(h) WAIVERS AND RELEASES OF CLAIMS.—

(1) CLAIMS BY THE NATIONS AND THE UNITED STATES AS TRUSTEE FOR THE NATIONS.—Subject to the retention of rights and claims provided in paragraph (3) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations and the United States, acting as a trustee for the Nations, shall execute a waiver and release of—

(A) all of the following claims asserted or which could have been asserted in any proceeding filed or that could have been filed during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–927 (W.D. Ok.), OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any general stream adjudication, relating to—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, which claim is based on the status of the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted or which could have been asserted in Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–927 (W.D. Ok.), OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80–48 and 54–613 of the City for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date;

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract; and

(H) all claims for damages, losses, or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of rights pursuant to the amended storage contract.

(2) WAIVERS AND RELEASES OF CLAIMS BY THE NATIONS AGAINST THE UNITED STATES.—Subject to the retention of rights and claims provided in paragraph (3) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations are authorized to execute a waiver and release of all claims against the United States (including any agency or employee of the United States) relating to—

(A) all of the following claims asserted or which could have been asserted in any proceeding filed or that could have been filed by the United States as a trustee during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–9272 (W.D. Ok.) or OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any general stream adjudication, relating to—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, which claim is based on the status of the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted or which could have been asserted in Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–927 (W.D. Ok.), OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date;

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract;

(H) all claims relating to litigation brought by the United States prior to the enforceability date of the water rights of the Nations in the State; and

(I) all claims relating to the negotiation, execution, or adoption of the Settlement Agreement (including exhibits) or this section.

(3) RETENTION AND RESERVATION OF CLAIMS BY NATIONS AND THE UNITED STATES.—

(A) IN GENERAL.—Notwithstanding the waiver and releases of claims authorized under paragraphs (1) and (2), the Nations and the United States, acting as trustee, shall retain—

(i) all claims for enforcement of the Settlement Agreement and this section;

(ii) all rights to use and protect any water right of the Nations recognized by or established pursuant to the Settlement Agreement, including the right to assert claims for injuries relating to the rights and the right to participate in any general stream adjudication, including any inter se proceeding;

(iii) all claims relating to activities affecting the quality of water that are not waived under paragraph (1)(A)(v) or paragraph (2)(A)(v), including any claims the Nations may have under—

(I) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including for damages to natural resources;

(II) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(III) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(IV) any regulations implementing the Acts described in items (aa) through (cc);

(iv) all claims relating to damage, loss, or injury resulting from an unauthorized diversion, use, or storage of water, including damages, losses, or injuries to land or nonwater natural resources associated with any hunting, fishing, gathering, or cultural right; and

(v) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this section or the Settlement Agreement.

(B) AGREEMENT.—

(i) IN GENERAL.—As provided in the Settlement Agreement, the Chickasaw Nation shall convey an easement to the City, which easement shall be as described and depicted in Exhibit 15 to the Settlement Agreement.

(ii) APPLICATION.—The Chickasaw Nation and the City shall cooperate and coordinate on the submission of an application for approval by the Secretary of the Interior of the conveyance under clause (i), in accordance with applicable Federal law.

(iii) RECORDING.—On approval by the Secretary of the Interior of the conveyance of the easement under this clause, the City shall record the easement.

(iv) CONSIDERATION.—In exchange for conveyance of the easement under clause (i), the City shall pay to the Chickasaw Nation the value of past unauthorized use and consideration for future use of the land burdened by the easement, based on an appraisal secured by the City and Nations and approved by the Secretary of the Interior.

(4) EFFECTIVE DATE OF WAIVER AND RELEASES.—The waivers and releases under this subsection take effect on the enforceability date.

(5) TOLLING OF CLAIMS.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this subsection shall be tolled during the period beginning on the date of enactment of this Act and ending on the earlier of the enforceability date or the expiration date under subsection (i)(2).

(i) ENFORCEABILITY DATE.—

(1) IN GENERAL.—The Settlement Agreement shall take effect and be enforceable on the date on which the Secretary of the Interior publishes in the Federal Register a certification that—

(A) to the extent the Settlement Agreement conflicts with this section, the Settlement Agreement has been amended to conform with this section;

(B) the Settlement Agreement, as amended, has been executed by the Secretary of the Interior, the Nations, the Governor of the State, the OWRB, the City, and the Trust;

(C) to the extent the amended storage contract conflicts with this section, the amended storage contract has been amended to conform with this section;

(D) the amended storage contract, as amended to conform with this section, has been—

(i) executed by the State, the City, and the Trust; and

(ii) approved by the Secretary;

(E) an order has been entered in United States v. Oklahoma Water Resources Board, Civ. 98–C–521–E with any modifications to the order dated September 11, 2009, as provided in the Settlement Agreement;

(F) orders of dismissal have been entered in Chickasaw Nation, Choctaw Nation v. Fallin et al., Civ 11–297 (W.D. Ok.) and OWRB v. United States, et al. Civ 12–275 (W.D. Ok.) as provided in the Settlement Agreement;

(G) the OWRB has issued the City Permit;

(H) the final documentation of the Kiamichi Basin hydrologic model is on file at the Oklahoma City offices of the OWRB; and

(I) the Atoka and Sardis Conservation Projects Fund has been funded as provided in the Settlement Agreement.

(2) EXPIRATION DATE.—If the Secretary of the Interior fails to publish a statement of findings under paragraph (1) by not later than September 30, 2020, or such alternative later date as is agreed to by the Secretary of the Interior, the Nations, the State, the City, and the Trust under paragraph (4), the following shall apply:

(A) This section, except for this subsection and any provisions of this section that are necessary to carry out this subsection (but only for purposes of carrying out this subsection) are not effective beginning on September 30, 2020, or the alternative date.

(B) The waivers and release of claims, and the limited waivers of sovereign immunity, shall not become effective.

(C) The Settlement Agreement shall be null and void, except for this paragraph and any provisions of the Settlement Agreement that are necessary to carry out this paragraph.

(D) Except with respect to this paragraph, the State, the Nations, the City, the Trust, and the United States shall not be bound by any obligations or benefit from any rights recognized under the Settlement Agreement.

(E) If the City permit has been issued, the permit shall be null and void, except that the City may resubmit to the OWRB, and the OWRB shall be considered to have accepted, OWRB permit application No. 2007–017 without having waived the original application priority date and appropriative quantities.

(F) If the amended storage contract has been executed or approved, the contract shall be null and void, and the 2010 agreement shall be considered to be in force and effect as between the State and the Trust.

(G) If the Atoka and Sardis Conservation Projects Fund has been established and funded, the funds shall be returned to the respective funding parties with any accrued interest.

(3) NO PREJUDICE.—The occurrence of the expiration date under paragraph (2) shall not in any way prejudice—

(A) any argument or suit that the Nations may bring to contest—

(i) the pursuit by the City of OWRB permit application No. 2007–017, or a modified version; or

(ii) the 2010 agreement;

(B) any argument, defense, or suit the State may bring or assert with regard to the claims of the Nations to water or over water in the settlement area; or

(C) any argument, defense or suit the City may bring or assert—

(i) with regard to the claims of the Nations to water or over water in the settlement area relating to OWRB permit application No. 2007–017, or a modified version; or

(ii) to contest the 2010 agreement.

(4) EXTENSION.—The expiration date under paragraph (2) may be extended in writing if the Nations, the State, the OWRB, the United States, and the City agree that an extension is warranted.

(j) JURISDICTION, WAIVERS OF IMMUNITY FOR INTERPRETATION AND ENFORCEMENT.—

(1) JURISDICTION.—

(A) IN GENERAL.—

(i) EXCLUSIVE JURISDICTION.—The United States District Court for the Western District of Oklahoma shall have exclusive jurisdiction for all purposes and for all causes of action relating to the interpretation and enforcement of the Settlement Agreement, the amended storage contract, or interpretation or enforcement of this section, including all actions filed by an allottee pursuant to subsection (e)(4)(B).

(ii) RIGHT TO BRING ACTION.—The Choctaw Nation, the Chickasaw Nation, the State, the City, the Trust, and the United States shall each have the right to bring an action pursuant to this section.

(iii) NO ACTION IN OTHER COURTS.—No action may be brought in any other Federal, Tribal, or State court or administrative forum for any purpose relating to the Settlement Agreement, amended storage contract, or this section.

(iv) NO MONETARY JUDGMENT.—Nothing in this section authorizes any money judgment or otherwise allows the payment of funds by the United States, the Nations, the State (including the OWRB), the City, or the Trust.

(B) NOTICE AND CONFERENCE.—An entity seeking to interpret or enforce the Settlement Agreement shall comply with the following:

(i) Any party asserting noncompliance or seeking interpretation of the Settlement Agreement or this section shall first serve written notice on the party alleged to be in breach of the Settlement Agreement or violation of this section.

(ii) The notice under clause (i) shall identify the specific provision of the Settlement Agreement or this section alleged to have been violated or in dispute and shall specify in detail the contention of the party asserting the claim and any factual basis for the claim.

(iii) Representatives of the party alleging a breach or violation and the party alleged to be in breach or violation shall meet not later than 30 days after receipt of notice under clause (i) in an effort to resolve the dispute.

(iv) If the matter is not resolved to the satisfaction of the party alleging breach not later than 90 days after the original notice under clause (i), the party may take any appropriate enforcement action consistent with the Settlement Agreement and this subsection.

(2) LIMITED WAIVERS OF SOVEREIGN IMMUNITY.—

(A) IN GENERAL.—The United States and the Nations may be joined in an action filed in the United States District Court for the Western District of Oklahoma.

(B) UNITED STATES IMMUNITY.—Any claim by the United States to sovereign immunity from suit is irrevocably waived for any action brought by the State, the Chickasaw Nation, the Choctaw Nation, the City, the Trust, or (solely for purposes of actions brought pursuant to subsection (e)) an allottee in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, including of the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(C) CHICKASAW NATION IMMUNITY.—For the exclusive benefit of the State (including the OWRB), the City, the Trust, the Choctaw Nation, and the United States, the sovereign immunity of the Chickasaw Nation from suit is waived solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State or the OWRB, the City, the Trust, the Choctaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(D) CHOCTAW NATION IMMUNITY.—For the exclusive benefit of the State (including of the OWRB), the City, the Trust, the Chickasaw Nation, and the United States, the Choctaw Nation shall expressly and irrevocably consent to a suit and waive sovereign immunity from a suit solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State, the OWRB, the City, the Trust, the Chickasaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(k) DISCLAIMER.—

(1) IN GENERAL.—The Settlement Agreement applies only to the claims and rights of the Nations.

(2) NO PRECEDENT.—Nothing in this section or the Settlement Agreement shall be construed in any way to quantify, establish, or serve as precedent regarding the land and water rights, claims, or entitlements to water of any American Indian Tribe other than the Nations, including any other American Indian Tribe in the State.

SEC. 8003. LAND TRANSFER AND TRUST LAND FOR THE MUSCOGEE (CREEK) NATION.

(a) TRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2) and for the consideration described in subsection (c), the Secretary shall transfer to the Secretary of the Interior the land described in subsection (b) to be held in trust for the benefit of the Muscogee (Creek) Nation.

(2) CONDITIONS.—The land transfer under this subsection shall be subject to the following conditions:

(A) The transfer—

(i) shall not interfere with the Corps of Engineers operation of the Eufaula Lake Project or any other authorized civil works projects; and

(ii) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to ensure the continued operation of the Eufaula Lake Project or any other authorized civil works project.

(B) The Secretary shall retain the right to inundate with water the land transferred to the Secretary of the Interior under this subsection, as necessary to carry out an authorized purpose of the Eufaula Lake Project or any other civil works project.

(C) No gaming activities may be conducted on the land transferred under this subsection.

(b) LAND DESCRIPTION.—

(1) IN GENERAL.—The land to be transferred pursuant to subsection (a) is the approximately 18.38 acres of land located in the Northwest Quarter (NW 1/4) of sec. 3, T. 10 N., R. 16 E., McIntosh County, Oklahoma, generally depicted as ''USACE'' on the map entitled ''Muscogee (Creek) Nation Proposed Land Acquisition'' and dated October 16, 2014.

(2) SURVEY.—The exact acreage and legal description of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Secretary of the Interior.

(c) CONSIDERATION.—The Muscogee (Creek) Nation shall pay—

(1) to the Secretary an amount that is equal to the fair market value of the land transferred under subsection (a), as determined by the Secretary, which funds may be accepted and expended by the Secretary; and

(2) all costs and administrative expenses associated with the transfer of land under subsection (a), including the costs of—

(A) the survey under subsection (b)(2);

(B) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any coordination necessary with respect to requirements related to endangered species, cultural resources, clean water, and clean air.

SEC. 8004. REAUTHORIZATION OF DENALI COMMISSION.

(a) ADMINISTRATION.—Section 303 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking ''The Federal Cochairperson'' and inserting the following:

''(1) TERM OF FEDERAL COCHAIRPERSON.—The Federal Cochairperson'';

(B) in the second sentence, by striking ''All other members'' and inserting the following:

''(3) TERM OF ALL OTHER MEMBERS.—All other members'';

(C) in the third sentence, by striking ''Any vacancy'' and inserting the following:

''(4) VACANCIES.—Except as provided in paragraph (2), any vacancy''; and

(D) by inserting before paragraph (3) (as designated by subparagraph (B)) the following:

''(2) INTERIM FEDERAL COCHAIRPERSON.—In the event of a vacancy for any reason in the position of Federal Cochairperson, the Secretary may appoint an Interim Federal Cochairperson, who shall have all the authority of the Federal Cochairperson, to serve until such time as the vacancy in the position of Federal Cochairperson is filled in accordance with subsection (b)(2)).''; and

(2) by adding at the end the following:

''(f) NO FEDERAL EMPLOYEE STATUS.—No member of the Commission, other than the Federal Cochairperson, shall be considered to be a Federal employee for any purpose.

''(g) CONFLICTS OF INTEREST.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), no member of the Commission (referred to in this subsection as a 'member') shall participate personally or substantially, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract claim, controversy, or other matter in which, to the knowledge of the member, 1 or more of the following has a direct financial interest:

''(A) The member.

''(B) The spouse, minor child, or partner of the member.

''(C) An organization described in subparagraph (B), (C), (D), (E), or (F) of subsection (b)(1) for which the member is serving as officer, director, trustee, partner, or employee.

''(D) Any individual, person, or organization with which the member is negotiating or has any arrangement concerning prospective employment.

''(2) DISCLOSURE.—Paragraph (1) shall not apply if the member—

''(A) immediately advises the designated agency ethics official for the Commission of the nature and circumstances of the matter presenting a potential conflict of interest;

''(B) makes full disclosure of the financial interest; and

''(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the designated agency ethics official for the Commission that the interest is not so substantial as to be likely to affect the integrity of the services that the Commission may expect from the member.

''(3) ANNUAL DISCLOSURES.—Once per calendar year, each member shall make full disclosure of financial interests, in a manner to be determined by the designated agency ethics official for the Commission.

''(4) TRAINING.—Once per calendar year, each member shall undergo disclosure of financial interests training, as prescribed by the designated agency ethics official for the Commission.

''(5) VIOLATION.—Any person that violates this subsection shall be fined not more than $10,000, imprisoned for not more than 2 years, or both.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) (as redesignated by section 1960(1) of SAFETEA–LU (Public Law 109–59; 119 Stat. 1516)) is amended, in subsection (a), by striking ''under section 4 under this Act'' and all that follows through ''2008'' and inserting ''under section 304, $20,000,000 for fiscal year 2017, and such sums as are necessary for each of fiscal years 2018 through 2021.''.

(2) CLERICAL AMENDMENT.—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) (as redesignated by section 1960(1) of SAFETEA–LU (Public Law 109–59; 119 Stat. 1516)) is redesignated as section 312.

SEC. 8005. RECREATIONAL ACCESS OF FLOATING CABINS.

The Tennessee Valley Authority Act of 1933 is amended by inserting after section 9a (16 U.S.C. 831h–1) the following:

''SEC. 9b. RECREATIONAL ACCESS.

''(a) DEFINITION OF FLOATING CABIN.—In this section, the term 'floating cabin' means a watercraft or other floating structure—

''(1) primarily designed and used for human habitation or occupation; and

''(2) not primarily designed or used for navigation or transportation on water.

''(b) RECREATIONAL ACCESS.—The Board may allow the use of a floating cabin if—

''(1) the floating cabin is maintained by the owner to reasonable health, safety, and environmental standards, as required by the Board;

''(2) the Corporation has authorized the use of recreational vessels on the waters; and

''(3) the floating cabin was located on waters under the jurisdiction of the Corporation as of the date of enactment of this section.

''(c) FEES.—The Board may assess fees on the owner of a floating cabin on waters under the jurisdiction of the Corporation for the purpose of ensuring compliance with subsection (b) if the fees are necessary and reasonable for those purposes.

''(d) CONTINUED RECREATIONAL USE.—

''(1) IN GENERAL.—With respect to a floating cabin located on waters under the jurisdiction of the Corporation on the date of enactment of this section, the Board—

''(A) may not require the removal of the floating cabin—

''(i) in the case of a floating cabin that was granted a permit by the Corporation before the date of enactment of this section, for a period of 15 years beginning on that date of enactment; and

''(ii) in the case of a floating cabin not granted a permit by the Corporation before the date of enactment of this section, for a period of 5 years beginning on that date of enactment; and

''(B) shall approve and allow the use of the floating cabin on waters under the jurisdiction of the Corporation at such time and for such duration as—

''(i) the floating cabin meets the requirements of subsection (b); and

''(ii) the owner of the floating cabin has paid any fee assessed pursuant to subsection (c).

''(2) SAVINGS PROVISIONS.—

''(A) Nothing in this subsection restricts the ability of the Corporation to enforce health, safety, or environmental standards.

''(B) This section applies only to floating cabins located on waters under the jurisdiction of the Corporation.

''(e) NEW CONSTRUCTION.—The Corporation may establish regulations to prevent the construction of new floating cabins.''.

SEC. 8006. REGULATION OF ABOVEGROUND STORAGE AT FARMS.

Section 1049(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 1361 note; Public Law 113–121) is amended—

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

(2) by striking the subsection designation and heading and all that follows through ''subsection (b),'' and inserting the following:

''(c) REGULATION OF ABOVEGROUND STORAGE AT FARMS.—

''(1) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b),''; and

(3) by adding at the end the following:

''(2) CERTAIN FARM CONTAINERS.—Part 112 of title 40, Code of Federal Regulations (or successor regulations), shall not apply to the following containers located at a farm:

''(A) Containers on a separate parcel that have—

''(i) an individual capacity of not greater than 1,000 gallons; and

''(ii) an aggregate capacity of not greater than 2,000 gallons.

''(B) A container holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.''.

SEC. 8007. SALT CEDAR REMOVAL PERMIT REVIEWS.

(a) IN GENERAL.—In the case of an application for a permit for the mechanized removal of salt cedar from an area that consists of not more than 500 acres—

(1) any review by the Secretary under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Appropriation Act of 1899'') (33 U.S.C. 403), and any review by the Director of the United States Fish and Wildlife Service (referred to in this section as the ''Director'') under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), shall, to the maximum extent practicable, occur concurrently;

(2) all participating and cooperating agencies shall, to the maximum extent practicable, adopt and use any environmental document prepared by the lead agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

(A) that Act; and

(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations); and

(3) the review of the application shall, to the maximum extent practicable, be completed not later than the date on which the Secretary, in consultation with, and with the concurrence of, the Director, establishes.

(b) CONTRIBUTED FUNDS.—The Secretary may accept and expend funds received from non-Federal public or private entities to conduct a review referred to in subsection (a).

(c) LIMITATIONS.—Nothing in this section preempts or interferes with—

(1) any obligation to comply with the provisions of any Federal law, including—

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

(B) any other Federal environmental law;

(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

(3) any requirement for seeking, considering, or responding to public comment; or

(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

SEC. 8008. INTERNATIONAL OUTFALL INTERCEPTOR REPAIR, OPERATIONS, AND MAINTENANCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, pursuant to the Act of July 27, 1953 (22 U.S.C. 277d–10 et seq.), and notwithstanding the memorandum of agreement between the United States Section of the International Boundary and Water Commission and the City of Nogales, Arizona, dated January 20, 2006 (referred to in this section as the ''Agreement''), an equitable proportion of the costs of operation and maintenance of the Nogales sanitation project to be contributed by the City of Nogales, Arizona (referred to in this section as the ''City''), should be based on the average daily volume of wastewater originating from the City.

(b) CAPITAL COSTS EXCLUDED.—Pursuant to the Agreement and the Act of July 27, 1953 (22 U.S.C. 277d–10 et seq.), the City shall have no obligation to contribute to any capital costs of repairing or upgrading the Nogales sanitation project.

(c) OVERCHARGES.—Notwithstanding the Agreement and subject to subsection (d), the United States Section of the International Boundary and Water Commission shall reimburse the City for, and shall not charge the City after the date of enactment of this Act for, operations and maintenance costs in excess of an equitable proportion of the costs, as described in subsection (a).

(d) LIMITATION.—Costs reimbursed or a reduction in costs charged under subsection (c) shall not exceed $4,000,000.

SEC. 8009. PECHANGA BAND OF LUISEÑO MISSION INDIANS WATER RIGHTS SETTLEMENT.

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

(1) to achieve a fair, equitable, and final settlement of claims to water rights and certain claims for injuries to water rights in the Santa Margarita River Watershed for—

(A) the Band; and

(B) the United States, acting in its capacity as trustee for the Band and Allottees;

(2) to achieve a fair, equitable, and final settlement of certain claims by the Band and Allottees against the United States;

(3) to authorize, ratify, and confirm the Pechanga Settlement Agreement to be entered into by the Band, RCWD, and the United States;

(4) to authorize and direct the Secretary—

(A) to execute the Pechanga Settlement Agreement; and

(B) to take any other action necessary to carry out the Pechanga Settlement Agreement in accordance with this section; and

(5) to authorize the appropriation of amounts necessary for the implementation of the Pechanga Settlement Agreement and this section.

(b) DEFINITIONS.—In this section:

(1) ADJUDICATION COURT.—The term ''Adjudication Court'' means the United States District Court for the Southern District of California, which exercises continuing jurisdiction over the Adjudication Proceeding.

(2) ADJUDICATION PROCEEDING.—The term ''Adjudication Proceeding'' means litigation initiated by the United States regarding relative water rights in the Santa Margarita

River Watershed in United States v. Fallbrook Public Utility District et al., Civ. No. 3:51–cv–01247 (S.D.C.A.), including any litigation initiated to interpret or enforce the relative water rights in the Santa Margarita River Watershed pursuant to the continuing jurisdiction of the Adjudication Court over the Fallbrook Decree.

(3) ALLOTTEE.—The term ''Allottee'' means an individual who holds a beneficial real property interest in an Indian allotment that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(4) BAND.—The term ''Band'' means Pechanga Band of Luiseño Mission Indians, a federally recognized sovereign Indian tribe that functions as a custom and tradition Indian tribe, acting on behalf of itself and its members, but not acting on behalf of members in their capacities as Allottees.

(5) CLAIMS.—The term ''claims'' means rights, claims, demands, actions, compensation, or causes of action, whether known or unknown.

(6) EMWD.—The term ''EMWD'' means Eastern Municipal Water District, a municipal water district organized and existing in accordance with the Municipal Water District Law of 1911, Division 20 of the Water Code of the State of California, as amended.

(7) EMWD CONNECTION FEE.—The term ''EMWD Connection Fee'' has the meaning set forth in the Extension of Service Area Agreement.

(8) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date on which the Secretary publishes in the Federal Register the statement of findings described in subsection (f)(5).

(9) ESAA CAPACITY AGREEMENT.—The term ''ESAA Capacity Agreement'' means the ''Agreement to Provide Capacity for Delivery of ESAA Water'', among the Band, RCWD and the United States.

(10) ESAA WATER.—The term ''ESAA Water'' means imported potable water that the Band receives from EMWD and MWD pursuant to the Extension of Service Area Agreement and delivered by RCWD pursuant to the ESAA Water Delivery Agreement.

(11) ESAA WATER DELIVERY AGREEMENT.—The term ''ESAA Water Delivery Agreement'' means the agreement among EMWD, RCWD, and the Band, establishing the terms and conditions of water service to the Band.

(12) EXTENSION OF SERVICE AREA AGREEMENT.—The term ''Extension of Service Area Agreement'' means the ''Agreement for Extension of Existing Service Area'', among the Band, EMWD, and MWD, for the provision of water service by EMWD to a designated portion of the Reservation using water supplied by MWD.

(13) FALLBROOK DECREE.—

(A) IN GENERAL.—The term ''Fallbrook Decree'' means the ''Modified Final Judgment And Decree'', entered in the Adjudication Proceeding on April 6, 1966.

(B) INCLUSIONS.—The term ''Fallbrook Decree'' includes all court orders, interlocutory judgments, and decisions supplemental to the ''Modified Final Judgment And Decree'', including Interlocutory Judgment No. 30, Interlocutory Judgment No. 35, and Interlocutory Judgment No. 41.

(14) FUND.—The term ''Fund'' means the Pechanga Settlement Fund established by subsection (h).

(15) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(16) INJURY TO WATER RIGHTS.—The term ''injury to water rights'' means an interference with, diminution of, or deprivation of water rights under Federal or State law.

(17) INTERIM CAPACITY.—The term ''Interim Capacity'' has the meaning set forth in the ESAA Capacity Agreement.

(18) INTERIM CAPACITY NOTICE.—The term ''Interim Capacity Notice'' has the meaning set forth in the ESAA Capacity Agreement.

(19) INTERLOCUTORY JUDGMENT NO. 41.—The term ''Interlocutory Judgment No. 41'' means Interlocutory Judgment No. 41 issued in the Adjudication Proceeding on November 8, 1962, including all court orders, judgments and decisions supplemental to that interlocutory judgment.

(20) MWD.—The term ''MWD'' means the Metropolitan Water District of Southern California, a metropolitan water district organized and incorporated under the Metropolitan Water District Act of the State of California (Stats. 1969, Chapter 209, as amended).

(21) MWD CONNECTION FEE.—The term ''MWD Connection Fee'' has the meaning set forth in the Extension of Service Area Agreement.

(22) PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.—The term ''Pechanga ESAA Delivery Capacity account'' means the account established by subsection (h)(3)(B).

(23) PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.—The term ''Pechanga Recycled Water Infrastructure account'' means the account established by subsection (h)(3)(A).

(24) PECHANGA SETTLEMENT AGREEMENT.—The term ''Pechanga Settlement Agreement'' means the Pechanga Settlement Agreement, dated June 17, 2014, together with the exhibits to that agreement, entered into by the Band, the United States on behalf of the Band, its members and Allottees, MWD, EMWD, and RCWD, including—

(A) the Extension of Service Area Agreement;

(B) the ESAA Capacity Agreement; and

(C) the ESAA Water Delivery Agreement.

(25) PECHANGA WATER CODE.—The term ''Pechanga Water Code'' means a water code to be adopted by the Band in accordance with subsection (d)(6).

(26) PECHANGA WATER FUND ACCOUNT.—The term ''Pechanga Water Fund account'' means the account established by subsection (h)(3)(C).

(27) PECHANGA WATER QUALITY ACCOUNT.—The term ''Pechanga Water Quality account'' means the account established by subsection (h)(3)(D).

(28) PERMANENT CAPACITY.—The term ''Permanent Capacity'' has the meaning set forth in the ESAA Capacity Agreement.

(29) PERMANENT CAPACITY NOTICE.—The term ''Permanent Capacity Notice'' has the meaning set forth in the ESAA Capacity Agreement.

(30) RCWD.—

(A) IN GENERAL.—The term ''RCWD'' means the Rancho California Water District organized pursuant to section 34000 et seq. of the California Water Code.

(B) INCLUSIONS.—The term ''RCWD'' includes all real property owners for whom RCWD acts as an agent pursuant to an agency agreement.

(31) RECYCLED WATER INFRASTRUCTURE AGREEMENT.—The term ''Recycled Water Infrastructure Agreement'' means the ''Agreement for Recycled Water Infrastructure'' among the Band, RCWD, and the United States.

(32) RECYCLED WATER TRANSFER AGREEMENT.—The term ''Recycled Water Transfer Agreement'' means the ''Recycled Water Transfer Agreement'' between the Band and RCWD.

(33) RESERVATION.—

(A) IN GENERAL.—The term ''Reservation'' means the land depicted on the map attached to the Pechanga Settlement Agreement as Exhibit I.

(B) APPLICABILITY OF TERM.—The term ''Reservation'' shall be used solely for the purposes of the Pechanga Settlement Agreement, this section, and any judgment or decree issued by the Adjudication Court approving the Pechanga Settlement Agreement.

(34) SANTA MARGARITA RIVER WATERSHED.—The term ''Santa Margarita River Watershed'' means the watershed that is the subject of the Adjudication Proceeding and the Fallbrook Decree.

(35) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(36) STATE.—The term ''State'' means the State of California.

(37) STORAGE POND.—The term ''Storage Pond'' has the meaning set forth in the Recycled Water Infrastructure Agreement.

(38) TRIBAL WATER RIGHT.—The term ''Tribal Water Right'' means the water rights ratified, confirmed, and declared to be valid for the benefit of the Band and Allottees, as set forth and described in subsection (d).

(c) APPROVAL OF THE PECHANGA SETTLEMENT AGREEMENT.—

(1) RATIFICATION OF PECHANGA SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—Except as modified by this section, and to the extent that the Pechanga Settlement Agreement does not conflict with this section, the Pechanga Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—Any amendment to the Pechanga Settlement Agreement is authorized, ratified, and confirmed, to the extent that the amendment is executed to make the Pechanga Settlement Agreement consistent with this section.

(2) EXECUTION OF PECHANGA SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent that the Pechanga Settlement Agreement does not conflict with this section, the Secretary is directed to and promptly shall execute—

(i) the Pechanga Settlement Agreement (including any exhibit to the Pechanga Settlement Agreement requiring the signature of the Secretary); and

(ii) any amendment to the Pechanga Settlement Agreement necessary to make the Pechanga Settlement Agreement consistent with this section.

(B) MODIFICATIONS.—Nothing in this section precludes the Secretary from approving modifications to exhibits to the Pechanga Settlement Agreement not inconsistent with this section, to the extent those modifications do not otherwise require congressional approval pursuant to section 2116 of the Revised Statutes (25 U.S.C. 177) or other applicable Federal law.

(3) ENVIRONMENTAL COMPLIANCE.—

(A) IN GENERAL.—In implementing the Pechanga Settlement Agreement, the Secretary shall promptly comply with all applicable requirements of—

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

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(iii) all other applicable Federal environmental laws; and

(iv) all regulations promulgated under the laws described in clauses (i) through (iii).

(B) EXECUTION OF THE PECHANGA SETTLEMENT AGREEMENT.—

(i) IN GENERAL.—Execution of the Pechanga Settlement Agreement by the Secretary under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(ii) COMPLIANCE.—The Secretary is directed to carry out all Federal compliance necessary to implement the Pechanga Settlement Agreement.

(C) LEAD AGENCY.—The Bureau of Reclamation shall be designated as the lead agency with respect to environmental compliance.

(d) TRIBAL WATER RIGHT.—

(1) INTENT OF CONGRESS.—It is the intent of Congress to provide to each Allottee benefits that are equal to or exceed the benefits Allottees possess as of the date of enactment of this section, taking into consideration—

(A) the potential risks, cost, and time delay associated with litigation that would be resolved by the Pechanga Settlement Agreement and this section;

(B) the availability of funding under this section;

(C) the availability of water from the Tribal Water Right and other water sources as set forth in the Pechanga Settlement Agreement; and

(D) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this section to protect the interests of Allottees.

(2) CONFIRMATION OF TRIBAL WATER RIGHT.—

(A) IN GENERAL.—A Tribal Water Right of up to 4,994 acre-feet of water per year that, under natural conditions, is physically available on the Reservation is confirmed in accordance with the Findings of Fact and Conclusions of Law set forth in Interlocutory Judgment No. 41, as affirmed by the Fallbrook Decree.

(B) USE.—Subject to the terms of the Pechanga Settlement Agreement, this section, the Fallbrook Decree and applicable Federal law, the Band may use the Tribal Water Right for any purpose on the Reservation.

(3) HOLDING IN TRUST.—The Tribal Water Right, as set forth in paragraph (2), shall—

(A) be held in trust by the United States on behalf of the Band and the Allottees in accordance with this subsection;

(B) include the priority dates described in Interlocutory Judgment No. 41, as affirmed by the Fallbrook Decree; and

(C) not be subject to forfeiture or abandonment.

(4) ALLOTTEES.—

(A) APPLICABILITY OF ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal Water Right.

(B) ENTITLEMENT TO WATER.—Any entitlement to water of allotted land located within the exterior boundaries of the Reservation under Federal law shall be satisfied from the Tribal Water Right.

(C) ALLOCATIONS.—Allotted land located within the exterior boundaries of the Reservation shall be entitled to a just and equitable allocation of water for irrigation and domestic purposes from the Tribal Water Right.

(D) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law, an Allottee shall exhaust remedies available under the Pechanga Water Code or other applicable tribal law.

(E) CLAIMS.—Following exhaustion of remedies available under the Pechanga Water Code or other applicable tribal law, an Allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(F) AUTHORITY.—The Secretary shall have the authority to protect the rights of Allottees as specified in this subsection.

(5) AUTHORITY OF BAND.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Band shall have authority to use, allocate, distribute, and lease the Tribal Water Right on the Reservation in accordance with—

(i) the Pechanga Settlement Agreement; and

(ii) applicable Federal law.

(B) LEASES BY ALLOTTEES.—

(i) IN GENERAL.—An Allottee may lease any interest in land held by the Allottee, together with any water right determined to be appurtenant to that interest in land.

(ii) WATER RIGHT APPURTENANT.—Any water right determined to be appurtenant to an interest in land leased by an Allottee shall be used on the Reservation.

(6) PECHANGA WATER CODE.—

(A) IN GENERAL.—Not later than 18 months after the enforceability date, the Band shall enact a Pechanga Water Code, that provides for—

(i) the management, regulation, and governance of all uses of the Tribal Water Right in accordance with the Pechanga Settlement Agreement; and

(ii) establishment by the Band of conditions, permit requirements, and other limitations relating to the storage, recovery, and use of the Tribal Water Right in accordance with the Pechanga Settlement Agreement.

(B) INCLUSIONS.—The Pechanga Water Code shall provide—

(i) that allocations of water to Allottees shall be satisfied with water from the Tribal Water Right;

(ii) that charges for delivery of water for irrigation purposes for Allottees shall be assessed in accordance with section 7 of the Act of February 8, 1887 (25 U.S.C. 381);

(iii) a process by which an Allottee (or any successor in interest to an Allottee) may request that the Band provide water for irrigation or domestic purposes in accordance with this section;

(iv) a due process system for the consideration and determination by the Band of any request by an Allottee (or any successor in interest to an Allottee) for an allocation of such water for irrigation or domestic purposes on allotted land, including a process for—

(I) appeal and adjudication of any denied or disputed distribution of water; and

(II) resolution of any contested administrative decision; and

(v) a requirement that any Allottee (or any successor in interest to an Allottee) with a claim relating to the enforcement of rights of the Allottee (or any successor in interest to an Allottee) under the Pechanga Water Code or relating to the amount of water allocated to land of the Allottee must first exhaust remedies available to the Allottee under tribal law and the Pechanga Water Code before initiating an action against the United States or petitioning the Secretary pursuant to paragraph (4)(D).

(C) ACTION BY SECRETARY.—

(i) IN GENERAL.—The Secretary shall administer the Tribal Water Right until the Pechanga Water Code is enacted and approved under this subsection.

(ii) APPROVAL.—Any provision of the Pechanga Water Code and any amendment to the Pechanga Water Code that affects the rights of Allottees—

(I) shall be subject to the approval of the Secretary; and

(II) shall not be valid until approved by the Secretary.

(iii) APPROVAL PERIOD.—The Secretary shall approve or disapprove the Pechanga Water Code within a reasonable period of time after the date on which the Band submits the Pechanga Water Code to the Secretary for approval.

(7) EFFECT.—Except as otherwise specifically provided in this section, nothing in this section—

(A) authorizes any action by an Allottee (or any successor in interest to an Allottee) against any individual or entity, or against the Band, under Federal, State, tribal, or local law; or

(B) alters or affects the status of any action pursuant to section 1491(a) of title 28, United States Code.

(e) SATISFACTION OF CLAIMS.—

(1) IN GENERAL.—The benefits provided to the Band under the Pechanga Settlement Agreement and this Act shall be in complete replacement of, complete substitution for, and full satisfaction of all claims of the Band against the United States that are waived and released pursuant to subsection (f).

(2) ALLOTTEE CLAIMS.—The benefits realized by the Allottees under this section shall be in complete replacement of, complete substitution for, and full satisfaction of—

(A) all claims that are waived and released pursuant to subsection (f); and

(B) any claims of the Allottees against the United States that the Allottees have or could have asserted that are similar in nature to any claim described in subsection (f).

(3) NO RECOGNITION OF WATER RIGHTS.—Except as provided in subsection (d)(4), nothing in this section recognizes or establishes any right of a member of the Band or an Allottee to water within the Reservation.

(4) CLAIMS RELATING TO DEVELOPMENT OF WATER FOR RESERVATION.—

(A) IN GENERAL.—The amounts authorized to be appropriated pursuant to subsection (j) shall be used to satisfy any claim of the Allottees against the United States with respect to the development or protection of water resources for the Reservation.

(B) SATISFACTION OF CLAIMS.—Upon the complete appropriation of amounts authorized pursuant to subsection (j), any claim of the Allottees against the United States with respect to the development or protection of water resources for the Reservation shall be deemed to have been satisfied.

(f) WAIVER OF CLAIMS.—

(1) IN GENERAL.—

(A) WAIVER OF CLAIMS BY THE BAND AND THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR THE BAND.—

(i) IN GENERAL.—Subject to the retention of rights set forth in paragraph (3), in return for recognition of the Tribal Water Right and other benefits as set forth in the Pechanga Settlement Agreement and this section, the Band, on behalf of itself and the members of the Band (but not on behalf of a tribal member in the capacity of Allottee), and the United States, acting as trustee for the Band, are authorized and directed to execute a waiver and release of all claims for water rights within the Santa Margarita River Watershed that the Band, or the United States acting as trustee for the Band, asserted or could have asserted in any proceeding, including the Adjudication Proceeding, except to the extent that such rights are recognized in the Pechanga Settlement Agreement and this section.

(ii) CLAIMS AGAINST RCWD.—Subject to the retention of rights set forth in paragraph (3) and notwithstanding any provisions to the contrary in the Pechanga Settlement Agreement, the Band and the United States, on behalf of the Band and Allottees, fully release, acquit, and discharge RCWD from—

(I) claims for injuries to water rights in the Santa Margarita River Watershed for land located within the Reservation arising or occurring at any time up to and including June 30, 2009;

(II) claims for injuries to water rights in the Santa Margarita River Watershed for land located within the Reservation arising or occurring at any time after June 30, 2009, resulting from the diversion or use of water

in a manner not in violation of the Pechanga Settlement Agreement or this section;

(III) claims for subsidence damage to land located within the Reservation arising or occurring at any time up to and including June 30, 2009;

(IV) claims for subsidence damage arising or occurring after June 30, 2009, to land located within the Reservation resulting from the diversion of underground water in a manner consistent with the Pechanga Settlement Agreement or this section; and

(V) claims arising out of, or relating in any manner to, the negotiation or execution of the Pechanga Settlement Agreement or the negotiation or execution of this section.

(B) CLAIMS BY THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR ALLOTTEES.—Subject to the retention of claims set forth in paragraph (3), in return for recognition of the water rights of the Band and other benefits as set forth in the Pechanga Settlement Agreement and this section, the United States, acting as trustee for Allottees, is authorized and directed to execute a waiver and release of all claims for water rights within the Santa Margarita River Watershed that the United States, acting as trustee for the Allottees, asserted or could have asserted in any proceeding, including the Adjudication Proceeding.

(C) CLAIMS BY THE BAND AGAINST THE UNITED STATES.—Subject to the retention of rights set forth in paragraph (3), the Band, on behalf of itself and the members of the Band (but not on behalf of a tribal member in the capacity of Allottee), is authorized to execute a waiver and release of—

(i) all claims against the United States (including the agencies and employees of the United States) relating to claims for water rights in, or water of, the Santa Margarita River Watershed that the United States, acting in its capacity as trustee for the Band, asserted, or could have asserted, in any proceeding, including the Adjudication Proceeding, except to the extent that those rights are recognized in the Pechanga Settlement Agreement and this section;

(ii) all claims against the United States (including the agencies and employees of the United States) relating to damages, losses, or injuries to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water or water rights, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) in the Santa Margarita River Watershed that first accrued at any time up to and including the enforceability date;

(iii) all claims against the United States (including the agencies and employees of the United States) relating to the pending litigation of claims relating to the water rights of the Band in the Adjudication Proceeding; and

(iv) all claims against the United States (including the agencies and employees of the United States) relating to the negotiation or execution of the Pechanga Settlement Agreement or the negotiation or execution of this section.

(2) EFFECTIVENESS OF WAIVERS AND RELEASES.—The waivers under paragraph (1) shall take effect on the enforceability date.

(3) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases authorized in this section, the Band, on behalf of itself and the members of the Band, and the United States, acting in its capacity as trustee for the Band and Allottees, retain—

(A) all claims for enforcement of the Pechanga Settlement Agreement and this section;

(B) all claims against any person or entity other than the United States and RCWD, including claims for monetary damages;

(C) all claims for water rights that are outside the jurisdiction of the Adjudication Court;

(D) all rights to use and protect water rights acquired on or after the enforceability date; and

(E) all remedies, privileges, immunities, powers, and claims, including claims for water rights, not specifically waived and released pursuant to this section and the Pechanga Settlement Agreement.

(4) EFFECT OF PECHANGA SETTLEMENT AGREEMENT AND ACT.—Nothing in the Pechanga Settlement Agreement or this section—

(A) affects the ability of the United States, acting as sovereign, to take actions authorized by law, including any laws relating to health, safety, or the environment, including—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(B) affects the ability of the United States to take actions acting as trustee for any other Indian tribe or an Allottee of any other Indian tribe;

(C) confers jurisdiction on any State court—

(i) to interpret Federal law regarding health, safety, or the environment;

(ii) to determine the duties of the United States or other parties pursuant to Federal law regarding health, safety, or the environment; or

(iii) to conduct judicial review of Federal agency action;

(D) waives any claim of a member of the Band in an individual capacity that does not derive from a right of the Band;

(E) limits any funding that RCWD would otherwise be authorized to receive under any Federal law, including, the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h et seq.) as that Act applies to permanent facilities for water recycling, demineralization, and desalination, and distribution of nonpotable water supplies in Southern Riverside County, California;

(F) characterizes any amounts received by RCWD under the Pechanga Settlement Agreement or this section as Federal for purposes of section 1649 of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–32); or

(G) affects the requirement of any party to the Pechanga Settlement Agreement or any of the exhibits to the Pechanga Settlement Agreement to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the California Environmental Quality Act (Cal. Pub. Res. Code 21000 et seq.) prior to performing the respective obligations of that party under the Pechanga Settlement Agreement or any of the exhibits to the Pechanga Settlement Agreement.

(5) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(A) the Adjudication Court has approved and entered a judgment and decree approving the Pechanga Settlement Agreement in substantially the same form as Appendix 2 to the Pechanga Settlement Agreement;

(B) all amounts authorized by this section have been deposited in the Fund;

(C) the waivers and releases authorized in paragraph (1) have been executed by the Band and the Secretary;

(D) the Extension of Service Area Agreement—

(i) has been approved and executed by all the parties to the Extension of Service Area Agreement; and

(ii) is effective and enforceable in accordance with the terms of the Extension of Service Area Agreement; and

(E) the ESAA Water Delivery Agreement—

(i) has been approved and executed by all the parties to the ESAA Water Delivery Agreement; and

(ii) is effective and enforceable in accordance with the terms of the ESAA Water Delivery Agreement.

(6) TOLLING OF CLAIMS.—

(A) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this subsection shall be tolled for the period beginning on the date of enactment of this Act and ending on the earlier of—

(i) April 30, 2030, or such alternate date after April 30, 2030, as is agreed to by the Band and the Secretary; or

(ii) the enforceability date.

(B) EFFECTS OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(C) LIMITATION.—Nothing in this subsection precludes the tolling of any period of limitations or any time-based equitable defense under any other applicable law.

(7) TERMINATION.—

(A) IN GENERAL.—If all of the amounts authorized to be appropriated to the Secretary pursuant to this section have not been made available to the Secretary by April 30, 2030—

(i) the waivers authorized by this subsection shall expire and have no force or effect; and

(ii) all statutes of limitations applicable to any claim otherwise waived under this subsection shall be tolled until April 30, 2030.

(B) VOIDING OF WAIVERS.—If a waiver authorized by this subsection is void under subparagraph (A)—

(i) the approval of the United States of the Pechanga Settlement Agreement under subsection (c) shall be void and have no further force or effect;

(ii) any unexpended Federal amounts appropriated or made available to carry out this section, together with any interest earned on those amounts, and any water rights or contracts to use water and title to other property acquired or constructed with Federal amounts appropriated or made available to carry out this section shall be returned to the Federal Government, unless otherwise agreed to by the Band and the United States and approved by Congress; and

(iii) except for Federal amounts used to acquire or develop property that is returned to the Federal Government under clause (ii), the United States shall be entitled to set off any Federal amounts appropriated or made available to carry out this section that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights asserted by the Band or Allottees in any future settlement of the water rights of the Band or Allottees.

(g) WATER FACILITIES.—

(1) IN GENERAL.—The Secretary shall, subject to the availability of appropriations, using amounts from the designated accounts of the Fund, provide the amounts necessary to fulfill the obligations of the Band under

the Recycled Water Infrastructure Agreement and the ESAA Capacity Agreement, in an amount not to exceed the amounts deposited in the designated accounts for such purposes plus any interest accrued on such amounts from the date of deposit in the Fund to the date of disbursement from the Fund, in accordance with this section and the terms and conditions of those agreements.

(2) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this subsection shall be nonreimbursable.

(3) RECYCLED WATER INFRASTRUCTURE.—

(A) IN GENERAL.—The Secretary shall, using amounts from the Pechanga Recycled Water Infrastructure account, provide amounts for the Storage Pond in accordance with this paragraph.

(B) STORAGE POND.—

(i) IN GENERAL.—The Secretary shall, subject to the availability of appropriations, provide the amounts necessary to fulfill the obligations of the Band under the Recycled Water Infrastructure Agreement for the design and construction of the Storage Pond, in an amount not to exceed $2,656,374.

(ii) PROCEDURE.—The procedure for the Secretary to provide amounts pursuant to this paragraph shall be as set forth in the Recycled Water Infrastructure Agreement.

(iii) LEAD AGENCY.—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this paragraph.

(iv) LIABILITY.—The United States shall have no responsibility or liability for the Storage Pond.

(4) ESAA DELIVERY CAPACITY.—

(A) IN GENERAL.—The Secretary shall, using amounts from the Pechanga ESAA Delivery Capacity account, provide amounts for Interim Capacity and Permanent Capacity in accordance with this paragraph.

(B) INTERIM CAPACITY.—

(i) IN GENERAL.—The Secretary shall, subject to the availability of appropriations, using amounts from the ESAA Delivery Capacity account, provide amounts necessary to fulfill the obligations of the Band under the ESAA Capacity Agreement for the provision by RCWD of Interim Capacity to the Band in an amount not to exceed $1,000,000.

(ii) PROCEDURE.—The procedure for the Secretary to provide amounts pursuant to this subparagraph shall be as set forth in the ESAA Capacity Agreement.

(iii) LEAD AGENCY.—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this subparagraph.

(iv) LIABILITY.—The United States shall have no responsibility or liability for the Interim Capacity to be provided by RCWD.

(v) TRANSFER TO BAND.—If RCWD does not provide the Interim Capacity Notice required pursuant to the ESAA Capacity Agreement by the date that is 60 days after the date required under the ESAA Capacity Agreement, the amounts in the Pechanga ESAA Delivery Capacity account for purposes of the provision of Interim Capacity and Permanent Capacity, including any interest that has accrued on those amounts, shall be available for use by the Band to provide alternative interim capacity in a manner that is similar to the Interim Capacity and Permanent Capacity that the Band would have received had RCWD provided such Interim Capacity and Permanent Capacity.

(C) PERMANENT CAPACITY.—

(i) IN GENERAL.—On receipt of the Permanent Capacity Notice pursuant to section 5(b) of the ESAA Capacity Agreement, the Secretary, acting through the Bureau of Reclamation, shall enter into negotiations with RCWD and the Band to establish an agreement that will allow for the disbursement of amounts from the Pechanga ESAA Delivery Capacity account in accordance with clause (ii).

(ii) SCHEDULE OF DISBURSEMENT.—Subject to the availability of amounts under subsection (h)(5), on execution of the ESAA Capacity Agreement, the Secretary shall, subject to the availability of appropriations and using amounts from the ESAA Delivery Capacity account, provide amounts necessary to fulfill the obligations of the Band under the ESAA Capacity Agreement for the provision by RCWD of Permanent Capacity to the Band in an amount not to exceed the amount available in the ESAA Delivery Capacity account as of the date on which the ESAA Capacity Agreement is executed.

(iii) PROCEDURE.—The procedure for the Secretary to provide funds pursuant to this subparagraph shall be as set forth in the ESAA Capacity Agreement.

(iv) LEAD AGENCY.—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this subparagraph.

(v) LIABILITY.—The United States shall have no responsibility or liability for the Permanent Capacity to be provided by RCWD.

(vi) TRANSFER TO BAND.—If RCWD does not provide the Permanent Capacity Notice required pursuant to the ESAA Capacity Agreement by the date that is 5 years after the enforceability date, the amounts in the Pechanga ESAA Delivery Capacity account for purposes of the provision of Permanent Capacity, including any interest that has accrued on those amounts, shall be available for use by the Band to provide alternative permanent capacity in a manner that is similar to the Permanent Capacity that the Band would have received had RCWD provided such Permanent Capacity.

(h) PECHANGA SETTLEMENT FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ''Pechanga Settlement Fund'', to be managed, invested, and distributed by the Secretary and to be available until expended, and, together with any interest earned on those amounts, to be used solely for the purpose of carrying out this section.

(2) TRANSFERS TO FUND.—The Fund shall consist of such amounts as are deposited in the Fund under subsection (j), together with any interest earned on those amounts, which shall be available in accordance with paragraph (5).

(3) ACCOUNTS OF PECHANGA SETTLEMENT FUND.—The Secretary shall establish in the Fund the following accounts:

(A) Pechanga Recycled Water Infrastructure account, consisting of amounts authorized pursuant to subsection (j)(1).

(B) Pechanga ESAA Delivery Capacity account, consisting of amounts authorized pursuant to subsection (j)(2).

(C) Pechanga Water Fund account, consisting of amounts authorized pursuant to subsection (j)(3).

(D) Pechanga Water Quality account, consisting of amounts authorized pursuant to subsection (j)(4).

(4) MANAGEMENT OF FUND.—The Secretary shall manage, invest, and distribute all amounts in the Fund in a manner that is consistent with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this subsection.

(5) AVAILABILITY OF AMOUNTS.—Amounts appropriated to, and deposited in, the Fund, including any investment earnings accrued from the date of deposit in the Fund through the date of disbursement from the Fund, shall be made available to the Band by the Secretary beginning on the enforceability date.

(6) WITHDRAWALS BY BAND PURSUANT TO THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT.—

(A) IN GENERAL.—The Band may withdraw all or part of the amounts in the Fund on approval by the Secretary of a tribal management plan submitted by the Band in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—

(i) IN GENERAL.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under subparagraph (A) shall require that the Band shall spend all amounts withdrawn from the Fund in accordance with this section.

(ii) ENFORCEMENT.—The Secretary may carry out such judicial or administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Band from the Fund under this paragraph are used in accordance with this section.

(7) WITHDRAWALS BY BAND PURSUANT TO AN EXPENDITURE PLAN.—

(A) IN GENERAL.—The Band may submit an expenditure plan for approval by the Secretary requesting that all or part of the amounts in the Fund be disbursed in accordance with the plan.

(B) REQUIREMENTS.—The expenditure plan under subparagraph (A) shall include a description of the manner and purpose for which the amounts proposed to be disbursed from the Fund will be used, in accordance with paragraph (8).

(C) APPROVAL.—If the Secretary determines that an expenditure plan submitted under this subsection is consistent with the purposes of this section, the Secretary shall approve the plan.

(D) ENFORCEMENT.—The Secretary may carry out such judicial or administrative actions as the Secretary determines necessary to enforce an expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this section.

(8) USES.—Amounts from the Fund shall be used by the Band for the following purposes:

(A) PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.—The Pechanga Recycled Water Infrastructure account shall be used for expenditures by the Band in accordance with subsection (g)(3).

(B) PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.—The Pechanga ESAA Delivery Capacity account shall be used for expenditures by the Band in accordance with subsection (g)(4).

(C) PECHANGA WATER FUND ACCOUNT.—The Pechanga Water Fund account shall be used for—

(i) payment of the EMWD Connection Fee;

(ii) payment of the MWD Connection Fee; and

(iii) any expenses, charges, or fees incurred by the Band in connection with the delivery or use of water pursuant to the Pechanga Settlement Agreement.

(D) PECHANGA WATER QUALITY ACCOUNT.—The Pechanga Water Quality account shall be used by the Band to fund groundwater desalination activities within the Wolf Valley Basin.

(9) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure of, or the investment of any

amounts withdrawn from, the Fund by the Band under paragraph (6) or (7).

(10) NO PER CAPITA DISTRIBUTIONS.—No portion of the Fund shall be distributed on a per capita basis to any member of the Band.

(i) MISCELLANEOUS PROVISIONS.—

(1) WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this section waives the sovereign immunity of the United States.

(2) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this section quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Band.

(3) LIMITATION ON CLAIMS FOR REIMBURSEMENT.—With respect to Indian land within the Reservation—

(A) the United States shall not submit against any Indian-owned land located within the Reservation any claim for reimbursement of the cost to the United States of carrying out this section and the Pechanga Settlement Agreement; and

(B) no assessment of any Indian-owned land located within the Reservation shall be made regarding that cost.

(4) EFFECT ON CURRENT LAW.—Nothing in this subsection affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to preenforcement review of any Federal environmental enforcement action.

(j) AUTHORIZATION OF APPROPRIATIONS.—

(1) PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.—There is authorized to be appropriated $2,656,374, for deposit in the Pechanga Recycled Water Infrastructure account, to carry out the activities described in subsection (g)(3).

(2) PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.—There is authorized to be appropriated $17,900,000, for deposit in the Pechanga ESAA Delivery Capacity account, which amount shall be adjusted for changes in construction costs since June 30, 2009, as is indicated by ENR Construction Cost Index, 20-City Average, as applicable to the types of construction required for the Band to provide the infrastructure necessary for the Band to provide the Interim Capacity and Permanent Capacity in the event that RCWD elects not to provide the Interim Capacity or Permanent Capacity as set forth in the ESAA Capacity Agreement and contemplated in subparagraphs (B)(v) and (C)(vi) of subsection (g)(4), with such adjustment ending on the date on which funds authorized to be appropriated under this subsection have been deposited in the Fund.

(3) PECHANGA WATER FUND ACCOUNT.—There is authorized to be appropriated $5,483,653, for deposit in the Pechanga Water Fund account, which amount shall be adjusted for changes in appropriate cost indices since June 30, 2009, with such adjustment ending on the date of deposit in the Fund, for the purposes set forth in subsection (h)(8)(C).

(4) PECHANGA WATER QUALITY ACCOUNT.—There is authorized to be appropriated $2,460,000, for deposit in the Pechanga Water Quality account, which amount shall be adjusted for changes in appropriate cost indices since June 30, 2009, with such adjustment ending on the date of deposit in the Fund, for the purposes set forth in subsection (h)(8)(D).

(k) REPEAL ON FAILURE OF ENFORCEABILITY DATE.—If the Secretary does not publish a statement of findings under subsection (f)(5) by April 30, 2021, or such alternative later date as is agreed to by the Band and the Secretary, as applicable—

(1) this section is repealed effective on the later of May 1, 2021, or the day after the alternative date agreed to by the Band and the Secretary;

(2) any action taken by the Secretary and any contract or agreement pursuant to the authority provided under any provision of this section shall be void;

(3) any amounts appropriated under subsection (j), together with any interest on those amounts, shall immediately revert to the general fund of the Treasury; and

(4) any amounts made available under subsection (j) that remain unexpended shall immediately revert to the general fund of the Treasury.

(l) ANTIDEFICIENCY.—

(1) IN GENERAL.—Notwithstanding any authorization of appropriations to carry out this section, the expenditure or advance of any funds, and the performance of any obligation by the Department in any capacity, pursuant to this section shall be contingent on the appropriation of funds for that expenditure, advance, or performance.

(2) LIABILITY.—The Department of the Interior shall not be liable for the failure to carry out any obligation or activity authorized by this section if adequate appropriations are not provided to carry out this section.

SEC. 8010. GOLD KING MINE SPILL RECOVERY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) CLAIMANT.—The term ''claimant'' means a State, Indian tribe, or local government that submits a claim under subsection (c).

(3) GOLD KING MINE RELEASE.—The term ''Gold King Mine release'' means the discharge on August 5, 2015, of approximately 3,000,000 gallons of contaminated water from the Gold King Mine north of Silverton, Colorado, into Cement Creek that occurred while contractors of the Environmental Protection Agency were conducting an investigation of the Gold King Mine to assess mine conditions.

(4) NATIONAL CONTINGENCY PLAN.—The term ''National Contingency Plan'' means the National Contingency Plan prepared and published under part 300 of title 40, Code of Federal Regulations (or successor regulations).

(5) RESPONSE.—The term ''response'' has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator should receive and process, as expeditiously as possible, claims under chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act'') for any injury arising out of the Gold King Mine release.

(c) GOLD KING MINE RELEASE CLAIMS PURSUANT TO THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT.—

(1) IN GENERAL.—The Administrator shall, consistent with the National Contingency Plan, receive and process under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and pay from appropriations made available to the Administrator to carry out that Act, any claim made by a State, Indian tribe, or local government for eligible response costs relating to the Gold King Mine release.

(2) ELIGIBLE RESPONSE COSTS.—

(A) IN GENERAL.—Response costs incurred between August 5, 2015, and September 9, 2016, are eligible for payment by the Administrator under this subsection, without prior approval by the Administrator, if the response costs are not inconsistent with the National Contingency Plan.

(B) PRIOR APPROVAL REQUIRED.—Response costs incurred after September 9, 2016, are eligible for payment by the Administrator under this subsection if—

(i) the Administrator approves the response costs under section 111(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9611(a)(2)); and

(ii) the response costs are not inconsistent with the National Contingency Plan.

(3) PRESUMPTION.—

(A) IN GENERAL.—The Administrator shall consider response costs claimed under paragraph (1) to be eligible response costs if a reasonable basis exists to establish that the response costs are not inconsistent with the National Contingency Plan.

(B) APPLICABLE STANDARD.—In determining whether a response cost is not inconsistent with the National Contingency Plan, the Administrator shall apply the same standard that the United States applies in seeking recovery of the response costs of the United States from responsible parties under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

(4) TIMING.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall make a decision on, and pay, any eligible response costs submitted to the Administrator before that date of enactment.

(B) SUBSEQUENTLY FILED CLAIMS.—Not later than 90 days after the date on which a claim is submitted to the Administrator, the Administrator shall make a decision on, and pay, any eligible response costs.

(C) DEADLINE.—All claims under this subsection shall be submitted to the Administrator not later than 180 days after the date of enactment of this Act.

(D) NOTIFICATION.—Not later than 30 days after the date on which the Administrator makes a decision under subparagraph (A) or (B), the Administrator shall notify the claimant of the decision.

(d) WATER QUALITY PROGRAM.—

(1) IN GENERAL.—In response to the Gold King Mine release, the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall, subject to the availability of appropriations, develop and implement a program for long-term water quality monitoring of rivers contaminated by the Gold King Mine release.

(2) REQUIREMENTS.—In carrying out the program described in paragraph (1), the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall—

(A) collect water quality samples and sediment data;

(B) provide the public with a means of viewing the water quality sample results and sediment data referred to in subparagraph (A) by, at a minimum, posting the information on the website of the Administrator;

(C) take any other reasonable measure necessary to assist affected States, Indian tribes, and local governments with long-term water monitoring; and

(D) carry out additional program activities related to long-term water quality monitoring that the Administrator determines to be necessary.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator such sums as may be necessary to carry out this subsection, including the reimbursement of affected States, Indian tribes, and local governments for the costs of long-term water quality monitoring of any river contaminated by the Administrator.

(e) EXISTING STATE AND TRIBAL LAW.—Nothing in this section affects the jurisdiction or authority of any department, agency, or officer of any State government or any Indian tribe.

(f) SAVINGS CLAUSE.—Nothing in this section affects any right of any State, Indian tribe, or other person to bring a claim against the United States for response costs or natural resources damages pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

SEC. 8011. REPORTS BY THE COMPTROLLER GENERAL.

Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct the following reviews and submit to Congress reports describing the results of the reviews:

(1) A review of the implementation and effectiveness of the Columbia River Basin restoration program authorized under part V of subtitle F of title VII.

(2) A review of the implementation and effectiveness of watercraft inspection stations established by the Secretary under section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) in preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.

SEC. 8012. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) State water quality standards that impact the disposal of dredged material should be developed collaboratively, with input from all relevant stakeholders;

(2) Open-water disposal of dredged material should be reduced to the maximum extent practicable;

(3) Where practicable, the preference is for disputes between states related to the disposal of dredged material and the protection of water quality to be resolved between the states in accordance with regional plans and involving regional bodies.

SEC. 8013. BUREAU OF RECLAMATION DAKOTAS AREA OFFICE PERMIT FEES FOR CABINS AND TRAILERS.

During the period ending 5 years after the date of enactment of this Act, the Secretary of the Interior shall not increase the permit fee for a cabin or trailer on land in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation by more than 33 percent of the permit fee that was in effect on January 1, 2016.

SEC. 8014. USE OF TRAILER HOMES AT HEART BUTTE DAM AND RESERVOIR (LAKE TSCHIDA).

(a) DEFINITIONS.—In this section:

(1) ADDITION.—The term ''addition'' means any enclosed structure added onto the structure of a trailer home that increases the living area of the trailer home.

(2) CAMPER OR RECREATIONAL VEHICLE.—The term ''camper or recreational vehicle'' includes—

(A) a camper, motorhome, trailer camper, bumper hitch camper, fifth wheel camper, or equivalent mobile shelter; and

(B) a recreational vehicle.

(3) IMMEDIATE FAMILY.—The term ''immediate family'' means a spouse, grandparent, parent, sibling, child, or grandchild.

(4) PERMIT.—The term ''permit'' means a permit issued by the Secretary authorizing the use of a lot in a trailer area.

(5) PERMIT YEAR.—The term ''permit year'' means the period beginning on April 1 of a calendar year and ending on March 31 of the following calendar year.

(6) PERMITTEE.—The term ''permittee'' means a person holding a permit.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(8) TRAILER AREA.—The term ''trailer area'' means any of the following areas at Heart Butte Dam and Reservoir (Lake Tschida) (as described in the document of the Bureau of Reclamation entitled ''Heart Butte Reservoir Resource Management Plan'' (March 2008)):

(A) Trailer Area 1 and 2, also known as Management Unit 034.

(B) Southside Trailer Area, also known as Management Unit 014.

(9) TRAILER HOME.—The term ''trailer home'' means a dwelling placed on a supporting frame that—

(A) has or had a tow-hitch; and

(B) is made mobile, or is capable of being made mobile, by an axle and wheels.

(b) PERMIT RENEWAL AND PERMITTED USE.—

(1) IN GENERAL.—The Secretary shall use the same permit renewal process for trailer area permits as the Secretary uses for other permit renewals in other reservoirs in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation.

(2) TRAILER HOMES.—With respect to a trailer home, a permit for each permit year shall authorize the permittee—

(A) to park the trailer home on the lot;

(B) to use the trailer home on the lot;

(C) to physically move the trailer home on and off the lot; and

(D) to leave on the lot any addition, deck, porch, entryway, step to the trailer home, propane tank, or storage shed.

(3) CAMPERS OR RECREATIONAL VEHICLES.—With respect to a camper or recreational vehicle, a permit shall, for each permit year—

(A) from April 1 to October 31, authorize the permittee—

(i) to park the camper or recreational vehicle on the lot;

(ii) to use the camper or recreational vehicle on the lot; and

(iii) to move the camper or recreational vehicle on and off the lot; and

(B) from November 1 to March 31, require a permittee to remove the camper or recreational vehicle from the lot.

(c) REMOVAL.—

(1) IN GENERAL.—The Secretary may require removal of a trailer home from a lot in a trailer area if the trailer home is flooded after the date of enactment of this Act.

(2) REMOVAL AND NEW USE.—If the Secretary requires removal of a trailer home under paragraph (1), on request by the permittee, the Secretary shall authorize the permittee—

(A) to replace the trailer home on the lot with a camper or recreational vehicle in accordance with this section; or

(B) to place a trailer home on the lot from April 1 to October 31.

(d) TRANSFER OF PERMITS.—

(1) TRANSFER OF TRAILER HOME TITLE.—If a permittee transfers title to a trailer home permitted on a lot in a trailer area, the Secretary shall issue a permit to the transferee, under the same terms as the permit applicable on the date of transfer, subject to the conditions described in paragraph (3).

(2) TRANSFER OF CAMPER OR RECREATIONAL VEHICLE TITLE.—If a permittee who has a permit to use a camper or recreational vehicle on a lot in a trailer area transfers title to the interests of the permittee on or to the lot, the Secretary shall issue a permit to the transferee, subject to the conditions described in paragraph (3).

(3) CONDITIONS.—A permit issued by the Secretary under paragraph (1) or (2) shall be subject to the following conditions:

(A) A permit may not be held in the name of a corporation.

(B) A permittee may not have an interest in, or control of, more than 1 seasonal trailer home site in the Great Plains Region of the Bureau of Reclamation, inclusive of sites located on tracts permitted to organized groups on Reclamation reservoirs.

(C) Not more than 2 persons may be permittees under 1 permit, unless—

(i) approved by the Secretary; or

(ii) the additional persons are immediate family members of the permittees.

(e) ANCHORING REQUIREMENTS FOR TRAILER HOMES.—The Secretary shall require compliance with appropriate anchoring requirements for each trailer home (including additions to the trailer home) and other objects on a lot in a trailer area, as determined by the Secretary, after consulting with permittees.

(f) REPLACEMENT, REMOVAL, AND RETURN.—

(1) REPLACEMENT.—Permittees may replace their trailer home with another trailer home.

(2) REMOVAL AND RETURN.—Permittees may—

(A) remove their trailer home; and

(B) if the permittee removes their trailer home under subparagraph (A), return the trailer home to the lot of the permittee.

(g) LIABILITY; TAKING.—

(1) LIABILITY.—The United States shall not be liable for flood damage to the personal property of a permittee or for damages arising out of any act, omission, or occurrence relating to a lot to which a permit applies, other than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

(2) TAKING.—Any temporary flooding or flood damage to the personal property of a permittee shall not be a taking by the United States.

TITLE IX—BLACKFEET WATER RIGHTS SETTLEMENT ACT

SEC. 9001. SHORT TITLE.

This title may be cited as the ''Blackfeet Water Rights Settlement Act''.

SEC. 9002. PURPOSES.

The purposes of this title are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Blackfeet Tribe of the Blackfeet Indian Reservation; and

(B) the United States, for the benefit of the Tribe and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Tribe and the State, to the extent that the Compact is consistent with this title;

(3) to authorize and direct the Secretary of the Interior—

(A) to execute the Compact; and

(B) to take any other action necessary to carry out the Compact in accordance with this title; and

(4) to authorize funds necessary for the implementation of the Compact and this title.

SEC. 9003. DEFINITIONS.

In this title:

(1) ALLOTTEE.—The term ''allottee'' means any individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BIRCH CREEK AGREEMENT.—The term ''Birch Creek Agreement'' means—

(A) the agreement between the Tribe and the State regarding Birch Creek water use dated January 31, 2008 (as amended on February 13, 2009); and

(B) any amendment or exhibit (including exhibit amendments) to that agreement that is executed in accordance with this title.

(3) BLACKFEET IRRIGATION PROJECT.—The term ''Blackfeet Irrigation Project'' means the irrigation project authorized by the matter under the heading ''MONTANA'' of title

II of the Act of March 1, 1907 (34 Stat. 1035, chapter 2285), and administered by the Bureau of Indian Affairs.

(4) COMPACT.—The term ''Compact'' means—

(A) the Blackfeet-Montana water rights compact dated April 15, 2009, as contained in section 85–20–1501 of the Montana Code Annotated (2015); and

(B) any amendment or exhibit (including exhibit amendments) to the Compact that is executed to make the Compact consistent with this title.

(5) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date described in section 9020(f).

(6) LAKE ELWELL.—The term ''Lake Elwell'' means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665).

(7) MILK RIVER BASIN.—The term ''Milk River Basin'' means the North Fork, Middle Fork, South Fork, and main stem of the Milk River and tributaries, from the headwaters to the confluence with the Missouri River.

(8) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term ''Milk River Project'' means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term ''Milk River Project'' includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(9) MILK RIVER PROJECT WATER RIGHTS.—The term ''Milk River Project water rights'' means the water rights held by the Bureau of Reclamation on behalf of the Milk River Project, as finally adjudicated by the Montana Water Court.

(10) MILK RIVER WATER RIGHT.—The term ''Milk River water right'' means the portion of the Tribal water rights described in article III.F of the Compact and this title.

(11) MISSOURI RIVER BASIN.—The term ''Missouri River Basin'' means the hydrologic basin of the Missouri River (including tributaries).

(12) MR&I SYSTEM.—The term ''MR&I System'' means the intake, treatment, pumping, storage, pipelines, appurtenant items, and any other feature of the system, as generally described in the document entitled ''Blackfeet Regional Water System'', prepared by DOWL HKM, and dated June 2010, and modified by DOWL HKM, as set out in the addendum to the report dated March 2013.

(13) OM&R.—The term ''OM&R'' means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to replacing a feature of a project.

(14) RESERVATION.—The term ''Reservation'' means the Blackfeet Indian Reservation of Montana, as—

(A) established by the Treaty of October 17, 1855 (11 Stat. 657); and

(B) modified by—

(i) the Executive Order of July 5, 1873 (relating to the Blackfeet Reserve);

(ii) the Act of April 15, 1874 (18 Stat. 28, chapter 96);

(iii) the Executive order of August 19, 1874 (relating to the Blackfeet Reserve);

(iv) the Executive order of April 13, 1875 (relating to the Blackfeet Reserve);

(v) the Executive order of July 13, 1880 (relating to the Blackfeet Reserve);

(vi) the Agreement with the Blackfeet, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 213); and

(vii) the Agreement with the Blackfeet, ratified by the Act of June 10, 1896 (29 Stat. 353, chapter 398).

(15) ST. MARY RIVER WATER RIGHT.—The term ''St. Mary River water right'' means that portion of the Tribal water rights described in article III.G.1.a.i. of the Compact and this title.

(16) ST. MARY UNIT.—

(A) IN GENERAL.—The term ''St. Mary Unit'' means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term ''St. Mary Unit'' includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(17) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(18) STATE.—The term ''State'' means the State of Montana.

(19) SWIFTCURRENT CREEK BANK STABILIZATION PROJECT.—The term ''Swiftcurrent Creek Bank Stabilization Project'' means the project to mitigate the physical and environmental problems associated with the St. Mary Unit from Sherburne Dam to the St. Mary River, as described in the report entitled ''Boulder/Swiftcurrent Creek Stabilization Project, Phase II Investigations Report'', prepared by DOWL HKM, and dated March 2012.

(20) TRIBAL WATER RIGHTS.—The term ''Tribal water rights'' means the water rights of the Tribe described in article III of the Compact and this title, including—

(A) the Lake Elwell allocation provided to the Tribe under section 9009; and

(B) the instream flow water rights described in section 9019.

(21) TRIBE.—The term ''Tribe'' means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

SEC. 9004. RATIFICATION OF COMPACT.

(a) RATIFICATION.—

(1) IN GENERAL.—As modified by this title, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed, to the extent that such amendment is executed to make the Compact consistent with this title.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this title, the Secretary shall execute the Compact, including all exhibits to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this title precludes the Secretary from approving any modification to an appendix or exhibit to the Compact that is consistent with this title, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this title, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

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

(C) all other applicable environmental laws and regulations.

(2) EFFECT OF EXECUTION.—

(A) IN GENERAL.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) COMPLIANCE.—The Secretary shall carry out all Federal compliance activities necessary to implement the Compact and this title.

SEC. 9005. MILK RIVER WATER RIGHT.

(a) IN GENERAL.—With respect to the Milk River water right, the Tribe—

(1) may continue the historical uses and the uses in existence on the date of enactment of this title; and

(2) except as provided in article III.F.1.d of the Compact, shall not develop new uses until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(b) WATER RIGHTS ARISING UNDER STATE LAW.—With respect to any water rights arising under State law in the Milk River Basin owned or acquired by the Tribe, the Tribe—

(1) may continue any use in existence on the date of enactment of this title; and

(2) shall not change any use until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(c) TRIBAL AGREEMENT.—

(1) IN GENERAL.—In consultation with the Commissioner of Reclamation and the Director of the Bureau of Indian Affairs, the Tribe and the Fort Belknap Indian Community shall enter into an agreement to provide for the exercise of their respective water rights on the respective reservations of the Tribe and the Fort Belknap Indian Community in the Milk River.

(2) CONSIDERATIONS.—The agreement entered into under paragraph (1) shall take into consideration—

(A) the equal priority dates of the 2 Indian tribes;

(B) the water supplies of the Milk River; and

(C) historical, current, and future uses identified by each Indian tribe.

(d) SECRETARIAL DETERMINATION.—

(1) IN GENERAL.—Not later than 120 days after the date on which the agreement described in subsection (c) is submitted to the Secretary, the Secretary shall review and approve or disapprove the agreement.

(2) APPROVAL.—The Secretary shall approve the agreement if the Secretary finds that the agreement—

(A) equitably accommodates the interests of each Indian tribe in the Milk River;

(B) adequately considers the factors described in subsection (c)(2); and

(C) is otherwise in accordance with applicable law.

(3) DEADLINE EXTENSION.—The deadline to review the agreement described in paragraph (1) may be extended by the Secretary after consultation with the Tribe and the Fort Belknap Indian Community.

(e) SECRETARIAL DECISION.—

(1) IN GENERAL.—If the Tribe and the Fort Belknap Indian Community do not, by 3 years after the Secretary certifies under section 9020(f)(5) that the Tribal membership has approved the Compact and this title, enter into an agreement approved under subsection (d)(2), the Secretary, in the Secretary's sole discretion, shall establish, after consultation with the Tribe and the Fort Belknap Indian Community, terms and conditions that reflect the considerations described in subsection (c)(2) by which the respective water rights of the Tribe and the

Fort Belknap Indian Community in the Milk River may be exercised.

(2) CONSIDERATION AS FINAL AGENCY ACTION.—The establishment by the Secretary of terms and conditions under paragraph (1) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(3) JUDICIAL REVIEW.—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the establishment of the terms and conditions under this subsection.

(4) INCORPORATION INTO DECREES.—The agreement under subsection (c), or the decision of the Secretary under this subsection, shall be filed with the Montana Water Court, or the district court with jurisdiction, for incorporation into the final decrees of the Tribe and the Fort Belknap Indian Community.

(5) EFFECTIVE DATE.—The agreement under subsection (c) and a decision of the Secretary under this subsection—

(A) shall be effective immediately; and

(B) may not be modified absent—

(i) the approval of the Secretary; and

(ii) the consent of the Tribe and the Fort Belknap Indian Community.

(f) USE OF FUNDS.—The Secretary shall distribute equally the funds made available under section 9018(a)(2)(C)(ii) to the Tribe and the Fort Belknap Indian Community to use to reach an agreement under this section, including for technical analyses and legal and other related efforts.

SEC. 9006. WATER DELIVERY THROUGH MILK RIVER PROJECT.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out the activities authorized under this section with respect to the St. Mary River water right.

(b) TREATMENT.—Notwithstanding article IV.D.4 of the Compact, any responsibility of the United States with respect to the St. Mary River water right shall be limited to, and fulfilled pursuant to—

(1) subsection (c) of this section; and

(2) subsection (b)(3) of section 9016 and subsection (a)(1)(C) of section 9018.

(c) WATER DELIVERY CONTRACT.—

(1) IN GENERAL.—Not later than 180 days after the enforceability date, the Secretary shall enter into a water delivery contract with the Tribe for the delivery of not greater than 5,000 acre-feet per year of the St. Mary River water right through Milk River Project facilities to the Tribe or another entity specified by the Tribe.

(2) TERMS AND CONDITIONS.—The contract under paragraph (1) shall establish the terms and conditions for the water deliveries described in paragraph (1) in accordance with the Compact and this title.

(3) REQUIREMENTS.—The water delivery contract under paragraph (1) shall include provisions requiring that—

(A) the contract shall be without limit as to term;

(B) the Tribe, and not the United States, shall collect, and shall be entitled to, all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f); or

(ii) the expenditure of such funds;

(D) if water deliveries under the contract are interrupted for an extended period of time because of damage to, or a reduction in the capacity of, St. Mary Unit facilities, the rights of the Tribe shall be treated in the same manner as the rights of other contractors receiving water deliveries through the Milk River Project with respect to the water delivered under this section;

(E) deliveries of water under this section shall be—

(i) limited to not greater than 5,000 acre-feet of water in any 1 year;

(ii) consistent with operations of the Milk River Project and without additional costs to the Bureau of Reclamation, including operation, maintenance, and replacement costs; and

(iii) without additional cost to the Milk River Project water users; and

(F) the Tribe shall be required to pay OM&R for water delivered under this section.

(d) SHORTAGE SHARING OR REDUCTION.—

(1) IN GENERAL.—The 5,000 acre-feet per year of water delivered under paragraph (3)(E)(i) of subsection (c) shall not be subject to shortage sharing or reduction, except as provided in paragraph (3)(D) of that subsection.

(2) NO INJURY TO MILK RIVER PROJECT WATER USERS.—Notwithstanding article IV.D.4 of the Compact, any reduction in the Milk River Project water supply caused by the delivery of water under subsection (c) shall not constitute injury to Milk River Project water users.

(e) SUBSEQUENT CONTRACTS.—

(1) IN GENERAL.—As part of the studies authorized by section 9007(c)(1), the Secretary, acting through the Commissioner of Reclamation, and in cooperation with the Tribe, shall identify alternatives to provide to the Tribe water from the St. Mary River water right in quantities greater than the 5,000 acre-feet per year of water described in subsection (c)(3)(E)(i).

(2) CONTRACT FOR WATER DELIVERY.—If the Secretary determines under paragraph (1) that more than 5,000 acre-feet per year of the St. Mary River water right can be delivered to the Tribe, the Secretary shall offer to enter into 1 or more contracts with the Tribe for the delivery of that water, subject to the requirements of subsection (c)(3), except subsection (c)(3)(E)(i), and this subsection.

(3) TREATMENT.—Any delivery of water under this subsection shall be subject to reduction in the same manner as for Milk River Project contract holders.

(f) SUBCONTRACTS.—

(1) IN GENERAL.—The Tribe may enter into any subcontract for the delivery of water under this section to a third party, in accordance with section 9015(e).

(2) COMPLIANCE WITH OTHER LAW.—All subcontracts described in paragraph (1) shall comply with—

(A) this title;

(B) the Compact;

(C) the tribal water code; and

(D) other applicable law.

(3) NO LIABILITY.—The Secretary shall not be liable to any party, including the Tribe, for any term of, or any loss or other detriment resulting from, a lease, contract, or other agreement entered into pursuant to this subsection.

(g) EFFECT OF PROVISIONS.—Nothing in this section—

(1) precludes the Tribe from taking the water described in subsection (c)(3)(E)(i), or any additional water provided under subsection (e), from the direct flow of the St. Mary River; or

(2) modifies the quantity of the Tribal water rights described in article III.G.1 of the Compact.

(h) OTHER RIGHTS.—Notwithstanding the requirements of article III.G.1.d of the Compact, after satisfaction of all water rights under State law for use of St. Mary River water, including the Milk River Project water rights, the Tribe shall have the right to the remaining portion of the share of the United States in the St. Mary River under the International Boundary Waters Treaty of 1909 (36 Stat. 2448) for any tribally authorized use or need consistent with this title.

SEC. 9007. BUREAU OF RECLAMATION ACTIVITIES TO IMPROVE WATER MANAGEMENT.

(a) MILK RIVER PROJECT PURPOSES.—The purposes of the Milk River Project shall include—

(1) irrigation;

(2) flood control;

(3) the protection of fish and wildlife;

(4) recreation;

(5) the provision of municipal, rural, and industrial water supply; and

(6) hydroelectric power generation.

(b) USE OF MILK RIVER PROJECT FACILITIES FOR THE BENEFIT OF TRIBE.—The use of Milk River Project facilities to transport water for the Tribe pursuant to subsections (c) and (e) of section 9006, together with any use by the Tribe of that water in accordance with this title—

(1) shall be considered to be an authorized purpose of the Milk River Project; and

(2) shall not change the priority date of any Tribal water rights.

(c) ST. MARY RIVER STUDIES.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, in cooperation with the Tribe and the State, shall conduct—

(A) an appraisal study—

(i) to develop a plan for the management and development of water supplies in the St. Mary River Basin and Milk River Basin, including the St. Mary River and Milk River water supplies for the Tribe and the Milk River water supplies for the Fort Belknap Indian Community; and

(ii) to identify alternatives to develop additional water of the St. Mary River for the Tribe; and

(B) a feasibility study—

(i) using the information resulting from the appraisal study conducted under paragraph (1) and such other information as is relevant, to evaluate the feasibility of—

(I) alternatives for the rehabilitation of the St. Mary Diversion Dam and Canal; and

(II) increased storage in Fresno Dam and Reservoir; and

(ii) to create a cost allocation study that is based on the authorized purposes described in subsections (a) and (b).

(2) COOPERATIVE AGREEMENT.—On request of the Tribe, the Secretary shall enter into a cooperative agreement with the Tribe with respect to the portion of the appraisal study described in paragraph (1)(A).

(3) COSTS NONREIMBURSABLE.—The cost of the studies under this subsection shall not be—

(A) considered to be a cost of the Milk River Project; or

(B) reimbursable in accordance with the reclamation laws.

(d) SWIFTCURRENT CREEK BANK STABILIZATION.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out appropriate activities concerning the Swiftcurrent Creek Bank Stabilization Project, including—

(A) a review of the final project design; and

(B) value engineering analyses.

(2) MODIFICATION OF FINAL DESIGN.—Prior to beginning construction activities for the Swiftcurrent Creek Bank Stabilization Project, on the basis of the review conducted under paragraph (1), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure compliance with applicable industry standards;

(B) to improve the cost-effectiveness of the Swiftcurrent Creek Bank Stabilization Project; and

(C) to ensure that the Swiftcurrent Creek Bank Stabilization Project may be constructed using only the amounts made available under section 9018.

(3) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out the Swiftcurrent Bank Stabilization Project.

(e) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(f) MILK RIVER PROJECT RIGHTS-OF-WAY AND EASEMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Tribe shall grant the United States a right-of-way on Reservation land owned by the Tribe for all uses by the Milk River Project (permissive or otherwise) in existence as of December 31, 2015, including all facilities, flowage easements, and access easements necessary for the operation and maintenance of the Milk River Project.

(2) AGREEMENT REGARDING EXISTING USES.—The Tribe and the Secretary shall enter into an agreement for a process to determine the location, nature, and extent of the existing uses referenced in this subsection. The agreement shall require that—

(A) a panel of 3 individuals determine the location, nature, and extent of existing uses necessary for the operation and maintenance of the Milk River Project (the ''Panel Determination''), with the Tribe appointing 1 representative of the Tribe, the Secretary appointing 1 representative of the Secretary, and those 2 representatives jointly appointing a third individual;

(B) if the Panel Determination is unanimous, the Tribe grant a right-of-way to the United States for the existing uses identified in the Panel Determination in accordance with applicable law without additional compensation;

(C) if the Panel Determination is not unanimous—

(i) the Secretary adopt the Panel Determination with any amendments the Secretary reasonably determines necessary to correct any clear error (the ''Interior Determination''), provided that if any portion of the Panel Determination is unanimous, the Secretary will not amend that portion; and

(ii) the Tribe grant a right-of-way to the United States for the existing uses identified in the Interior Determination in accordance with applicable law without additional compensation, with the agreement providing for the timing of the grant to take into consideration the possibility of review under paragraph (5).

(3) EFFECT.—Determinations made under this subsection—

(A) do not address title as between the United States and the Tribe; and

(B) do not apply to any new use of Reservation land by the United States for the Milk River Project after December 31, 2015.

(4) INTERIOR DETERMINATION AS FINAL AGENCY ACTION.—Any determination by the Secretary under paragraph (2)(C) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(5) JUDICIAL REVIEW.—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the Interior Determination.

(g) FUNDING.—The total amount of obligations incurred by the Secretary shall not exceed—

(1) $3,800,000 to carry out subsection (c);

(2) $20,700,000 to carry out subsection (d); and

(3) $3,100,000 to carry out subsection (f).

SEC. 9008. ST. MARY CANAL HYDROELECTRIC POWER GENERATION.

(a) BUREAU OF RECLAMATION JURISDICTION.—Effective beginning on the date of enactment of this title, the Commissioner of Reclamation shall have exclusive jurisdiction to authorize the development of hydropower on the St. Mary Unit.

(b) RIGHTS OF TRIBE.—

(1) EXCLUSIVE RIGHT OF TRIBE.—Subject to paragraph (2) and notwithstanding any other provision of law, the Tribe shall have the exclusive right to develop and market hydroelectric power of the St. Mary Unit.

(2) LIMITATIONS.—The exclusive right described in paragraph (1)—

(A) shall expire on the date that is 15 years after the date of enactment of an Act appropriating funds for rehabilitation of the St. Mary Unit; but

(B) may be extended by the Secretary at the request of the Tribe.

(3) OM&R COSTS.—Effective beginning on the date that is 10 years after the date on which the Tribe begins marketing hydroelectric power generated from the St. Mary Unit to any third party, the Tribe shall make annual payments for operation, maintenance, and replacement costs attributable to the direct use of any facilities by the Tribe for hydroelectric power generation, in amounts determined in accordance with the guidelines and methods of the Bureau of Reclamation for assessing operation, maintenance, and replacement charges.

(c) BUREAU OF RECLAMATION COOPERATION.—The Commissioner of Reclamation shall cooperate with the Tribe in the development of any hydroelectric power generation project under this section.

(d) AGREEMENT.—Before construction of a hydroelectric power generation project under this section, the Tribe shall enter into an agreement with the Commissioner of Reclamation that includes provisions—

(1) requiring that—

(A) the design, construction, and operation of the project shall be consistent with the Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities, as appropriate; and

(B) the hydroelectric power generation project will not impair the efficiencies of the Milk River Project for authorized purposes;

(2) regarding construction and operating criteria and emergency procedures; and

(3) under which any modification proposed by the Tribe to a facility owned by the Bureau of Reclamation shall be subject to review and approval by the Secretary, acting through the Commissioner of Reclamation.

(e) USE OF HYDROELECTRIC POWER BY TRIBE.—Any hydroelectric power generated in accordance with this section shall be used or marketed by the Tribe.

(f) REVENUES.—The Tribe shall collect and retain any revenues from the sale of hydroelectric power generated by a project under this section.

(g) LIABILITY OF UNITED STATES.—The United States shall have no obligation to monitor, administer, or account for—

(1) any revenues received by the Tribe under this section; or

(2) the expenditure of those revenues.

(h) PREFERENCE.—During any period for which the exclusive right of the Tribe described in subsection (b)(1) is not in effect, the Tribe shall have a preference to develop hydropower on the St. Mary Unit facilities, in accordance with Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities.

SEC. 9009. STORAGE ALLOCATION FROM LAKE ELWELL.

(a)(1) STORAGE ALLOCATION TO TRIBE.—The Secretary shall allocate to the Tribe 45,000 acre-feet per year of water stored in Lake Elwell for use by the Tribe for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation, as measured at the outlet works of Tiber Dam or through direct pumping from Lake Elwell.

(2) REDUCTION.—Up to 10,000 acre-feet per year of water allocated to the Tribe pursuant to paragraph (1) will be subject to an acre-foot for acre-foot reduction if depletions from the Tribal water rights above Lake Elwell exceed 88,000 acre-feet per year of water because of New Development (as defined in article II.37 of the Compact).

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Tribe under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Tribe under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Tribe shall administer the water allocated under subsection (a) in accordance with the Compact and this title.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving an allocation under this section, the Tribe shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this title.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Tribe, and not the United States, shall be entitled to all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Tribe shall have the same rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Tribe shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Tribe pursuant to this section or the allocation agreement, regardless of whether that water is delivered for use by the Tribe or under a lease, contract, or by agreement entered into by the Tribe pursuant to subsection (d);

(G) the Tribe shall not be required to make payments to the United States for any water allocated to the Tribe under this title or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H);

(H) for each acre-foot of stored water leased or transferred by the Tribe for industrial purposes—

(i) the Tribe shall pay annually to the United States an amount necessary to cover the proportional share of the annual operation, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Tribe for industrial purposes; and

(ii) the annual payments of the Tribe shall be reviewed and adjusted, as appropriate, to reflect the actual operation, maintenance, and replacement costs for Tiber Dam; and

(I) the adjustment process identified in subsection (a)(2) will be based on specific enumerated provisions.

(d) AGREEMENTS BY TRIBE.—The Tribe may use, lease, contract, exchange, or enter into other agreements for use of the water allocated to the Tribe under subsection (a), if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any portion of the water allocated to the Tribe under subsection (a).

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 9010. IRRIGATION ACTIVITIES.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation and in accordance with subsection (c), shall carry out the following actions relating to the Blackfeet Irrigation Project:

(1) Deferred maintenance.

(2) Dam safety improvements for Four Horns Dam.

(3) Rehabilitation and enhancement of the Four Horns Feeder Canal, Dam, and Reservoir.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activities carried out under this section.

(c) SCOPE OF DEFERRED MAINTENANCE ACTIVITIES AND FOUR HORNS DAM SAFETY IMPROVEMENTS.—

(1) IN GENERAL.—Subject to the conditions described in paragraph (2), the scope of the deferred maintenance activities and Four Horns Dam safety improvements shall be as generally described in—

(A) the document entitled ''Engineering Evaluation and Condition Assessment, Blackfeet Irrigation Project'', prepared by DOWL HKM, and dated August 2007; and

(B) the provisions relating to Four Horns Rehabilitated Dam of the document entitled ''Four Horns Dam Enlarged Appraisal Evaluation Design Report'', prepared by DOWL HKM, and dated April 2007.

(2) CONDITIONS.—The conditions referred to in paragraph (1) are that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the deferred maintenance activities and dam safety improvements may be constructed using only the amounts made available under section 9018.

(d) SCOPE OF REHABILITATION AND ENHANCEMENT OF FOUR HORNS FEEDER CANAL, DAM, AND RESERVOIR.—

(1) IN GENERAL.—The scope of the rehabilitation and improvements shall be as generally described in the document entitled ''Four Horns Feeder Canal Rehabilitation with Export'', prepared by DOWL HKM, and dated April 2013, subject to the condition that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the rehabilitation and improvements may be constructed using only the amounts made available under section 9018.

(2) INCLUSIONS.—The activities carried out by the Secretary under this subsection shall include—

(A) the rehabilitation or improvement of the Four Horns feeder canal system to a capacity of not fewer than 360 cubic feet per second;

(B) the rehabilitation or improvement of the outlet works of Four Horns Dam and Reservoir to deliver not less than 15,000 acre-feet of water per year, in accordance with subparagraph (C); and

(C) construction of facilities to deliver not less than 15,000 acre-feet of water per year from Four Horns Dam and Reservoir, to a point on or near Birch Creek to be designated by the Tribe and the State for delivery of water to the water delivery system of the Pondera County Canal and Reservoir Company on Birch Creek, in accordance with the Birch Creek Agreement.

(3) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes to the final design of any activity under this subsection to ensure that the final design meets applicable industry standards.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $54,900,000, of which—

(1) $40,900,000 shall be allocated to carry out the activities described in subsection (c); and

(2) $14,000,000 shall be allocated to carry out the activities described in subsection (d)(2).

(f) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(g) NON-FEDERAL CONTRIBUTION.—No part of the project under subsection (d) shall be commenced until the State has made available $20,000,000 to carry out the activities described in subsection (d)(2).

(h) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under subsection (m), subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total project costs for each project.

(i) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9011, 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) OWNERSHIP BY TRIBE OF BIRCH CREEK DELIVERY FACILITIES.—Notwithstanding any other provision of law, the Secretary shall transfer to the Tribe, at no cost, title in and to the facilities constructed under subsection (d)(2)(C).

(k) OWNERSHIP, OPERATION, AND MAINTENANCE.—On transfer to the Tribe of title under subsection (j), the Tribe shall—

(1) be responsible for OM&R in accordance with the Birch Creek Agreement; and

(2) enter into an agreement with the Bureau of Indian Affairs regarding the operation of the facilities described in that subsection.

(l) LIABILITY OF UNITED STATES.—The United States shall have no obligation or responsibility with respect the facilities described in subsection (d)(2)(C).

(m) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

(n) EFFECT.—Nothing in this section—

(1) alters any applicable law (including regulations) under which the Bureau of Indian Affairs collects assessments or carries out Blackfeet Irrigation Project OM&R; or

(2) impacts the availability of amounts made available under subsection (a)(1)(B) of section 9018.

SEC. 9011. DESIGN AND CONSTRUCTION OF MR&I SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct the water diversion and delivery features of the MR&I System in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the water diversion and delivery features of the MR&I System.

(c) SCOPE.—

(1) IN GENERAL.—The scope of the design and construction under this section shall be as generally described in the document entitled ''Blackfeet Regional Water System'', prepared by DOWL HKM, dated June 2010, and modified by DOWL HKM in the addendum to the report dated March 2013, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation and construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of the delivery of MR&I System water; and

(C) to ensure that the MR&I System may be constructed using only the amounts made available under section 9018.

(d) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $76,200,000.

(f) NON-FEDERAL CONTRIBUTION.—

(1) CONSULTATION.—Before completion of the final design of the MR&I System required by subsection (c), the Secretary shall consult with the Tribe, the State, and other affected non-Federal parties to discuss the possibility of receiving non-Federal contributions for the cost of the MR&I System.

(2) NEGOTIATIONS.—If, based on the extent to which non-Federal parties are expected to use the MR&I System, a non-Federal contribution to the MR&I System is determined by the parties described in paragraph (1) to be appropriate, the Secretary shall initiate negotiations for an agreement regarding the means by which the contributions shall be provided.

(g) OWNERSHIP BY TRIBE.—Title to the MR&I System and all facilities rehabilitated or constructed under this section shall be held by the Tribe.

(h) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(i) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for any facility rehabilitated or constructed under this section.

(j) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011(a), 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(k) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9012. DESIGN AND CONSTRUCTION OF WATER STORAGE AND IRRIGATION FACILITIES.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct 1 or more facilities to store water and support irrigation on the Reservation in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the irrigation development and water storage facilities described in subsection (c).

(c) SCOPE.—

(1) IN GENERAL.—The scope of the design and construction under this section shall be as generally described in the document entitled ''Blackfeet Water Storage, Development, and Project Report'', prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) MODIFICATION.—The Secretary may modify the scope of construction for the projects described in the document referred to in paragraph (1), if—

(A) the modified project is—

(i) similar in purpose to the proposed projects; and

(ii) consistent with the purposes of this title; and

(B) the Secretary has consulted with the Tribe regarding any modification.

(3) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of any construction; and

(C) to ensure that the projects may be constructed using only the amounts made available under section 9018.

(d) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $87,300,000.

(f) OWNERSHIP BY TRIBE.—Title to all facilities rehabilitated or constructed under this section shall be held by the Tribe, except that title to the Birch Creek Unit of the Blackfeet Indian Irrigation Project shall remain with the Bureau of Indian Affairs.

(g) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(h) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(i) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9013. BLACKFEET WATER, STORAGE, AND DEVELOPMENT PROJECTS.

(a) IN GENERAL.—

(1) SCOPE.—The scope of the construction under this section shall be as generally described in the document entitled ''Blackfeet Water Storage, Development, and Project Report'', prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe.

(2) MODIFICATION.—The Tribe may modify the scope of the projects described in the document referred to in paragraph (1) if—

(A) the modified project is—

(i) similar to the proposed project; and

(ii) consistent with the purposes of this title; and

(B) the modification is approved by the Secretary.

(b) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(c) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $91,000,000.

(d) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(e) OWNERSHIP BY TRIBE.—Title to any facility constructed under this section shall be held by the Tribe.

SEC. 9014. EASEMENTS AND RIGHTS-OF-WAY.

(a) TRIBAL EASEMENTS AND RIGHTS-OF-WAY.—

(1) IN GENERAL.—On request of the Secretary, the Tribe shall grant, at no cost to the United States, such easements and rights-of-way over tribal land as are necessary for the construction of the projects authorized by sections 9010 and 9011.

(2) JURISDICTION.—An easement or right-of-way granted by the Tribe pursuant to paragraph (1) shall not affect in any respect the civil or criminal jurisdiction of the Tribe over the easement or right-of-way.

(b) LANDOWNER EASEMENTS AND RIGHTS-OF-WAY.—In partial consideration for the construction activities authorized by section 9011, and as a condition of receiving service from the MR&I System, a landowner shall grant, at no cost to the United States or the Tribe, such easements and rights-of-way over the land of the landowner as may be necessary for the construction of the MR&I System.

(c) LAND ACQUIRED BY UNITED STATES OR TRIBE.—Any land acquired within the boundaries of the Reservation by the United States on behalf of the Tribe, or by the Tribe on behalf of the Tribe, in connection with achieving the purposes of this title shall be held in trust by the United States for the benefit of the Tribe.

SEC. 9015. TRIBAL WATER RIGHTS.

(a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

(1) IN GENERAL.—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) USE.—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this title.

(3) CONFLICT.—In the event of a conflict between the Compact and this title, the provisions of this title shall control.

(b) INTENT OF CONGRESS.—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this title, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this title;

(2) the availability of funding under this title and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this title to protect the interests of allottees.

(c) TRUST STATUS OF TRIBAL WATER RIGHTS.—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Tribe and the allottees in accordance with this title; and

(2) shall not be subject to forfeiture or abandonment.

(d) ALLOTTEES.—

(1) APPLICABILITY OF ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal water rights.

(2) ENTITLEMENT TO WATER.—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) ALLOCATIONS.—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) CLAIMS.—

(A) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States

under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the tribal water code or other applicable tribal law.

(B) ACTION FOR RELIEF.—After the exhaustion of all remedies available under the tribal water code or other applicable tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(5) AUTHORITY OF SECRETARY.—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) AUTHORITY OF TRIBE.—

(1) IN GENERAL.—The Tribe shall have the authority to allocate, distribute, and lease the Tribal water rights for any use on the Reservation in accordance with the Compact, this title, and applicable Federal law.

(2) OFF-RESERVATION USE.—The Tribe may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, subject to the approval of the Secretary.

(3) LAND LEASES BY ALLOTTEES.—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the tribal water code.

(f) TRIBAL WATER CODE.—

(1) IN GENERAL.—Notwithstanding article IV.C.1 of the Compact, not later than 4 years after the date on which the Tribe ratifies the Compact in accordance with this title, the Tribe shall enact a tribal water code that provides for—

(A) the management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this title; and

(B) establishment by the Tribe of conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this title.

(2) INCLUSIONS.—Subject to the approval of the Secretary, the tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Tribe provide water for irrigation use in accordance with this title, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Tribe of any request by an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision; and

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the tribal water code, or to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B).

(3) ACTION BY SECRETARY.—

(A) IN GENERAL.—During the period beginning on the date of enactment of this title and ending on the date on which a tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with this title.

(B) APPROVAL.—The tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the tribal water code or an amendment to the tribal water code not later than 180 days after the date on which the tribal water code or amendment is submitted to the Secretary.

(ii) EXTENSION.—The deadline described in clause (i) may be extended by the Secretary after consultation with the Tribe.

(g) ADMINISTRATION.—

(1) NO ALIENATION.—The Tribe shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this title for the allocation, distribution, leasing, or other arrangement entered into pursuant to this title shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal water rights by a lessee or contractor shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(h) EFFECT.—Except as otherwise expressly provided in this section, nothing in this title—

(1) authorizes any action by an allottee against any individual or entity, or against the Tribe, under Federal, State, tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

SEC. 9016. BLACKFEET SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the ''Blackfeet Settlement Trust Fund'' (referred to in this section as the ''Trust Fund''), to be managed, invested, and distributed by the Secretary and to remain available until expended.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Administration and Energy Account.

(2) The OM&R Account.

(3) The St. Mary Account.

(4) The Blackfeet Water, Storage, and Development Projects Account.

(c) DEPOSITS.—The Secretary shall deposit in the Trust Fund—

(1) in the Administration and Energy Account, the amount made available pursuant to section 9018(a)(1)(A);

(2) in the OM&R Account, the amount made available pursuant to section 9018(a)(1)(B);

(3) in the St. Mary Account, the amount made available pursuant to section 9018(a)(1)(C); and

(4) in the Blackfeet Water, Storage, and Development Projects Account, the amount made available pursuant to section 9018(a)(1)(D).

(d) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Trust Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (i).

(e) MANAGEMENT.—The Secretary shall manage, invest, and distribute all amounts in the Trust Fund in a manner that is consistent with the investment authority of the Secretary under—

(1) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(2) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(3) this section.

(f) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, shall be made available to the Tribe by the Secretary beginning on the enforceability date.

(2) FUNDING FOR TRIBAL IMPLEMENTATION ACTIVITIES.—Notwithstanding paragraph (1), on approval pursuant to this title and the Compact by a referendum vote of a majority of votes cast by members of the Tribe on the day of the vote, as certified by the Secretary and the Tribe and subject to the availability of appropriations, of the amounts in the Administration and Energy Account, $4,800,000 shall be made available to the Tribe for the implementation of this title.

(g) WITHDRAWALS UNDER AIFRMRA.—

(1) IN GENERAL.—The Tribe may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a tribal management plan submitted by the Tribe in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under paragraph (1) shall require that the Tribe shall spend all amounts withdrawn from the Trust Fund in accordance with this title.

(B) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Tribe from the Trust Fund under this subsection are used in accordance with this title.

(h) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(1) IN GENERAL.—The Tribe may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(2) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under paragraph (1), the Tribe shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Tribe elects to withdraw pursuant to this subsection, subject to the condition that the funds shall be used for the purposes described in this title.

(3) INCLUSIONS.—An expenditure plan under this subsection shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Tribe, in accordance with subsection (h).

(4) APPROVAL.—On receipt of an expenditure plan under this subsection, the Secretary shall approve the plan, if the Secretary determines that the plan—

(A) is reasonable; and

(B) is consistent with, and will be used for, the purposes of this title.

(5) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this subsection are used in accordance with this title.

(i) USES.—Amounts from the Trust Fund shall be used by the Tribe for the following purposes:

(1) The Administration and Energy Account shall be used for administration of the Tribal water rights and energy development projects under this title and the Compact.

(2) The OM&R Account shall be used to assist the Tribe in paying OM&R costs.

(3) The St. Mary Account shall be distributed pursuant to an expenditure plan approved under subsection (g), subject to the conditions that—

(A) during the period for which the amount is available and held by the Secretary, $500,000 shall be distributed to the Tribe annually as compensation for the deferral of the St. Mary water right; and

(B) any additional amounts deposited in the account may be withdrawn and used by the Tribe to pay OM&R costs or other expenses for 1 or more projects to benefit the Tribe, as approved by the Secretary, subject to the requirement that the Secretary shall not approve an expenditure plan under this paragraph unless the Tribe provides a resolution of the tribal council—

(i) approving the withdrawal of the funds from the account; and

(ii) acknowledging that the Secretary will not be able to distribute funds under subparagraph (A) indefinitely if the principal funds in the account are reduced.

(4) The Blackfeet Water, Storage, and Development Projects Account shall be used to carry out section 9013.

(j) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Tribe under subsection (f) or (g).

(k) NO PER CAPITA DISTRIBUTIONS.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Tribe.

(l) DEPOSIT OF FUNDS.—On request by the Tribe, the Secretary may deposit amounts from an account described in paragraph (1), (2), or (4) of subsection (b) to any other account the Secretary determines to be appropriate.

SEC. 9017. BLACKFEET WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account, to be known as the ''Blackfeet Water Settlement Implementation Fund'' (referred to in this section as the ''Implementation Fund''), to be managed and distributed by the Secretary, for use by the Secretary for carrying out this title.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The MR&I System, Irrigation, and Water Storage Account.

(2) The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account.

(3) The St. Mary/Milk Water Management and Activities Fund.

(c) DEPOSITS.—The Secretary shall deposit in the Implementation Fund—

(1) in the MR&I System, Irrigation, and Water Storage Account, the amount made available pursuant to section 9018(a)(2)(A);

(2) in the Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account, the amount made available pursuant to section 9018(a)(2)(B); and

(3) in the St. Mary/Milk Water Management and Activities Fund, the amount made available pursuant to section 9018(a)(2)(C).

(d) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Implementation Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (e).

(e) USES.—

(1) MR&I SYSTEM, IRRIGATION, AND WATER STORAGE ACCOUNT.—The MR&I System, Irrigation, and Water Storage Account shall be used to carry out sections 9011 and 9012.

(2) BLACKFEET IRRIGATION PROJECT DEFERRED MAINTENANCE AND FOUR HORNS DAM SAFETY IMPROVEMENTS ACCOUNT.—The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account shall be used to carry out section 9010.

(3) ST. MARY/MILK WATER MANAGEMENT AND ACTIVITIES ACCOUNT.—The St. Mary/Milk Water Management and Activities Account shall be used to carry out sections 9005 and 9007.

(f) MANAGEMENT.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

SEC. 9018. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(1) as adjusted on appropriation to reflect changes since April 2010 in the Consumer Price Index for All Urban Consumers West Urban 50,000 to 1,500,000 index for the amount appropriated—

(A) for deposit in the Administration and Energy Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(1), $28,900,000;

(B) for deposit in the OM&R Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(2), $27,760,000;

(C) for deposit in the St. Mary Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(3), $27,800,000;

(D) for deposit in the Blackfeet Water, Storage, and Development Projects Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(4), $91,000,000; and

(E) such sums not to exceed the amount of interest credited to the unexpended amounts of the Blackfeet Settlement Trust Fund; and

(2) as adjusted annually to reflect changes since April 2010 in the Bureau of Reclamation Construction Cost Trends Index applicable to the types of construction involved—

(A) for deposit in the MR&I System, Irrigation, and Water Storage Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(1), $163,500,000;

(B) for deposit in the Blackfeet Irrigation Project Deferred Maintenance, Four Horns Dam Safety, and Rehabilitation and Enhancement of the Four Horns Feeder Canal, Dam, and Reservoir Improvements Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(2), $54,900,000, of which—

(i) $40,900,000 shall be made available for activities and projects under section 9010(c); and

(ii) $14,000,000 shall be made available for activities and projects under section 9010(d)(2);

(C) for deposit in the St. Mary/Milk Water Management and Activities Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(3), $28,100,000, of which—

(i) $27,600,000 shall be allocated in accordance with section 9007(g); and

(ii) $500,000 shall be used to carry out section 9005; and

(D) such sums not to exceed the amount of interest credited to the unexpended amounts of the Blackfeet Water Settlement Implementation Fund.

(b) ADJUSTMENTS.—

(1) IN GENERAL.—The adjustment of the amounts authorized to be appropriated pursuant to subsection (a)(1) shall occur each time an amount is appropriated for an account and shall add to, or subtract from, as applicable, the total amount authorized.

(2) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

(3) TREATMENT.—The amount of an adjustment may be considered—

(A) to be authorized as of the date on which congressional action occurs; and

(B) in determining the amount authorized to be appropriated.

SEC. 9019. WATER RIGHTS IN LEWIS AND CLARK NATIONAL FOREST AND GLACIER NATIONAL PARK.

The instream flow water rights of the Tribe on land within the Lewis and Clark National Forest and Glacier National Park—

(1) are confirmed; and

(2) shall be as described in the document entitled ''Stipulation to Address Claims by and for the Benefit of the Blackfeet Indian Tribe to Water Rights in the Lewis & Clark National Forest and Glacier National Park'', and as finally decreed by the Montana Water Court, or, if the Montana Water Court is found to lack jurisdiction, by the United States district court with jurisdiction.

SEC. 9020. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY TRIBE AND UNITED STATES AS TRUSTEE FOR TRIBE.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), and the United States, acting as trustee for the Tribe and the members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Tribe, or the United States acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(2) WAIVER AND RELEASE OF CLAIMS BY UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the United States, acting as trustee for allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(3) WAIVER AND RELEASE OF CLAIMS BY TRIBE AGAINST UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) relating to—

(i) water rights within the State that the United States, acting as trustee for the Tribe, asserted or could have asserted in any

proceeding, including a stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this title;

(ii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State that first accrued at any time on or before the enforceability date;

(iii) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(iv) a failure to provide for operation or maintenance, or deferred maintenance, for the Blackfeet Irrigation Project or any other irrigation system or irrigation project on the Reservation;

(v) the litigation of claims relating to the water rights of the Tribe in the State; and

(vi) the negotiation, execution, or adoption of the Compact (including exhibits) or this title;

(B) reserved in subsections (b) through (d) of section 6 of the settlement for the case styled Blackfeet Tribe v. United States, No. 02–127L (Fed. Cl. 2012); and

(C) that first accrued at any time on or before the enforceability date—

(i) arising from the taking or acquisition of the land of the Tribe or resources for the construction of the features of the St. Mary Unit of the Milk River Project;

(ii) relating to the construction, operation, and maintenance of the St. Mary Unit of the Milk River Project, including Sherburne Dam, St. Mary Diversion Dam, St. Mary Canal and associated infrastructure, and the management of flows in Swiftcurrent Creek, including the diversion of Swiftcurrent Creek into Lower St. Mary Lake;

(iii) relating to the construction, operation, and management of Lower Two Medicine Dam and Reservoir and Four Horns Dam and Reservoir, including any claim relating to the failure to provide dam safety improvements for Four Horns Reservoir; or

(iv) relating to the allocation of waters of the Milk River and St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448).

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) WITHDRAWAL OF OBJECTIONS.—The Tribe shall withdraw all objections to the water rights claims filed by the United States for the benefit of the Milk River Project, except objections to those claims consolidated for adjudication within Basin 40J, within 14 days of the certification under subsection (f)(5) that the Tribal membership has approved the Compact and this title.

(1) Prior to withdrawal of the objections, the Tribe may seek leave of the Montana Water Court for a right to reinstate the objections in the event the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are not satisfied by the date of expiration described in section 9023 of this title.

(2) If the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are satisfied, and any authority the Montana Water Court may have granted the Tribe to reinstate objections described in this section has not yet expired, the Tribe shall notify the Montana Water Court and the United States in writing that it will not exercise any such authority.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Tribe, acting on behalf of the Tribe and members of the Tribe, and the United States, acting as trustee for the Tribe and allottees, shall retain—

(1) all claims relating to—

(A) enforcement of, or claims accruing after the enforceability date relating to water rights recognized under, the Compact, any final decree, or this title;

(B) activities affecting the quality of water, including any claim under—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act''); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii); or

(C) damage, loss, or injury to land or natural resources that are not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights);

(2) all rights to use and protect water rights acquired after the date of enactment of this title; and

(3) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this title or the Compact.

(e) EFFECT OF COMPACT AND ACT.—Nothing in the Compact or this title—

(1) affects the ability of the United States, acting as a sovereign, to take any action authorized by law (including any law relating to health, safety, or the environment), including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act''); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(2) affects the ability of the United States to act as trustee for any other Indian tribe or allottee of any other Indian tribe;

(3) confers jurisdiction on any State court—

(A) to interpret Federal law regarding health, safety, or the environment;

(B) to determine the duties of the United States or any other party pursuant to a Federal law regarding health, safety, or the environment; or

(C) to conduct judicial review of a Federal agency action;

(4) waives any claim of a member of the Tribe in an individual capacity that does not derive from a right of the Tribe;

(5) revives any claim waived by the Tribe in the case styled Blackfeet Tribe v. United States, No. 02–127L (Fed. Cl. 2012); or

(6) revives any claim released by an allottee or a tribal member in the settlement for the case styled Cobell v. Salazar, No. 1:96CV01285–JR (D.D.C. 2012).

(f) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1)(A) the Montana Water Court has approved the Compact, and that decision has become final and nonappealable; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate United States district court has approved the Compact, and that decision has become final and nonappealable;

(2) all amounts authorized under section 9018(a) have been appropriated;

(3) the agreements required by sections 9006(c), 9007(f), and 9009(c) have been executed;

(4) the State has appropriated and paid into an interest-bearing escrow account any payments due as of the date of enactment of this title to the Tribe under the Compact, the Birch Creek Agreement, and this title;

(5) the members of the Tribe have voted to approve this title and the Compact by a majority of votes cast on the day of the vote, as certified by the Secretary and the Tribe;

(6) the Secretary has fulfilled the requirements of section 9009(a);

(7) the agreement or terms and conditions referred to in section 9005 are executed and final; and

(8) the waivers and releases described in subsection (a) have been executed by the Tribe and the Secretary.

(g) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled during the period beginning on the date of enactment of this title and ending on the date on which the amounts made available to carry out this title are transferred to the Secretary.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this title.

(h) EXPIRATION.—If all appropriations authorized by this title have not been made available to the Secretary by January 21, 2026, the waivers and releases described in this section shall—

(1) expire; and

(2) have no further force or effect.

(i) VOIDING OF WAIVERS.—If the waivers and releases described in this section are void under subsection (h)—

(1) the approval of the United States of the Compact under section 9004 shall no longer be effective;

(2) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this title, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized under this title shall be returned to the Federal Government, unless otherwise agreed to by the Tribe and the United States and approved by Congress; and

(3) except for Federal funds used to acquire or develop property that is returned to the Federal Government under paragraph (2), the United States shall be entitled to offset any Federal funds appropriated or made available to carry out the activities authorized under this title that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights in the State asserted by the Tribe or any user of the Tribal water rights or in any future settlement of the water rights of the Tribe or an allottee.

SEC. 9021. SATISFACTION OF CLAIMS.

(a) TRIBAL CLAIMS.—The benefits realized by the Tribe under this title shall be in complete replacement of, complete substitution for, and full satisfaction of all—

(1) claims of the Tribe against the United States waived and released pursuant to section 9020(a); and

(2) objections withdrawn pursuant to section 9020(c).

(b) ALLOTTEE CLAIMS.—The benefits realized by the allottees under this title shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released pursuant to section 9020(a)(2); and

(2) any claim of an allottee against the United States similar in nature to a claim described in section 9020(a)(2) that the allottee asserted or could have asserted.

SEC. 9022. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this title waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this title quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Tribe.

(c) LIMITATION ON CLAIMS FOR REIMBURSEMENT.—With respect to any Indian-owned land located within the Reservation—

(1) the United States shall not submit against that land any claim for reimbursement of the cost to the United States of carrying out this title or the Compact; and

(2) no assessment of that land shall be made regarding that cost.

(d) LIMITATION ON LIABILITY OF UNITED STATES.—

(1) IN GENERAL.—The United States has no obligation—

(A) to monitor, administer, or account for, in any manner, any funds provided to the Tribe by the State; or

(B) to review or approve any expenditure of those funds.

(2) INDEMNITY.—The Tribe shall indemnify the United States, and hold the United States harmless, with respect to all claims (including claims for takings or breach of trust) arising from the receipt or expenditure of amounts described in the subsection.

(e) EFFECT ON CURRENT LAW.—Nothing in this section affects any provision of law (including regulations) in effect on the day before the date of enactment of this title with respect to preenforcement review of any Federal environmental enforcement action.

(f) EFFECT ON RECLAMATION LAWS.—The activities carried out by the Commissioner of Reclamation under this title shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(g) IRRIGATION EFFICIENCY IN UPPER BIRCH CREEK DRAINAGE.—Any activity carried out by the Tribe in the Upper Birch Creek Drainage (as defined in article II.50 of the Compact) using funds made available to carry out this title shall achieve an irrigation efficiency of not less than 50 percent.

(h) BIRCH CREEK AGREEMENT APPROVAL.—The Birch Creek Agreement is approved to the extent that the Birch Creek Agreement requires approval under section 2116 of the Revised Statutes (25 U.S.C. 177).

(i) LIMITATION ON EFFECT.—Nothing in this title or the Compact—

(1) makes an allocation or apportionment of water between or among States; or

(2) addresses or implies whether, how, or to what extent the Tribal water rights, or any portion of the Tribal water rights, should be accounted for as part of, or otherwise charged against, an allocation or apportionment of water made to a State in an interstate allocation or apportionment.

SEC. 9023. EXPIRATION ON FAILURE TO MEET ENFORCEABILITY DATE.

If the Secretary fails to publish a statement of findings under section 9020(f) by not later than January 21, 2025, or such alternative later date as is agreed to by the Tribe and the Secretary, after reasonable notice to the State, as applicable—

(1) this title expires effective on the later of—

(A) January 22, 2025; and

(B) the day after such alternative later date as is agreed to by the Tribe and the Secretary;

(2) any action taken by the Secretary and any contract or agreement entered into pursuant to this title shall be void;

(3) any amounts made available under section 9018, together with any interest on those amounts, that remain unexpended shall immediately revert to the general fund of the Treasury, except for any funds made available under section 9016(e)(2) if the Montana Water Court denies the Tribe's request to reinstate the objections in section 9020(c); and

(4) the United States shall be entitled to offset against any claims asserted by the Tribe against the United States relating to water rights—

(A) any funds expended or withdrawn from the amounts made available pursuant to this title; and

(B) any funds made available to carry out the activities authorized by this title from other authorized sources, except for any funds provided under section 9016(e)(2) if the Montana Water court denies the Tribe's request to reinstate the objections in section 9020(c).

SEC. 9024. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title (including any obligation or activity under the Compact) if—

(1) adequate appropriations are not provided expressly by Congress to carry out the purposes of this title; or

(2) there are not enough monies available to carry out the purposes of this title in the Reclamation Water Settlements Fund established under section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)).

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

Mr. MCCONNELL. Madam President, I move to proceed to H.R. 5325.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 516, H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oklahoma.

THANKING STAFF

Mr. INHOFE. Madam President, first of all, I will be very brief. What we just passed is a major bill. It took a lot of effort from a lot of people. Many times the Members get more credit than they should because the real heroes are the ones who are back there doing the work. I want to thank the staff who are responsible for the hours and a lot of late nights.

I want to thank my chief of staff, Adrienne Jackson, as well as Alex Herrgott. They do a lot of late night work on these things, as well as many on the other side. In the case of Alex Herrgott, who was driving this thing, he has been doing this for me for over a dozen years. We have had a lot of successes.

I also wish to recognize Susan Bodine, who is sitting right here. She is a long-time WRDA expert, going back to 2 years ago when we had the WRDA bill, in 2014. She actually worked on WRDA on the House side for 11 years. I thank, as well, Charles Brittingham. These are the two who actually spent the time on my side of the aisle who put in the hardest and the longest hours. He was originally on loan to me from Senator VITTER, but now he is a full member of the EPW Committee. Few, if any, have better expertise on the core operation than Charles.

I want to thank Joe Brown for his long hours, as well as Jennie Wright and Andrew Neely for their work on the Oklahoma priorities on this bill, along with Carter Vella and Amanda Hall.

I want to thank Jason Albritton and Ted Illston on Senator BOXER's staff for their hard work with my team, and I thank Bettina Poirier, as always, for the hard work she did.

I thank the hard-working Aurora Swanson at CBO. We really put the burden on CBO. They had to respond immediately on short notice in order to get this done. Everyone said it was going to be impossible during this work period, but she played a major part in that. I also recognize the scoring and work that was necessary from the Senate legislative counsel Deanna Edwards, Maureen Catreni, and Gary Endicott. Finally, I thank Neil Chatterjee for his work from the leader's office. It was very, very helpful.

Of course, I already mentioned the hard work of my colleague Senator BOXER for making this bill a reality. It was a project that couldn't have been done any other way with any other people, and I am proud to have that behind us now.

With that, I will yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

REMEMBERING ROBERT J. DUNFEY, SR.

Mr. LEAHY. Madam President, for every pivotal moment in history, behind the faces of the political leaders, the negotiators, the protestors and the agreement-seekers, there are stalwart citizens, seeking to find the common ground for the common good. Last month, one such advocate in the march

for peace in Ireland, Robert J. Dunfey, Sr., passed away.

Bob Dunfey was a successful businessman, the founder of what today we call the Omni Hotel chain, who gave back to his community, his state, his country and his world. A public servant who spent decades advancing peacebuilding efforts in his ancestral home of Ireland, Mr. Dunfey was widely regarded by leaders of all walks in Ireland. He worked to support initiatives in Northern Ireland, as well as those in Ireland. A trusted partner, Bob Dunfey sought neither credit nor the spotlight; he worked behind the scenes, a true hallmark of public service.

Marcelle and I were touched when Bob welcomed us and our family into his home in Ballyferriter, Ireland. He leaves behind family and friends in his native New England, across the country and around the world. His is a friendship I will miss.

I ask unanimous consent that the full obituary for Robert Dunfey, Sr., be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OBITUARY FOR ROBERT J. DUNFEY SR., CO-FOUNDER, OMNI-DUNFEY HOTELS INTERNATIONAL AND PEACE-BUILDER, NORTHERN IRELAND

Robert John 'Bob' Dunfey, Sr. of Portsmouth, NH and formerly of Cape Elizabeth, ME, died peacefully on Tuesday, August 23, 2016, surrounded by loving family including his devoted wife, Jeanette Marston Dunfey who tirelessly cared for him during his long and valiant struggle against Parkinson's Disease.

Bob was born February 9, 1928 in Lowell, MA, the seventh of twelve children of Catherine and LeRoy Dunfey. He was educated at St. Patrick's School and Keith Academy, both in Lowell.

He is survived by former wife Shirley (Corey) Dunfey, and five children: Robert Dunfey, Jr. Cape Elizabeth, ME; Roy and Karen Dunfey, Portland, ME; Eileen Dunfey and Michael Pulsifer, Cape Elizabeth, ME; Brian Dunfey, South Berwick, ME; Maryanne Dunfey, North Conway, NH; 10 grandchildren and 3 great-grandchildren.

He is also survived by 4 of his 11 siblings: Jack and his wife Lisa of Boston; Eileen Robinson of Bradenton, FL; Jerry and his wife Nadine Hack of Lutry, Switzerland; Eleanor Dunfey and her husband Jim Freiburger of Exeter, NH; many dear cousins in Ballyferriter, Co. Kerry, Ireland; and his wife Jeanette's devoted Marston family.

He was pre-deceased by his parents Catherine and LeRoy and 7 Dunfey siblings: Roy, Paul, Catherine, 'Kay,' Mary, William 'Bud,' and Richard, 'Dick,' and Walter.

Rarely in the 88 years of Bob Dunfey's life was he in or did he seek the limelight, but a look behind the scenes in meetings, conversations, and telephone calls would reveal Bob's signature contributions. The seventh child in a family of 12 knew from the beginning that his life would be that of bridge builder, connector, supporter of worthy causes.

Too young to enlist in WWII with his older brothers, he became the indispensable ''right hand'' for his father and role model for his younger siblings by doing the often thankless hard work—behind the counter in the family's luncheonette and variety store in Lowell, MA's 'ACRE,' the home of so many first generation Irish and other immigrants. To this day, his closest friend and partner, brother Jack, credits Bob's energy and hard work as the distinct factor that grew the family business from one small business to fried clam stands at Hampton Beach then on to restaurants, motels and hotels throughout New England, an evolution which led to the purchase of Boston's famous Parker House in 1968 and later became Omni Hotels International.

Bob's work in the business community had a significant impact on the Maine economy. In 1966 Bob successfully led the controversial campaign to allow restaurants, lounges and hotels to sell alcoholic beverages on Sunday which was prohibited by law. Another major contribution was the development of the Maine Mall.

During Bobby Kennedy's 1968 campaign for President, Bobby would personally call Bob each Sunday to hear how the campaign was going in Maine. In 1980, on behalf of Maine Governor Brennan, Bob asked Federal Judge George Mitchell to fill the senate seat of Edmund Muskie, newly appointed Secretary of State by President Carter. Mitchell accepted.

As an active father he helped raise his family in Cape Elizabeth. His favorite places were Prout's Neck walking the beach and the bird walk, boating around Casco Bay and riding his bike along the New England Coast. In 1965, he built a ski chalet in North Conway where his family and grandchildren spent winter weekends skiing Cranmore Mountain and snowmobiling, He also arranged many family ski trips to Vail at Thanksgiving.

But his pride and joy was the house he had built in Ballyferriter, Ireland with the most amazing view of ocean and cliffs. His purpose was to have new generations of family reconnect with Irish relatives. His school master and archeologist cousin, Denis O'Connor helped Bob select the perfect Irish name: Feorann: ''edge of the sea, a verdant bank on a mountainside . . .'' Over 35 years, Bob expanded that word's meaning to include: a bit of heaven to be shared with all! He generously opened his Irish home to family, countless friends—even friends of friends. He introduced Senators George Mitchell, Ted Kennedy, Patrick Leahy, and Chris Dodd to the expansive beauty and warm hospitality of the Dingle Peninsula. Bob believed as every Kerryman does, that there are only two kingdoms: The Kingdom of God and The Kingdom of Kerry; ''One is of this world and one is out of this world!''

Robert J. 'Bob' Dunfey, Sr. was a trustee of the University of Maine System; a director of the American Ireland Funds; founder and honorary director of the Susan L. Curtis Foundation, which operates a 50-acre summer camp for Maine's underprivileged children. Bob was a founding director of the Maine Community Foundation. Bob served on the Spurwink Board of Trustees for 14 years, and was honored as the inaugural Humanitarian of the Year in 1987.

He was founding treasurer and director of New England Circle/Global Citizens Circle, a 40-year old non-profit forum that brings leaders and activists together for civil dialogue on critical issues that lead to constructive change in our local and global communities. Bob worked tirelessly to support initiatives in Northern Ireland and cultural preservation projects in the South of Ireland. For his extraordinary efforts over 40 years on the Isle of Ireland, he was honored with several major awards by all the Parties to the Peace Process as a trusted behind the scenes partner for all who were interested in moving beyond ''The Troubles.''

He was an advisor for the White House Conference for Trade and Investment in Northern Ireland. He participated with Sen. George Mitchell, President Clinton's Special Envoy for Economic Initiatives for Northern Ireland, on the Senator's first tour of Belfast, Derry, and Border Towns.

Bob and his brother, Jack Dunfey, traveled to Oslo with John Hume and David Trimble and their families when the two Northern Ireland leaders were awarded the Nobel Peace Prize in 1998.

Perhaps it is in the reflections of others that we see the worth of a life well lived. Julia Brown, Bob's granddaughter, offers such a reflection and two dear friends warmly affirm her tribute: ''Our Papa leaves an amazing legacy as a humanitarian and activist. He touched so many lives and made such a memorable impact in this world. He will be immensely missed by his loving family and wide circle of friends.'' One of those dear and longtime friends, Jackie Redpath, Belfast Shankill Community Centre, who worked so closely alongside Bob, shares that sentiment: ''Bob was a 'great man'. In Ireland, in Belfast, on the Shankill Falls, he straddled 'both sides' & both extremes & I am forever grateful for his, and your family's, bringing loyalism/unionism' in from the cold and giving us a seat 'at the top table' in the United States. People are alive today, who would not otherwise be, on account of this. Bob was strong, sincere, determined, wise, sensitive and great damn fun. He was very kind to me and I will miss him.

It was his beloved Maine, however, that Bob served first and foremost, and the Susan Curtis Foundation expresses best, all that Bob Dunfey means to them: ''It may comfort you to know that this summer, nearly 500 youth learned about themselves and who they can be, while developing the character, skills and life lessons they need to reach their dreams. Over 16,000 youth have had that same experience since Camp Susan Curtis opened its doors in 1974. None of this would have happened without Bob. He lives on in the thousands of Maine youth (and former Maine youth—now adults!) who are succeeding and thriving in part because they mattered at Camp Susan Curtis. He will forever be a part of us and we will miss him.''

A celebration of Bob's life will be held at St. John's Episcopal Church, 100 Chapel Street, Portsmouth, NH at 11 A.M. Saturday, September 10, 2016. Honoring Bob's wish, his ashes will be interred in the family's ancestral grave in Ballyferriter, Ireland alongside his sister, Mary; brother, Walter; and nephew, Philip, at a time convenient to the family. The family requests that, in lieu of flowers, friends consider a contribution in Bob's memory to the Susan Curtis Foundation 1321 Washington Ave # 104, Portland, ME 04103.

TRIBUTE TO TIM MITCHELL

Mr. LEAHY. Madam President, if I can take a moment. I don't think people realize how many men and women on both sides of the aisle work so hard to make the Senate work, to keep things going. I've often said, only partially in jest, that U.S. Senators are merely constitutional impediments to the staff who do all the work. One of those people is Tim Mitchell.

I have been here from the day he began, 25 years ago tomorrow. I know his wonderful wife, Alicia, and his son, Ben, who is in my grandson's class. We see them playing sports together.

If I am ever feeling down about the prospects of the Red Sox, I simply ask Tim, and know the sun will come up tomorrow because Tim will point out

we still have a chance because of this or that. I have also been at the White House with him when the Red Sox came to town with their World Series trophy.

More importantly, Tim is a true professional, and one of the most honest people I've known. If it is bad news, he will give you the bad news, but he is so nice, it is almost acceptable. I can always go to him because he will keep confidences if we ask him to. He understands the Senate, every single aspect of the Senate, as well as anybody I have ever worked with and I have been here 42 years. He is a person that everyone who works for the Senate should model themselves after. He works very well with his Republican counterparts, and has the respect of all Senators.

I don't want to embarrass Tim, but as the Dean of the Senate, the one who has served here the longest, I think it is safe for me to say that I know of no one finer. He is a wonderful person, and I commend him. I commend the sacrifices that Alicia and Ben have made, because there are some nights we are here very late. I know what it is like to miss a child's game, play or school event. Tim has had to do that. I would like to address this part to Alicia and to Ben. Ben, you should be extraordinarily proud of your father and Alicia, I know you love, respect and are proud of your husband.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, before he leaves the floor, I note the very fine statement of the dean of the Senate Democrats, and I would just like to say that I want to ascribe to Senator LEAHY's views and also be a charter member of the ''Tim Mitchell caucus.'' What a great name to give his public service. I thank you, Senator LEAHY.

UNANIMOUS CONSENT REQUEST—S. 2979

Mr. WYDEN. Madam President and colleagues, I come to the Senate floor today to discuss S. 2979, the Presidential Tax Transparency Act. I am very pleased to see that my colleague on the Finance Committee who is such a valuable Member, Senator CARDIN, is here as well.

In America, nobody forces you to run for President. You volunteer to run for President, and this year we have had a bumper crop of volunteers. Since Watergate, there has been a bipartisan tradition honored by all candidates that they would release their tax returns. Every Democrat, every Republican, every liberal, every conservative has subscribed to honoring this particular tradition. Why is it so important? Tax returns say so much about a candidate for the world's most demanding job. Rather than the spin and deception that counts as messaging in a Presidential campaign, the tax returns are legally required to be an accounting in black and white of a candidate's honesty, integrity, and their personal priorities.

A return can show whether a nominee has intimate connections to powerful interests in foreign governments whose priorities run contrary to the interests of typical Americans. A return highlights important questions about integrity. Are you the person giving to charity or, as some have wondered, are you converting another donor's gift into your own? Are you using charities for personal gain?

A return shows if you pay any taxes at all or if you use the complexity of this Byzantine Tax Code to hide your income while working Americans have their taxes taken out of their paycheck.

Today—and I made it clear I am going to shortly try to get support for the Presidential Tax Transparency Act. Today honest taxpayers who dot every ''i'' and cross every ''t'' are faced with a major Presidential candidate who refuses to show even one single page of his tax return. This flouting of a tradition honored by every candidate since Watergate is just too dangerous to ignore.

So shortly I will ask unanimous consent that the Senate pass S. 2979, the Presidential Tax Transparency Act. It is a straightforward proposal. It says within just over 2 weeks of becoming a nominee, at a party convention nominees are required to release at least 3 years of tax returns. If they refuse, the Treasury Secretary provides the returns to the Federal Election Commission and they are put online automatically.

Since I introduced this bill in the spring, I was asked again and again what was behind my thinking. I remember talking to Senator CARDIN, my colleague on the Finance Committee, about it. I said at home, through town meetings, and to colleagues here: Oh, how I wish this bill was not necessary. I think certainly millions of Americans say: Hey, there are lots of laws already. Why do we need more laws? I think we all could feel very proud of this 40-year, bipartisan voluntary tradition that all the candidates have honored. I have waited to bring this bill up in front of the Senate, until it was clear the tradition would not be honored this year.

I believe it is time for the United States Senate to act on S. 2979, the Presidential Tax Transparency Act, to protect honesty, accountability, and transparency in our Presidential election process.

Madam President, I ask unanimous consent that the Committee on Rules and Administration be discharged from further consideration of S. 2979; that the Senate proceed to its immediate consideration; that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The majority whip.

Mr. CORNYN. Madam President, reserving the right to object—if my friend from Oregon wants to discuss transparency and bring the Presidential election to the floor of the U.S. Senate, I think the person we should start with is the former Secretary of State. She has had, to put it charitably, innumerable challenges on the topic of transparency.

Let's just look at one. All we need to do is look at the way she exposed some of our Nation's most highly classified information by setting up a private email server in her home. The ensuing investigation produced nothing but stonewalling, obfuscation, and misleading statements she made to the American public.

When FBI Director James Comey announced the agency was closing the investigation, his statements made clear that Hillary Clinton had not been telling the truth. She did send and she did receive classified information, again, at some of the various highest levels. Director Comey said she and her staff who aided and abetted her were ''extremely careless in their handling of this highly sensitive information.''

In response, I have introduced legislation with the junior Senator from Colorado, Senator GARDNER, to help hold her and her staff accountable. The bill is called the Trust Act and it would revoke the security clearance of any person found to have been extremely careless in the handling of classified information, and it would keep them from receiving a security clearance in the future. It would also clarify that when someone has been found by investigators to have been extremely careless in handling classified information, that is tantamount to gross negligence.

So I would ask the Senator from Oregon to modify his request so S. 2979 and S. 3135 be discharged from their respective committees and the Senate proceed to their immediate consideration. I would ask unanimous consent that the bills be read a third time and passed and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Will the Senator so modify his request?

Mr. WYDEN. Reserving the right to object——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Thank you, Madam President.

First of all, it is with great disappointment and regret that I note that Senate Republicans are willing to throw aside a 40-year tradition of honesty and openness in our Presidential elections by blocking the Presidential Tax Transparency Act.

With respect to their own proposal, I want to be clear on this point. The bill that I have authored, S. 2979, the Presidential Tax Transparency Act, affects all the candidates for President in an attempt to preserve the tradition of openness and accountability that is no

longer being honored. The proposal offered by my colleague from Texas, on behalf of Senate Republicans, responds with a bill targeted at one candidate, a proposal that all our true national security experts have said would harm America's security. The briefing of our Presidential candidates is not just for their benefit, it is for the benefit of the American people so we have a smooth, democratic transition of power without risk to our national security.

This attempt to hide the violation of a tradition of openness and accountability behind a political witch hunt ought to tell Americans all they need to know about Senate Republicans at this point. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. CORNYN. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Madam President, I join with Senator WYDEN in my deep disappointment that the Republicans have objected to the continuation of a policy that has voluntarily been done for 40 years; that is, those who are running for President of the United States release their tax returns. I want to underscore a couple of points that were made by Senator WYDEN. I thank him very much for his leadership on this issue.

I just came from a hearing at the Senate Foreign Relations Committee—where I have the privilege of being the ranking Democrat—on Afghanistan. A large part of that hearing dealt with transparency, good governance, corruption, and anti-corruption. That is a key fundamental for Afghans' success. This morning I also had a chance to meet with the new leader of Burma. She has tremendous challenges in that emerging country. Transparency and anti-corruption are critically important to the success of that democracy.

When the United States stands internationally for good governance, anti-corruption, and transparency, we first have to deal with our issues at home. It is hard for us to demand transparency globally when we ourselves fall victim to the failure to make information available to the public that they desperately need. Let me tell you why that is important. This is not theoretical. The Panama Papers indicate that heads of state—current heads of state and former heads of state—have used ways to avoid public disclosure of the gains of their office, the connections they have had.

There is a reason why for 40 years we have seen the release of tax returns by those running for President. Before they vote, the public has a right to know about the potential conflicts that individual brings to the Office of the Presidency, the highest office in the land.

Senator WYDEN pointed out accurately that that tax return could very well show international contacts, international business, and offshore activity that the public has a right to have debated during the course of the campaign. It may show a Presidential candidate's use of the provisions within our Tax Code to pay a different tax rate or no taxes at all. The public has a right to know that before they cast their vote so they can ask questions about that. The tax return may show that certain statements made in regard to the use of charities are either appropriate or not appropriate. They have the right to debate that before they cast their vote.

Senator WYDEN's bill carries out current practice. I don't think anyone thought 6 months ago that someone would step forward to run for the Presidency of the United States and accept the nomination of a major political party without disclosing their tax returns. I don't think any of us thought that was at issue.

Senator WYDEN has been very patient with this bill. We have given all the Presidential candidates that opportunity. Secretary Clinton has disclosed her tax returns. Secretary Clinton has made available her emails through appropriate channels. That has been done. That transparency has been made. But there is a person running on the Republican side who has refused to disclose his tax returns. That is wrong. That denies the American people the transparency they need to judge the candidates and to engage in political discourse during the campaign, which is critically important to their decision as to who the next President of the United States should be.

I am extremely disappointed that there has been an objection to Senator WYDEN's request that we require those who want to be President of the United States—the highest office in this land, the highest office in the free world—to disclose their tax returns.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. WARREN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PRESIDENTIAL TAX TRANSPARENCY ACT

Ms. WARREN. Madam President, I am on the floor today to talk about the Presidential Tax Transparency Act. It is a simple proposal that would require every Presidential candidate of a major party to release their tax returns. Hillary Clinton has already done it. In fact, every single general election candidate in the past nine elections has done it.

I will be honest. This is not the kind of legislation that I thought Congress would ever need to pass, but, like a lot of people, I never thought that someone like Donald Trump would be the nominee of a major political party. Donald Trump makes a big show, strutting around, pretending to be tough, but he is too chicken to show his tax returns to the American people. He has had a million excuses, but we all know why Donald Trump isn't releasing his taxes. He is hiding something.

For a long time I wasn't sure what he was hiding. But thanks to the tireless work of journalists and experts, we at least have some clues about what he is hiding. We don't know everything, but slowly some of his secrets are starting to leak to the public, and they are not pretty.

Let's start with the tax scams that we know about. Here are just three of them.

The first scam is claiming tax credits for homeowners who make less than $500,000 a year. He wasn't eligible, so he lied—nothing fancy. Eventually, the press caught wind of it, and Trump paid up. And if he hadn't been caught, he would still be lying about it today.

Here is another Trump tax scam. Scoop up hundreds of millions of dollars in real estate developer subsidies, then skip out on paying any income taxes. In 1978, 1979, 1991, and 1993, Trump paid zero dollars in income taxes—zero, and that is not a comprehensive list of his zero-tax years. It is just the years when, for one reason or another, his tax returns were public.

Here is the third Trump tax scam. In this campaign, Trump claims the charitable deduction when he gives money to his own foundation, and then he uses that foundation for personal expenses and campaign fundraising.

That is just the stuff we know about. So how bad are the things we don't know about? The American people should see Donald Trump's tax returns so they can decide for themselves if his shameful and, in some cases, illegal behavior disqualifies him from being President.

The tax scams are awful, but they are a sideshow compared to what else is probably tucked away in his tax returns. Those tax returns would show his personal deals with foreign governments, arrangements that could put him in direct conflict with American interests.

We already know about some of Trump's foreign dealings. We know he has gotten Russian oligarchs with close ties to Vladimir Putin to fund his businesses. Is he still doing that?

We know he has financial ties to political dynasties in Turkey. We know he is wrapped up in aggressive pipeline plans in North and East India.

The list of countries where Trump has financial conflicts is staggering: South Korea, India, Turkey, Libya, Russia, Ukraine, United Arab Emirates.

Remember the Libyan dictator Qadhafi. Back in 2009, Trump was set to lease his own estate to the dictator,

but local protests shut that down. So who else has he been leasing his home to—Putin? I mean, maybe Trump's next business will be Airbnb for dictators.

Tax returns will not tell us everything, but we know that they will tell us something about what Trump is hiding. Donald Trump praises brutal dictators and murderers. He threatens our allies. He denigrates democracy right here at home. He is right out front with all of that stuff.

What is so bad that Donald Trump has to hide it? Would his tax returns show how deeply Donald Trump's personal, financial interests run directly counter to the national interests of the United States of America?

It is 8 weeks before a national election. Everyone wants Donald Trump to do what other candidates—Republican candidates and Democratic candidates—have done and disclose his financial information to the American people.

George W. Bush's IRS Commissioner has said: Trump should release his taxes, period.

The IRS Chief Counsel for Ronald Reagan has said the same thing: Trump should release his taxes, period.

TED CRUZ has released his taxes. John Kasich released his taxes. Jeb Bush released his taxes going all the way back to 1981.

Look, it is no surprise that Trump thinks the rules don't apply to him; he never does. But the American people are not going to buy a pig in a poke. He should release his taxes voluntarily. But since he will not, then we should pass the Presidential Tax Transparency Act and make him release those taxes.

No one knows what he is up to with Russia, Libya, or any other country. Let's take a look at his taxes and find out.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MINERS PROTECTION ACT

Mr. BROWN. Madam President, yesterday I joined Senator MANCHIN, Senator WARNER, Senator CAPITO, and others about the mine workers' pension. I come to the floor again today as I just cannot believe that my colleagues are going to go home. Some wanted to go today and make this the last day of session. Others are saying next week.

I think there is no excuse for this Senate to leave without taking care of the longtime—starting with Harry Truman—agreement we have made with the people who go down into coal mines and do their work. They powered this country and have for decades. It is one of the most difficult, least safe jobs in the country.

On my lapel I wear a depiction of a canary in a bird cage that was given to me at a workers' Memorial Day rally. The mine workers stuck a canary down in the mines. One hundred years ago they had no union to protect them. They had no government that cared enough to protect them and their safety. They relied on this canary. If the canary died, they got out of the mines. They were on their own.

We know this proud history of mine workers in Ohio, West Virginia, Kentucky, Western Pennsylvania, and Southwest Virginia. We have an obligation—the anti-labor sentiment in this body, particularly in Republican leadership—to these mine workers. When they negotiated their wages at the bargaining table, they gave up wages 20 years ago, 30 years ago, or 40 years ago. They gave up wages then so they would have pension and health care later. They were some of the most patriotic people—and have been.

When we had our rally the other day outside of the Capitol to at least push Senator MCCONNELL to do his job, to push this Senate to do its job. This is a Senate that has been out of session more than any Senate in the last 60 years. They simply don't want to do their job. Even forgetting about nominating, confirming, or at least having hearings on a Supreme Court nominee, forgetting about the Zika virus for a moment—this Senate simply isn't doing its job, and it starts down the hall in the majority leader's office.

They are simply refusing to bring to a vote this very simple bill to protect miners' pensions and health care. It doesn't cost taxpayer dollars. It is moving money from the abandoned mine fund into this UMWA pension and health care fund.

It is a betrayal of those workers. It is simply saying we don't care about those workers. I can't believe that this body doesn't seem to care much about workers, doesn't seem to care much about people who work with their hands, doesn't seem to care much about the safety of workers, doesn't seem to care much about the air they breathe and the conditions they work in.

This is finally a chance for this body to go on record saying: Yes, we actually think mine workers have dedicated their lives to working some of the most difficult jobs in our country, and we should live up to our obligation. Other than that, it is a betrayal of those workers, and it is coming straight out of the majority leader's office.

It is shameful that this Senate is thinking about going home without doing its work. I again ask the leader to schedule this bill so we can move forward.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

OBAMACARE

Mr. BARRASSO. Mr. President, as you hear in Montana and I hear in Wyoming weekend after weekend as we go home and we travel our States over the summertime, we are hearing from more people and seeing more articles in the newspaper about how the Obama health care law is falling apart. Every Member of this body—every Member of this body—probably hears the same stories I hear and have heard again today visiting with people from Wyoming—stories from people who can no longer afford their health care premiums, their health care coverage, the copays, the deductibles, and all of the things that have happened because of the Obama health care law.

I think it is interesting to reflect on that new survey done by the Gallup organization, a well-known pollster from around the country with a long history. They released numbers last week about what people are seeing around the country with regard to ObamaCare—the things we have been hearing at home every weekend.

The first thing we found is that more Americans disapprove of ObamaCare than approve of it. Now, it is interesting because the Senate minority leader, HARRY REID, was on the floor yesterday saying repeatedly: Isn't ObamaCare great? Well, I would say to my friend and colleague from Nevada: No, as a matter of fact, more Americans disapprove—thumbs down—of the Obama health care law than people who approve.

That is not what was supposed to happen—oh no. When the now minority leader—then the majority leader—came to the floor a number of years ago with a bill that was written behind closed doors in his office, when they forced this through the House and the Senate, they said it would be great. Senator SCHUMER, who may likely become the new leader of the Democrats in a new Senate after the minority leader retires, predicted from the floor—right over there—that the law was going to be much more popular as time went on. He said: ''When people see what is in the bill, and when people see what it does, they will come around.''

Well, it has now been 6 years. People have seen what is in the bill. Remember NANCY PELOSI saying: First you have to pass it before you get to find out what is in it. People have seen what is in it. They have not come around. People disapprove of the President's health care law—thumbs down—by 51 percent.

It is interesting that the numbers have actually gotten worse, in spite of

what the Senate minority leader said yesterday repeatedly, when he said: Isn't ObamaCare great? So 4 years ago, when Gallup asked the same question, the numbers were actually only 45 percent. Now it is 51 percent who disapprove. So it is actually heading backwards. ObamaCare is becoming more unpopular as time goes on and as people see that it has actually hurt them personally. Yes, that is what I said: It hurt them personally. The President's signature law is hurting them personally.

Let's take a look. How many people tell others the Obama health care law has hurt them personally—they and their families? A record number say that ObamaCare hurt their family—29 percent. Have people been helped by the health care law? Yes, but only 18 percent of people say they were helped by the health care law.

What I hear repeatedly in Wyoming—and I assume the Presiding Officer hears in Montana—is that the President should not have had to hurt this many Americans to help people who didn't have insurance. Why should they have hurt people who had insurance to help those who didn't? That is why this law continues to be so unpopular. It is a record number. It is not what the President or the Democrats said would happen with the health care law.

What does the President say about the law? He says: Forcefully defend and be proud. I think that is why we saw the minority leader on the floor yesterday saying: Isn't ObamaCare great? The minority party whip came to the floor on Tuesday, and he said the major aspects of the law are working. That is what he said. This doesn't look like a law that is working to me. More Americans have been hurt by the law than have been helped.

The Senator from Illinois said that the major parts of the law, the major aspects of the law are working. Well, what are the major aspects? Premiums, what people have to pay—but premiums are going through the roof. In Senator DURBIN's home State of Illinois, the average person in an ObamaCare exchange is going to be paying 45 percent more next year than this year. That is when they select their plans—November 1. When they go to the exchange to see what is available, they are going to find it 45 percent more expensive than this year. So it doesn't seem like the fundamental parts of the law are working.

Why did the rates go up? It is because of ObamaCare and the mandates that come from a Washington that decides it knows what is better for the people than they know themselves. They have to buy insurance the President says they have to buy, not what they think might work best for them or their families. That is why record numbers say ObamaCare has hurt their family. They can't buy what they want. They are paying a price that is too high. The deductibles are too high. The copays are too high. So we hear the stories of what is happening with ObamaCare.

There was one other question in this poll that I would like to point to. They asked all these American families about ObamaCare. They asked: In the long run—in the long run—how do you think the health care law will affect your family's health care situation? Will it make it better for your family, as the Democrats promised? Will it have no affect? Or will it actually make things worse for you and your family? Over one-third of Americans—36 percent—say the health care law will make health care for them and for their family worse. Less than one in four say it will make it better. So more say ObamaCare will make their family's health care situation worse.

Now, that is an overwhelming margin. It is even a higher margin than last year. So as people see the impact of the health care law, as they see the impact on themselves and on their families, they are looking at this and saying: Things are going to continue to get worse because premiums have continued to go up, copays have continued to go up, deductibles have been continuing to go up, and the options are fewer and fewer.

What does the administration say about that? Well, the Secretary of Health and Human Services, Sylvia Burwell, wrote an op-ed that appeared in CNN 6 days ago. It was entitled: ''The reality of the health insurance marketplace.'' That is what they called it: ''The reality of the health insurance marketplace.'' She said that all these higher prices people are experiencing around the country—the reason people are saying it is worse for them and their family and that they have been hurt by the health care law—are ''growing pains.'' That is what she said—''growing pains.''

Well, as a doctor who practiced medicine for 25 years, I can tell you that growing pains generally happen when something is growing. But that is not what is happening here. What is actually happening here is that ObamaCare is shrinking. The ObamaCare exchanges are shrinking. Millions of Americans will have fewer choices this year when they go to the ObamaCare exchanges than they had to buy insurance last year. In about one out of every three counties in America, people are going to be limited to only one single ObamaCare coverage choice in 2017.

In her op-ed, the Secretary talked about the ''health insurance marketplace.'' When there is only one company selling insurance to one-third of the country, that is not a marketplace, that is a monopoly. That is why so many people say that they and their families have been personally hurt by the law and they believe it is going to make things worse for their families.

This Democrats' health care law is turning the country into an ObamaCare wasteland—a wasteland without choices and without opportunities to make decisions about what is best for you and your family. That is why the American people are so worried about the future of their health care and why there has been an incredible spike in the number of people who think that in the future, their health care will get worse.

People look at these unsustainable price increases and they say: What am I going to do? They can't afford the insurance now. Maybe they can make it through this year. What about next year?

People want and need relief because even if you are down to one choice, even if there is a monopoly and you are down to one choice, you have to buy it because if you don't, President Obama and the Democrats say ''You must pay a fine. You must pay a penalty. You must pay a tax'' even though you have no choice. That is the Democrats' plan for health care—fine and penalize and tax them, but we are not going to give them any choice. There is no marketplace; there is a monopoly.

People want and deserve relief, and Republicans are offering that kind of relief. We are offering relief by saying: If you live in one of those counties that have no choices, the penalties, mandates, and fines should not apply to you.

The Democrats say: Pay up anyway.

If you live in a location where the premiums have gone up over 10 percent, the Republicans say: You deserve relief from what President Obama and the Democrats have forced upon you.

The Democrats say: Tough. Pay up anyway. Pay the fine. Pay the penalty. Pay the tax.

The American people deserve relief. People around the country are frightened by what they are seeing. They are frightened by what is happening with the health care law and the impacts, and they can see it getting worse and worse.

This didn't have to happen. It didn't have to happen. When the President wrote this law and had HARRY REID's office behind closed doors—had it written over in that area, ignoring the pleas of the Republicans, ignoring the pleas of the American people, who said ''Do not do this to us,'' the Democrats and the President said they know better than all of us.

They said: If you like your doctor, you can keep your doctor. That turned out not to be true.

They said: If you like your health care plan, you can keep your health care plan. That turned out not to be true.

Premiums will drop by $2,500, they said, and that was per year. That turned out not to be true.

This health care law has been very damaging to so many Americans. There are people who need help, but the Democrats should not have hurt so many Americans who had insurance, who had something that worked for them, who had something they could afford, in an effort to help others who didn't have insurance. That is why people are desperately asking for relief

from a one-size-fits-all approach with Washington mandates, with unelected, unaccountable bureaucrats forcing more regulations on hospitals, on doctors, on nurses, and on nursing homes across the board. That is why the American people say the health care law is going to make things even worse.

It is very distressing to hear a Democratic Senator come to the floor and say ''Isn't ObamaCare great?'' because the American people know it is not. They know they have been hurt, they have been harmed, they have been taxed, they have been penalized, and they have been forced to pay more. They have lost options, lost choices, and lost opportunities because of this law and this administration and the way this was passed—without listening to people from both sides.

I think it is time for the Democrats to stop trying to spin this destructive law. It is time for them to work with Republicans to give the American people what they wanted from the beginning. They wanted the care they need from a doctor they chose at lower costs, not a health care law that so many Americans believe is going to continue to make health care in this country worse.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Susan S. Gibson, of Virginia, to be Inspector General of the National Reconnaissance Office.

The PRESIDING OFFICER. Under the previous order, there will be 15 minutes for debate, equally divided in the usual form.

The Senator from New Jersey.

RUSSIA

Mr. MENENDEZ. Mr. President, I rise to take a stand against Russia's attempts to tamper with the American Presidential electoral process and to create chaos in our elections and, at the end of the day, to undermine the integrity of the results of our election to serve its own purposes.

I remind my colleagues that in 2012, I was the victim of such election tampering attempts. The Washington Post reported that while I was running for reelection and preparing to become chairman of the Senate Foreign Relations Committee, the CIA had credible evidence, including Internet protocol addresses, linking Cuban agents to planted stories in the United States and in Latin American publications.

It was reported that those connections were laid out in intelligence reports provided to U.S. Government officials and sent by secure cables to the FBI's Counterintelligence Division. Despite all of our government's capabilities, they supposedly could not find who was behind the smear. Maybe our government didn't want to rock the boat as they were prepared to establish relations with Cuba, but you would think that our government would do everything possible against a foreign government that was trying to upset the election of a sitting Senator to affect U.S. policy.

Let's be clear. In this new digital world of open and accessible personal information available to anyone who has the technical savvy to find it and use it for nefarious purposes, the election of anyone in this Chamber is at risk.

We need to take a stand in this election cycle. We need the administration to come forward and tell us what they know about Vladimir Putin's efforts to influence our Presidential election. We need to know what Putin knows, and we must find out exactly who is behind it, what they have, and what their purpose is.

It is certainly more than my experience and more than the Republican nominee's deplorable admiration for dictators and strongmen. It is about protecting the American political process from outside interference and influence.

Let's be very clear. I know, from my experience that we cannot underestimate the tradecraft of seasoned operatives like Vladimir Putin. We certainly cannot be naive enough to praise them for perceived strength and conflate it with the ruthless abuse of power. There is a difference between thuggery and strength.

Let's be clear. Neither the Cuban Government, which attempted to smear me, nor Putin is in any way a friend of the United States. In Putin's case, he is, as my colleague from Arizona—who, like me, was sanctioned by Putin—has publicly called him, ''a thug and a butcher.'' He is, in fact, a dictator who has been connected to the brutal deaths of his enemies and now has shown a willingness to use cyber warfare to undermine our democratic process. He clearly is attempting to shake the bedrock integrity of our political system, as Cuban intelligence tried to undermine the integrity of my last election in an effort to prevent me from becoming chairman of the Senate Foreign Relations Committee.

From my perspective, the purpose is not only to undermine credibility and faith but to create a result that would benefit Russia. These actions are beyond the scope of any acceptable international norm and cannot be tolerated. With a laptop, a computer code, and a KGB penchant to rebuild the Russian Empire, wage Cold War 2.0, and use every technological tool to tip the geopolitical balance in Russia's favor, we cannot in any way praise Putin or anyone else who attempts to influence our election process for their leadership.

We have seen the manifestation of Putin's methods in the latest cyber attack on the Democratic National Committee and in a long list of egregious conventional interventions, from the annexation of Crimea to the orchestrating of supposed-Russian separatists who shot down Malaysia Airlines Flight 17 over Ukraine, his invasion of eastern Ukraine through the use of irregular Russian forces, now his troops amassing along the Ukraine border, and his invasion of Georgia not long ago. You can see it in his efforts to undermine sovereign Baltic countries through broadcasting and cyber efforts against those governments.

We have seen it in his military and political maneuverings to maintain control of his naval base in the port city of Tartus in Syria by intervening, with Assad, in the Syrian civil war. In Syria, Putin has stepped up his support for his friend and dictator Bashar al-Assad.

While its own citizens are suffering severe economic hardships, and while innocent Syrian civilians continue to suffer under the barrel bombs and military campaigns of Assad, Putin continues to provide military and tactical support to this murderous regime, attacking schools and hospitals with cluster munitions and incendiary attacks. Further ignoring the basic rights of all people, as Russia sells weapons system to Assad, it refuses to grant asylum or basic humanitarian support to Syrian refugees, who are directly suffering under Russia's continued involvement in their country.

I remind my colleagues that Putin is no friend to the United States. His brand of leadership is to be condemned in no uncertain terms and should be denounced in this Chamber and by all responsible American Presidential candidates.

He is not a strong leader. He is a ruthless dictator who clearly knows his tradecraft and has not only hacked into the Democratic National Committee's computer files but has capitalized on whatever business ties Paul Manafort has or had to Russia to woo—seemingly, in effect—an American Presidential candidate who respects strongmen and bravado and effectively recruit him.

There is no room in this Chamber or in the American political landscape for the support of Putin's actions or leadership. This former KGB agent has a clear purpose in mind. He is engaged in a Soviet Cold War style brand of dictatorial actions, including state-sponsored surveillance, censorship, and repression.

Just look at the record. Human rights groups continue to report that

in 2015, the Kremlin's crackdown on civil society, media, and the Internet took a sinister turn as the government further intensified harassment and persecution of independent critics. Putin's thugs routinely harass anyone and everyone who dares to question Putin's authority.

Earlier this year, a vocal critic was shot dead in front of the Kremlin. According to reports from rights groups, last week Russian police harassed, beat, and threatened environmental activists, and Russian state TV published a smear campaign against these environmentalists, calling them American spies. The real spying—the dangerous activity—comes from Russia itself.

It was July when Russian hackers broke into the email servers of the Democratic National Committee—a clear and blatant attempt to interfere in our domestic political process. We know that Russian actors released tens of thousands of emails with the intention of undermining the Democratic nominee for President, while, amazingly, the Republican nominee seems to encourage it. He encouraged an international adversary—someone he clearly admires for his supposed strength—to hack into the emails in the account of a former American Secretary of State.

This is not normal political campaign behavior. In my view, it is treasonous, and there are no excuses for it. There is no defending it. There is no reasonable explanation or defending it. Every one of my colleagues in this Chamber should condemn it.

Encouraging hacking and government surveillance reeks of authoritarianism that has no place in our democratic society and threatens each and every one of us. It is outrageous that anyone would invite a foreign leader of an adversarial country to undermine or threaten any American, let alone a former Secretary of State and Presidential candidate.

Putin clearly prefers a candidate who is willing to cozy up to dictators, who lavishes praise on the leadership styles of dictators like Saddam Hussein. Someone aspiring to be Commander in Chief, who praises the behavior of leaders who murder their own citizens, jail journalists who dare to question their activities, or consistently take actions to isolate themselves from the international community, in my view, has no business seeking higher office.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MENENDEZ. I ask unanimous consent for one additional minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MENENDEZ. Any praise of Putin for any reason, a Cold War warrior who continues to upend international stability and order, seeking to expand his rule and control, holds false Duma elections in Crimea, stages war games on Crimea's shores—simulating an invasion—clearly must raise a red flag to every American voter.

We must respond to Russia's continued muscle flexing and provocation. I call on the administration for forceful and appropriate responses to Russia's nefarious and calculated involvement in our elections. It is attacking the U.S. political system in a Putin-led cold war 2.0, and it is clear this old KGB spy has no boundaries.

Let's not let ourselves be recruited by him or confuse strength with ruthlessness, as some have. It is my hope that every one of my colleagues will in no uncertain terms condemn any attempt by any nation to influence any American election as well as Russian interventionism and Putin's actions around the world.

With that, I yield the floor.

Mrs. FEINSTEIN. Mr. President, today I wish to support Ms. Susan Gibson to serve as the next inspector general of the National Reconnaissance Office, NRO, the first to be confirmed by the U.S. Senate.

In 2013, the Senate Select Committee on Intelligence, which I chaired at the time, included in its Intelligence Authorization Act a provision to require Senate confirmation of the inspectors general for the National Reconnaissance Office and the National Security Agency. Ms. Gibson represents the first nominee to be considered by the Senate for the NRO position.

I had the pleasure to meet Ms. Gibson earlier this year, prior to the Senate Intelligence Committee's open hearing which took place on June 7, 2016, to consider her nomination. I personally appreciated our frank discussion for it demonstrated Ms. Gibson's understanding of the role of the inspector general and the need for principled, objective, and effective oversight of every aspect of the NRO.

With this confirmation, it will be Ms. Gibson's job to ensure that the NRO remains free of waste, fraud, and mismanagement, while supporting efforts to drive the organization toward more efficient and effective operations. I believe that Ms. Gibson possesses the extensive experience and background necessary to carry out this mission.

It is also important that Ms. Gibson recognizes her responsibility to keep the appropriate Members of Congress fully and currently informed about the concerns she may identify at the NRO.

I do not want to sugarcoat it, but this is big job. It is a big job, in part, due to NRO's size and the complexity of its mission. Ms. Gibson will be required to dig deep into some very technical and complicated programs, including some of the most classified and expensive programs.

But it is also a big job because it comes with the extra responsibility of conducting oversight of an organization in which most activities are conducted in secret. The duty to the American public cannot be overstated.

The Senate Select Committee on Intelligence on which I currently serve as vice chairman is charged with ensuring the intelligence community operates in a manner that is legal, efficient, and abides by the values of the American people. The committee requires effective and independent inspectors general to support us in this task. It is my expectation that Ms. Gibson will make full use of the authorities provided to her as an inspector general.

So, again, congratulations on Ms. Gibson's well-deserved confirmation to this important position, and I want to thank her again on her continued service to the country.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, my understanding is that we have 7 minutes left on the Republican side, and I ask unanimous consent to use those 7 minutes.

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

HEROIN AND PRESCRIPTION DRUG EPIDEMIC

Mr. PORTMAN. Mr. President, I rise today to talk about this epidemic of heroin, prescription drugs, and now fentanyl and other synthetic heroin. It is devastating our communities. My home State of Ohio, unfortunately, is one of those States that has seen the tragedy of this epidemic unfold. The grip of this addiction has affected every single State in this Chamber, though. People are talking about it more and more in this Chamber because it is affecting every one of us, every community. It knows no ZIP Code. It is in the rural areas, in the suburban areas, and the inner city. No community is safe from it.

Yesterday, I had a coffee—which I do once a week—our Buckeye Coffee, and I had a woman come up to me at the coffee whose name is Sheila. Sheila told me about her son and her daughter-in-law. They had overdosed. They were unconscious. Luckily, she had Narcan—this miracle drug. It is a brand name of naloxone. She was able to bring them back to life.

She then started a group that is all over our State now, which is called Families of Addicts. They are in five different counties. They are focused on the hope of treatment and recovery, but they are also focused on—when Narcan is administered—going to people, intervening with people, getting them into treatment, longer term recovery, and helping them save lives. I so appreciate her and so appreciate these other parents like her who are ensuring that, yes, we save people's lives with Narcan, which is so important, but we also ensure that we are getting people into the treatment they need so they can get back to a productive life and back to their families.

This Chamber passed legislation called the Comprehensive Addiction and Recovery Act, or CARA, earlier this summer. That legislation is now being implemented by the administration. I hope they accelerate that implementation. They must because the epidemic is so urgent, but, unfortunately,

that legislation, which was written over the last 3½ years, doesn't address one specific issue that I think must be addressed now in the context of what is happening in my State of Ohio and around the country, because it is not just prescription drugs and not just heroin. Increasingly, it is this synthetic heroin called fentanyl or carfentanil and sometimes U–4. This is poison and it is getting into our communities. It is much more powerful than heroin. Ingesting just a few flakes of it can kill a human being.

We have seen huge spikes in overdoses in Ohio over the last couple of months. In my hometown of Cincinnati, we had 174 overdoses in the space of 6 days. Miraculously, most people were saved by Narcan but sometimes having to be administered four or five or six times. The authorities knew it wasn't just heroin, and sure enough, we were able to get a sample of carfentanil to them thinking that might be the problem. They tested it, and sure of enough, many of these overdoses were caused by this synthetic heroin which is 100 times stronger than heroin in some cases. By the way, it is a large animal tranquilizer used for elephants in zoos. Yet these traffickers and pushers are using this drug and not just causing overdoses but causing overdose deaths.

We need new legislation. Last week, we introduced legislation in this Chamber to be able to stop this fentanyl, carfentanil, U–4, and these other synthetic drugs from coming into our communities.

What we were told by the authorities is, the drugs come in by way of the mail system primarily from China and sometimes India. There are chemists in sophisticated laboratories in these countries sending this poison into our community. All we are asking for in our legislation is let's ensure that packages coming from those countries have the information provided so we know where they are coming from, where they are going, and what the contents are. Unbelievably, that is not required now. FedEx, UPS, and other private carriers require it, but our mail system, including our U.S. mail system, does not require it. Talking to law enforcement, including Customs and Border Protection, DEA folks, and the people who are in the trenches dealing with this issue, all agree this legislation makes sense so we can try to stop some of this poison from coming into our communities.

I have been on this floor every single week since our legislation came up back on March 10. I have been talking about the importance of getting legislation passed, and that has now happened. I have been talking about the importance of implementing it quickly, and that is now happening. The Comprehensive Addiction Recovery Act was supported by an amazing 92-to-2 vote in this Chamber because every State is affected.

I believe we need to do even more with regard to the specific issue of these synthetic drugs coming into our country through the mail system. I ask my colleagues to support it—with 92 of us supporting that legislation—and please look at this legislation. Let's support it, get it to the floor, get it to a vote, and let's begin saving more lives as we have to deal with this new wave of synthetic heroin coming into our communities.

I yield back my time.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the Gibson nomination?

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MORAN), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from New Hampshire (Ms. AYOTTE) would have voted ''yea''.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Virginia (Mr. KAINE), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would each vote yea.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 142 Ex.]

YEAS—93

Alexander	Fischer	Murray
Baldwin	Flake	Nelson
Barrasso	Franken	Paul
Bennet	Gardner	Perdue
Blumenthal	Gillibrand	Peters
Blunt	Graham	Portman
Booker	Grassley	Reed
Boozman	Hatch	Reid
Brown	Heinrich	Risch
Burr	Heitkamp	Roberts
Cantwell	Heller	Rounds
Capito	Hirono	Rubio
Cardin	Hoeven	Sasse
Carper	Inhofe	Schatz
Casey	Isakson	Schumer
Cassidy	King	Scott
Coats	Kirk	Sessions
Cochran	Klobuchar	Shaheen
Collins	Lankford	Shelby
Coons	Leahy	Stabenow
Corker	Lee	Sullivan
Cornyn	Manchin	Tester
Cotton	Markey	Thune
Crapo	McCain	Tillis
Cruz	McCaskill	Toomey
Daines	McConnell	Udall
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Enzi	Mikulski	Whitehouse
Ernst	Murkowski	Wicker
Feinstein	Murphy	Wyden

NOT VOTING—7

Ayotte	Kaine	Vitter
Boxer	Moran	
Johnson	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Alaska.

REMEMBERING THE VENERABLE NORMAN H.V. ELLIOTT

Ms. MURKOWSKI. Mr. President, it seems I am coming to the floor of the Senate on an increasingly frequent basis to honor the pioneering men and women who arrived in the State of Alaska prior to statehood who truly have left a lasting impression on the history of the 49th State.

Today I rise to remember the Venerable Norman H.V. Elliott. Father Elliott was an Episcopal clergyman who arrived in Alaska in 1951. He was truly a profound spiritual force in Alaska from the day he arrived in our State until his death on Friday, September 9 of this year. Father Elliott passed at the age of 97. To say he lived his life to the fullest would be a huge understatement.

Father Elliott lived a life as big as the State of Alaska. As we reflect upon that life, it would be no overstatement to characterize Norman Elliott as a true Alaskan icon.

Father Elliott was born in England. He moved to Detroit, MI, when he was 4 years old, and according to the stories, he decided very early on, about middle-school age, that he wanted to enter the ministry.

That future was somewhat interrupted by World War II. Father Elliott was drawn to military service, and after considering the possibility of joining a Canadian Forces battalion in neighboring Windsor, Ontario, he chose the U.S. Army instead. He was assigned to a new experimental light infantry division which was patterned after a German light division. After training in the swamps of Louisiana and California's mountains, he was deployed to Europe. Initially deployed to France, he fought in Luxembourg and Germany.

I had an opportunity to come to know Father Elliott very well over the years. Several years back, he agreed to sit for an interview as part of our Veterans Spotlight series. This is an oral history project I sponsored to capture the stories of Alaskan veterans. We worked in conjunction with the Veterans History Project at the Library of Congress. In that interview, Father Elliott talked about the realities of the war. He said:

I remember good times. I remember bad times. I remember times where I barely escaped by the skin of my teeth. You never forget. I remember, and there are things I wish I had done or didn't do. I hope that as a whole, Alaskans remember what we did, because as a Nation, we are losing our remembrance of World War II.

Well, Father Elliott never let us forget our veterans, whether it was our veterans who fought honorably in World War II or the returning men and women who are coming back from Iraq and Afghanistan.

Father Elliott's history after the war took him to Alaska. He attended Virginia Theological Seminary. He intended to serve as a missionary in India. There wasn't a slot available there for him, but there was one in Alaska. Father Elliott ended up in Alaska. His first stop was at St. Mark's Episcopal Mission in Nenana, a church and boarding home for Native children. Then he went to St. Barnabas's Mission in Minto and St. Stephen's Mission in Fort Yukon. Over time, his responsibilities expanded to missions throughout the Gwich'in communities on the Upper Yukon—communities such as Eagle, Circle, Chalkyitsik, Arctic Village, Venetie, Beaver, and Stevens Village. To cover this very large territory, Father Elliott would often travel by dogsled. He became a pilot and flew his own aircraft. I think he called his yellow plane the ''Drunken Canary.''

Father Elliott was truly ''as unique as Alaska itself,'' in the words of one of his parishioners.

His duties in the villages were hardly romantic. Father Elliott was forced to confront the dual scourge of alcohol abuse and suicide and the loss of faith that comes along with despair. As a member of a joint Federal-State Commission on Alaska Natives in the 1990s, he encouraged a shift in government policies toward Native people. Instead of the government doing for Native people and doing things perhaps poorly, he believed the Native people themselves needed to be heard. He was an incredible advocate in so many ways.

He was more than your village priest, though. In various villages, Father Elliott would come in and do whatever task was needed.

In an article in our local newspaper, the Alaska Dispatch, just a couple of days ago, it was reported this way:

> [Father] Elliott did every kind of task—he was a policeman, a tax collector, a schoolteacher, a delivery person and a messenger. When he arrived in one village to do church services, he first vaccinated everyone for typhoid. He usually carried penicillin in his sled bag, giving anyone who needed it an injection in the rump, including any sick dogs in his team.

Now, that is an individual who cared for everyone in whatever the capacity.

After being in the remote interior of the State, Father Elliott's next assignments were in relatively urban corners of Alaska. In 1958, Father Elliott moved to Southeast Alaska where he served at St. John's Church in Ketchikan. In 1962, he settled in as rector at All Saints Episcopal Church, a beautiful church in downtown Anchorage. Father Elliott officially retired in 1990 when he reached the age of 70 in accordance with the church rules.

That might be the end of the story there, but it is hardly the story for Father Elliott. Two years after his retirement, All Saints needed a replacement priest, and he came out of retirement to serve as something called a priest in charge and continued to serve until earlier this year.

Father Elliott was one of those who was everywhere. He was at every social gathering. He was at every wedding, every funeral, baptisms, everything in between. He would visit those in the hospital. At times he would stay all night. He had this uncanny sense of knowing when they were in the hospital because he was very often the first one to visit.

Father Elliott ended up in the hospital earlier this year. He was down with pneumonia. It was a bit ironic. I went to visit him. He was really pretty grumpy. He was grumpy because he knew the hospital in and out, but he didn't like being the one who was confined in the bed. He was grumpy because he had places to go and people to see. As I recall, he had a funeral to go to and a wedding to go to, and when he got out of the hospital, he resumed that active schedule.

I have remarked often that Father Elliott lived every day to its fullest, from the time he woke up in the morning until the time he went to bed at night, and his is a life well lived.

Last week, Father Elliott passed away, and that, I am afraid, is the end of his story—at least the end of the story as we know it here on this Earth. Father Elliott served his church, his Nation, and his community with great distinction, and his was indeed a life that was well lived.

I have so many wonderful memories of my friend Father Norman Elliott, and that will sustain me, but I cannot help but observe that with Father Elliott's passing, another of Alaska's great and mighty trees has fallen.

I will be in Alaska this weekend and on Monday will have an opportunity to join with Alaskans from around the State in paying a tribute to a man who truly lived a life of service to others, who truly cared in a way that goes almost beyond description. I stand with my colleagues and ask that we join in prayers for Father Elliott and the family of truly a great Alaskan.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Texas.

Mr. CORNYN. Mr. President, I wasn't expecting to be on the floor when the Senator from Alaska was talking about Father Elliott. What a great story, and what a great life he lived. I am glad I happened to be here and had a chance to listen.

SENATE ACCOMPLISHMENTS

Mr. CORNYN. Just a few moments ago, the Senate passed a piece of legislation that some might ask: Well, what is the big deal? The Water Resources Development Act—what we call around here WRDA by the acronym—this bill is enormously important for States like North Dakota, places like Texas that have experienced flooding, in particular, but this bill will help us maintain and expand our infrastructure related to our most precious natural resource, and that is water.

Like I said, that might sound a little boring, not particularly interesting, but it actually has a lot of relevance to every American. Like I said last week, this legislation includes provisions that will help my constituents in Texas in a number of ways, from drought and flood protection to carving out deeper ports to enhance our ability to do international trade, but the passage of this bill serves as another example of what can happen when the Senate is actually working the way it is supposed to.

I am not going to suggest to you that just because the 2014 election gave Republicans the majority in the U.S. Senate that automatically made it possible for the Senate to begin functioning again, but the fact is, leadership does make a difference. I know it was absolutely key to Majority Leader MCCONNELL's agenda that we would actually work in the committees to build consensus on legislation, and then they would come to the floor and people would have an opportunity to offer amendments and other constructive suggestions and we would work until we built that consensus and accomplished our goal of passing legislation.

It is worth reminding our colleagues that the Senate, under Senator MCCONNELL's leadership, passed the first bicameral budget that we have passed since 2009 and the first balanced budget since 2001. Under a Republican-led Senate, all 12 appropriations bills were approved by their respective subcommittees and by the Appropriations Committee itself. As the Presiding Officer knows, the only way that happens is for the chair and the ranking member of the appropriate Appropriations subcommittee to work together on a bipartisan basis and then work with colleagues on the whole Appropriations Committee to come up with legislation they will support or that an overwhelming majority—in some cases unanimously—of the committee supports.

This is the first time since 2009 that we have actually seen all 12 appropriations bills approved by the subcommittees and then by the entire Appropriations Committee. That is the good news.

The bad news is, our Democratic colleagues wouldn't let us proceed with actually voting on those appropriations bills to get them done one at a time, in a transparent sort of way, where we would be held accountable for

what we did, and it would be open to the American people to see exactly what we were doing.

The reason we are talking about a continuing resolution this week and next is because of the filibuster of the appropriations process. It didn't have to be that way. In fact, we were on track to funding the government the way we were supposed to, bill by bill. In spite of the filibuster on the appropriations bill, we have been able to find consensus on a number of other important pieces of legislation. This is legislation that will help American families, strengthen our economy, and help keep the American people secure. Importantly, these were bills that furthered what I believe to be the appropriate philosophy of the government; that is, Washington does not always know best, and that power needs to be devolved from the Federal Government in Washington back down to the States and back down to individual citizens.

For example, we passed the first major education reform bill since No Child Left Behind, a piece of legislation called the Every Student Succeeds Act. This bill does exactly what I just described. Under the chairmanship and the leadership of Senator ALEXANDER and Ranking Member MURRAY, what this legislation did was it transferred more power with regard to public education, K–12, from Washington back to the States and back to parents and teachers—people who actually understand best what the educational needs of their students are and how to make sure they achieve their potential.

We also passed the first multiyear highway bill since 2005. Why is that important? Well, if you come from a fast-growing State like mine, a big State, the quality of highways and bridges are pretty darn important—not only important to public safety, they are important to the environment and they are important for the economy. But this is the first time we passed a multiyear highway bill since 2005. As I said, this legislation will help us maintain and build our infrastructure so we can keep up with economic and population growth and make the most of it. It will also provide certainty to our States and communities so they can actually plan for the future. As long as we were passing 6-month or yearlong Transportation bills, there was no way they could do long-term planning, which is more efficient and more cost-effective.

We also have done other important things. We passed trade promotion authority—working with the President—that defines the parameters of what Congress and the White House would agree to when it comes to trade agreements. I know ''trade'' has kind of become a little bit of a dirty word lately in Presidential politics, but I can tell you, in my State we see the benefits of our international trading ability every day. Six million jobs depend on binational trade with Mexico alone, and NAFTA, the North American Free Trade Agreement, which basically tied together Canada, Mexico, and the United States, has been seen as a very positive move and has created a lot of jobs and economic growth.

We also reauthorized the Federal Aviation Administration—pretty darn important if you happen to fly.

We passed another piece of important legislation called the POLICE Act to support our local law enforcement officials and to make sure they get the training they need to respond to an active shooter situation—something that, sadly, more and more police find themselves confronted with these days.

We also had a tremendous vote—99 to 0—in the Senate on a bill called Justice for Victims of Trafficking Act. I have said many times that sadly the profile of a victim of human trafficking is a girl between the ages of 12 and 14 years old, many of whom run away from home, only to find themselves living a life of literally modern-day slavery. This legislation was designed to make sure there were more resources available to help rescue those victims of human trafficking and to better equip law enforcement to track down their captors.

We also passed legislation that promotes a more transparent and open government and protects intellectual property rights, just to name a few.

Again, these may seem like small things in isolation, but they represent a major change in the way we do business here in the Senate—actually working together on a bipartisan basis to solve problems and to get legislation on the President's desk and have him sign it. Now, you won't read very much about that because the news covers conflict. That is just the nature of the beast. When we fight like cats and dogs, it is all over the newspapers and on the Internet and on TV, but when we actually appear to be doing the work the American people sent us here to do, frankly, it is not particularly newsworthy, sadly enough.

We have other important work that is still outstanding as the Senate continues to make progress on a conference report on the Energy Policy Modernization Act, a bill this Chamber passed months ago thanks to the leadership of Senator MURKOWSKI of Alaska and Ranking Member CANTWELL. We also are close to finishing up our work on the National Defense Authorization Act. This is the major defense authorization bill that has been passed out of the Senate every year for more years than we can remember. Then the work we have to complete this week and next is to find a way to keep the government up and running and provide resources to communities to fight the Zika virus and to prevent the horrific birth defects that unfortunately are part of that disease.

I point out these accomplishments in an effort to just remind our colleagues and anybody who happens to be listening that we do try—not all the time but most of the time—to put politics aside, to focus on results, and to try to do things that benefit the American people.

I am thankful for the leadership of the majority leader. As I said earlier, leadership matters. Senator MCCONNELL has worked hard to try to bring bills to the floor that did enjoy bipartisan support and, to the extent possible, to make sure everybody had a chance to participate in the process. It is that sort of vision and that sort of pragmatism which has brought us this record of success. I hope we continue to do that in the time we have left between now and the election and then when we return after the election to work together. I know it is tough work. It is frustrating. But it is worthwhile, and it is worth doing.

I don't see anybody ready to speak.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CASEY. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. The Senate is in morning business, and the Senator is recognized for up to 10 minutes.

STOP TERRORIST OPERATIONAL RESOURCES AND MONEY ACT

Mr. CASEY. Mr. President, I rise today to discuss the issue of terrorism financing, especially with regard to the terrorist group ISIS, known by some as ISIL, or other terminology referring to ISIS itself.

Just days ago, we marked the 15th anniversary since the terrorist attack on our country on September 11, 2001. At the time, the United States had a fundamentally different understanding of terrorist groups, their ideologies, and their operations.

In the years since, our national security apparatus has grown and adapted, responding to evolving threats and prioritizing the fight against terrorism and violent extremism.

For example, prior to 9/11, the Department of the Treasury was not as significant in our fight against terrorism as it is today. An act of Congress established the Treasury Office of Terrorism and Financial Intelligence in 2004. Since then, this office has grown into an essential component of our counterterrorism work. They are charged with the task of cutting off the financial resources that terrorist groups need to survive.

The terrorist group ISIS presents challenges, a whole new set of challenges. Similar to Hezbollah, ISIS is part terrorist group, part army, and part criminal syndicate fueled by a

hateful ideology and controlling communities in Syria and Iraq. We know that ISIS has sacked banks and still profits from the illicit sale of oil, antiquities, and other items through the black market while extorting the civilians under their control. ISIS uses this funding to conduct terror attacks and control territory in both Syria and Iraq. They use it to buy more weapons, ammunition, and components for improvised explosive devices known as IEDs. They use it to pay salaries for fighters and develop propaganda materials to spread their hateful ideology.

In August of 2014, I joined with Senator RUBIO, urging the administration to prioritize stopping ISIS's financial support. Soon after, the President announced his comprehensive strategy to degrade and defeat ISIS.

Already, we have seen that the United States and coalition efforts, including airstrikes on oil trucks and cash storage sites, have had a meaningful impact on ISIS's finances. For example, in recent months, ISIS has had to reduce the salaries they pay their fighters. Our airstrikes have also taken key ISIS leaders, including their finance minister, off the battlefield.

Just yesterday, Deputy Secretary of State Tony Blinken reported significant progress on rolling back ISIS's control of territory. In April, Maj. Gen. Peter Gersten, Deputy Commander of the Combined Joint Task Force, Operation Inherent Resolve, said: ''ISIS's ability to finance their war through oil refineries has been destroyed.'' That is what it says right here. Their ''ability to finance their war through oil refineries has been destroyed.'' This is a very significant step, since ISIS was heavily reliant on this source of income.

The President also recently signed into law my bill, the Protect and Preserve International Cultural Property Act, which helped ensure that the United States is not a market for antiquities looted from Syria. This is important because a report by the CultureUnderThreat Task Force stated that ISIS may try to increase—increase—its antiquities trafficking activity as other revenue streams, such as oil sales, are cut off.

ISIS is rewriting the rule book on how terrorist groups work. Despite the loss of territory in both Syria and Iraq, it continues to cultivate its affiliates in northern and western Africa, Central Asia, and other parts of the Middle East. It continues to sow the seeds of terror in neighboring countries such as Turkey, Saudi Arabia, further afield in Europe, Africa, and, of course, here in the United States. ISIS has figured out how to operate outside of the international financial system, lessening the impact of our banking sanctions that we have relied upon before. We may be able to defeat ISIS, but the problem of terrorist financing will stay with us.

I took a trip in February to Israel, Qatar, Saudi Arabia, and Turkey, which confirmed this assessment. That is why I believe we need a more robust, permanent, international architecture for countering terrorist financial networks.

In June, I introduced the Stop Terrorist Operational Resources and Money Act—the so-called STORM Act—with Senator JOHNNY ISAKSON, and this is but a first step. This bill provides a strong set of tools to compel greater cooperation from partner nations.

The STORM Act authorizes a new designation by the President called ''Jurisdiction of Terrorism Financing Concern,'' which can be triggered either by a lack of political will by a country or a lack of capacity to take on this problem. Some countries have the capacity to make meaningful progress but lack the political will to do so. I believe we should levy tough penalties that make countries reconsider their willful ignorance or tacit acceptance of terrorist financiers carrying their country's passports or operating in their territory. The penalties under the STORM Act include suspension of security or development assistance, blocking of arms sales, and blocking loans from the IMF or the World Bank.

With some countries the challenge is a basic lack of capacity. The United States is well equipped to provide technical assistance and capacity building. We have done this before on the issue of nuclear nonproliferation. The STORM Act authorizes the administration to do the same with countering terrorism financing.

Lastly, the STORM Act authorizes sanctions against financial institutions that do business with ISIS. This sends a signal that banks need to be vigilant in ensuring that they do not facilitate ISIS's financial operations.

In the years since 9/11, terrorist groups have become ever more sophisticated in the way they finance their operations. We have to respond in kind, and it is right to expect all our partners to do the same.

The bipartisan STORM Act sends a very clear message. If you fail to pull your weight when it comes to terrorism financing and cutting it off, there will be consequences. If you want to improve your record, the United States is here to help you.

I urge my colleagues to support the STORM Act as an element of our fight against ISIS and a step toward building a more robust, international architecture to stop terrorism financing in the long run.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

ISIS

Mr. CARPER. Mr. President, you oftentimes draw the short straw and have to preside while I am speaking, and you can probably give some of these talks as well as I can, but I am going to go back and talk about something I have discussed every couple of weeks—not so much during our 7-week recess but certainly before and subsequent to that as well. What I have been doing is providing an update for our colleagues on what is going on in a part of the world we have a lot of interest in, including Iraq, here; Kurdistan, here, which is part of Iraq; Turkey in the north; Syria, which is right here to the west of Iraq; and Iran is over here. We have the Mediterranean Sea right here.

I just want to hearken back to 2 years ago when the folks from ISIS were rolling through this part of the world hellbent on getting to Baghdad. Baghdad is right here, right down here, not too far from Iran. They had made extraordinary progress, killing a lot of people along the way, taking a lot of prisoners, a lot of them women as sex prisoners, and slaughtering a lot of people, with mass graves and a large amount of carnage. They were able to scare off the Iraqi Army. In many cases, the Iraqis turned tail and ran. Their leadership ran too. In fact, their leadership may have actually run before the rank-and-file troops, heading this way, back toward Baghdad. Finally, when the folks of ISIS were sort of knocking on the door just west of Baghdad, they were slowed and stopped.

What has happened in the last several months? There has been a big change in the momentum of the battle. Now it is not just Iraq on its own in this fight; Iraq is joined by a coalition of roughly 60 nations, of which the United States is the leader. Our job is not to provide boots on the ground in Iraq or in Syria; for the most part, our job is to provide intelligence support. Our job is to provide air support—fixed-wing, rotary-wing, unpiloted aircraft, drones—and our job is to provide training, support, and advice to the folks who are doing the fighting.

This is a province just west of Baghdad called Anbar Province. We have all heard of it. This area right here—west of this whole area is considered the Sunni Triangle because the lion's share of the folks who live in this part of Iraq are Sunni. There are particular cities they live in. One is called Fallujah. A member of my staff was wounded and almost killed in Fallujah a few years ago. There is Ramadi and a place called Tikrit. Tikrit, right up here, is where Saddam Hussein was from. All these areas were taken over by ISIS a couple of years ago. They have been driven out of those cities and out of this part of Iraq.

The folks who have been doing most of the fighting on the ground—their abbreviation is CTS, which, as I recall, stands for Counter Terrorism Service.

We are providing support for them, but they are actually the boots on the ground.

The next province here in this country is to the northeast. It is on the border here with Kurdistan, and it is a town called Mosul. It is not a town, it is a city, and there are about 2 million people living there. That is the second largest city, right behind Baghdad, that is still in the hands of ISIS.

Sometime later this year or early next year, we expect to see a full-scale movement by the coalition—led again by the Iraqi forces themselves—to move on Mosul. There is a town here—there is actually a base here about 50 miles southwest of Mosul called Qayyarah, and it is a big Air Force base, and that was taken maybe a month or so ago by the Iraqi forces with our support. There is not only a base there, there is a town that goes with it called Qayyarah, and that town is now in the hands of the Iraqis, and the folks from ISIS have been driven out of Qayyarah. It was really the last major city or town between Baghdad and Mosul that was in the hands of ISIS.

Now we come across the northern part of Iraq over into Syria again to a place called Manbij. This is a pretty good size city. It is very close to the Turkish border. There is another town here on the Turkish border with Syria called Jarabulus. These two places were in the hands of ISIS until very recently. They served almost as a gateway, almost a free flow of ISIS troops, soldiers, or reinforcements coming across the border with Turkey and through Jarabulus and down by Manbij. Both those cities are now in the hands of forces that are in alliance with our coalition.

There is a place here—not as big as Mosul—called Raqqa that is still in the hands of ISIS. They think of it as the spiritual center of their caliphate. My guess is that sometime next year, after Mosul has been taken, full attention will turn to Raqqa. There will be coalition forces coming in from the southwest and folks who we are fighting with in the northeast, and that will be the next big battle.

In the meantime, since the last time I spoke on the Senate floor, a lot of land that ISIS had taken has been retaken. It was less than 50 percent, and now 50 percent or more of the land that ISIS previously held has been retaken.

Again, this is not just the United States. We are playing a constructive role, but the coalition and the Iraqis themselves—some who ran from ISIS—don't run anymore. We were very much encouraged by the courage they have shown.

Among the other things that ISIS took, aside from land, was oil—oil reserves—and they turned that into money. They captured banks. They went right into the treasuries of the banks and safes and vaults and stole a lot of money—hundreds of millions of dollars. A fair amount of that money has actually been destroyed by airstrikes—literally, cash on fire. I don't know if it is half, but it is a lot of the money, and ISIS's ability to realize more revenues by virtue of oil and by selling oil on the black market has been significantly reduced. The idea there is to starve them and reduce the ability for reinforcements to come in from the north and at the same time to take away their ability to make money and use that money to pay their troops and buy things that they and their forces need to wage a successful war.

So that is a little bit about what is going on in that part of the world. I will mention a couple of other pieces. I don't think we have Libya on this map. Libya is over here, a little to the west and to the south. Imagine it is somewhere over here—probably over here, but we get the drift.

When ISIS is being driven out of this part of the world—out of Iraq and Syria—where do they go? About 50,000 have been killed, over 100 to 200 of their top leaders, including the No. 2 guy who was killed I think last week. Frankly, some are packing up and going home. They see the writing on the wall.

Others are going to different countries. Libya is one of the places ISIS has headed. They settled into a place called Sirte, a big seaport town. We have had a heavy focus working with the Libyan forces to take back Sirte, and a week or two ago the last portion of Sirte was recaptured. I think that is another positive development.

We have terrorist groups in the Mediterranean and the Persian Gulf. And through the air and with aircraft assigned to the carriers, we have been providing that support. The Turks have been good about giving us access to one or more of their bases, so we have the ability to fly aircraft out of there and provide air support for the coalition forces that we have.

One of the other ways that ISIS has been very effective in waging this war, aside from the actual fighting on the battlefield, is fighting that does not occur on a battlefield and is not the kind of battle that you win with guns and bullets and rockets and missiles, but it is the kind of fight that goes on through the Internet and through social media. These guys are pretty good at that. They are not 12 feet tall on the battlefield, as it turns out. We are capable of degrading and destroying them, as the President likes to say. But the ability to actually take them down on the Internet through social media has been more challenging.

Before I get into that, though, I think the last time I spoke here, I mentioned that 2 years ago some 2,000 foreign fighters per month were coming in to this part of the world to be part of the ISIS team—2,000 a month. The last time I reported, I said that number was down to 200 a month. Today, we know that number is down to 50 a month. Part of it is because Jarabulus and Manbij and other towns have pretty much cut off access to the Turkish border. That is an encouragement. I think I mentioned the last time I was on the floor that 2 years ago maybe 10 Americans a month were coming to this part of the world to join ISIS and to fight. Today, that number is probably down to one per month, one every 2 months. We are encouraged by that.

In cyberspace, I understand there are over 360,000 pro-ISIS twitter accounts that have been taken offline this year. Let me say that again. In cyberspace, over 360,000 ISIS twitter accounts have been taken offline over the past 12 months. For every pro-ISIS twitter account, there are now six anti-ISIS accounts criticizing and challenging ISIS's twisted theology. For a while, the ISIS fighters continued to take their hits on the battlefield and had a good spanking applied to them, but they were still doing well on social media. Not so much anymore. As it turns out, as they move over to places like Libya and try to set up a minicaliphate, we have shown that isn't going to work either.

So on balance, this is going in the right direction. It is not time to spike the football. It is a pretty good coalition working together, and we are starting to hit on all eight cylinders.

I would just say to our troops and to those who are part of the coalition, as we say in the Navy when people do a good job, ''Bravo Zulu.'' We are not going to spike the football yet, but things are very much encouraging. We are grateful for everybody who has helped to make that possible.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

BLACKFEET WATER RIGHTS SETTLEMENT ACT

Mr. DAINES. Mr. President, today is a good day for Montana and the Blackfeet people.

With the passage of the Water Resources Development Act, the Blackfeet Water Rights Settlement Act is one step closer to the President's desk. Today's action marks the first time the compact has passed the Senate after being introduced four times since 2010.

Today, for the first time, this important legislation came to the Senate for a vote and it passed. I, along with my colleague Senator JON TESTER, worked hard to make sure it made it through this time. The settlement is long overdue and will not only establish the tribe's water rights but will also facilitate real, tangible benefits for the Blackfeet and surrounding communities.

The bill will improve several Federal water structures that are some of the oldest and most in need of repair in the country and will help irrigate some of the most productive farmland in our State. The Blackfeet Water Rights Settlement Act also balances the need of the State and the local community.

The Blackfeet Indian Reservation is located adjacent to Glacier National Park and is some 1.5 million acres in size. There are 17,000 enrolled tribal members, about half of whom live on the reservation.

This water settlement also upholds agreements by the State that will strengthen irrigation for neighboring farmlands. We call that Montana's Golden Triangle. It is where my great-great-grandmother homesteaded because of its wheat production.

I commend the Blackfeet Tribe and Chairman Harry Barnes, who have been diligent and patient in seeing this settlement forward. I commend our State for its commitment to the Blackfeet Tribe and Indian Country in Montana and my colleague Senator TESTER for working with me on this bill. I am proud to get this through the Senate and will continue to fight for its enactment.

OBAMACARE

Mr. DAINES. ObamaCare—it is still a train wreck of broken promises. President Obama promised that the cost of premiums would go down by $2,500 per family. But just yesterday, Montana's insurance commissioner announced an average premium increase of 58 percent for Montana's largest provider on the exchange. And not only have premiums not gone down, the coverage that people get from it is unaffordable and unusable.

With some deductibles at or above $9,000 per family, middle-class families are being priced out of the market, all the while paying for a policy they simply can't use. Now plans are also restricting provider networks and eliminating doctors from their plans, all in an attempt to remain solvent under ObamaCare's requirements.

In Montana, we like to fish. Sometimes when the fishing line gets really tangled up, the only thing you can do is cut the line. It is time to cut the line with ObamaCare. It is time to clear this train wreck from the tracks and get our health care moving forward again.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

HONORING TIM BRACKEEN

Mr. TILLIS. Mr. President, today I rise to honor the memory of Tim Brackeen, a K–9 police officer with the Shelby Police Department in North Carolina. Officer Brackeen was tragically killed after succumbing to gunshot wounds he sustained in the line of duty just last week.

On September 10, 2016, Officer Brackeen was doing what he did every day—going to work, trying to put his life in the way of others to keep them safe. He said good-bye to his wife and his family, and he went to work.

Unfortunately, on that day, in the middle of the night, Officer Brackeen responded to a call to bring a wanted robbery suspect into custody. Officer Brackeen attempted to arrest the suspect. The suspect resisted and opened fire, critically wounding Officer Brackeen.

The people of North Carolina and citizens from across the Nation prayed for Officer Brackeen and his family as he received treatment. Unfortunately, on Monday, we heard the tragic news that Officer Brackeen, only 38 years old, had passed away.

When we lost Officer Brackeen, we lost more than a dedicated K–9 officer who had served the Shelby Police Department for 13 years. Above all else, we lost a devoted husband to his wife Mikel and a loving father to his 4-year-old daughter. He was well known as a loving family man and was deeply respected and admired for the dedication he had to the department and the community which he served. Many had the chance to meet Officer Brackeen during a class or seminar he held with his K–9 partner called Ciko. He was honored as Shelby police officer of the year in 2012.

For anyone in this country who has ever had a trace of doubt over the true character and motivation of the vast majority of brave men and women in law enforcement, Officer Tim Brackeen was exactly the kind of officer who would instantly erase any of those doubts when you met him.

As Officer Brackeen's family, friends, and colleagues mourn this tragic loss, I hope they find comfort in knowing that his death was not in vain. The outpouring of love that we have seen in his honor has been tremendous.

On the night of Officer Brackeen's death, hundreds of people came together in Shelby to hold a vigil outside the police department. Attendees adorned his patrol car with flowers and candles. Shelby police officers all received a standing ovation, and the crowd came together to sing ''Amazing Grace.'' That symbolizes the profound impact that Tim Brackeen had on people's lives and how grateful they are for his selfless service to the community of Shelby.

May God bless Officer Tim Brackeen's family and friends and give them strength in these difficult times. Let them know that the community of Shelby, the people of North Carolina, and Americans from across the Nation will continue to pray for them and stand with them during this difficult time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

REMEMBERING DR. JOHN BRADEMAS

Mr. DONNELLY. Mr. President, I rise today to honor one of Indiana's best, Dr. John Brademas, who passed away on July 11.

John Brademas was an extraordinary public servant and a trailblazing leader. His achievements made a mark on Indiana and on our country that can still be felt today.

John was born a Hoosier in 1927 in Mishawaka, IN, to a Greek immigrant who ran a restaurant and to an Indiana native who worked as a schoolteacher. John Brademas was a star quarterback, and he was the valedictorian at South Bend Central High School.

After high school, he served in the U.S. Navy and in the naval officers' training program at the University of Mississippi. He graduated from Harvard University, and he received a Rhodes Scholarship to Oxford University in England, where he earned his doctorate.

In 1958, Dr. Brademas was elected to the U.S. House of Representatives to the then-Third District of Indiana, where he served with incredible distinction for 22 years, until 1981. In Congress he was always working, always pushing to make life better for Hoosiers and for all Americans.

His colleague, Representative Frank Thompson said:

> He never stops. He's incredibly bright, works terribly hard, and is able to translate that brightness into very pragmatic legislative ability.

Dr. Brademas was a leading and effective legislator on issues involving schools, colleges, and universities, services for the elderly and the disabled, and for libraries, museums, the arts, and humanities. It earned him the recognition as ''Mr. Arts'' and ''Mr. Education.'' He helped lead the successful charge to establish the National Endowment for the Arts and the National Endowment for the Humanities. He served as a member of the Committee on Education and Labor, writing Federal legislation on schools at every level.

He was instrumental in passing landmark legislation, including the Elementary and Secondary Education Act of 1965. This sought to increase opportunities for economically disadvantaged children and provided unprecedented Federal support for education. Dr. Brademas was the author in 1975 of the Education for All Handicapped Children Act, which for the first time provided Federal support and guaranteed nationwide educational opportunities for students with mental and physical disabilities.

Additionally, Dr. Brademas was pivotal in efforts to improve higher education and boost grants and aid for student loans. John is also remembered for his support to advance civil rights and social justice.

During his last 4 years in Congress, Dr. Brademas served as House majority whip. Following his congressional service, Dr. Brademas served as the president of New York University, or NYU, one of the largest private institutions in the country, until 1992. During his tenure, he led NYU's transformation from a local commuter school into a national and world-renowned research university.

After retiring from NYU, he continued dedicating himself to causes important to him, such as democracy, the arts, and education. To that end, he helped establish two centers at NYU. Dr. Brademas founded the John Brademas Center at NYU to teach students about Congress—to have them become more familiar with their government—the legislative process, the policies around education and the arts, and foreign policy.

The Brademas Center continues to educate some of the best and brightest students from around the world, and it educates them about democratic values and the need for an educated dialogue around the public policy challenges we are facing today and tomorrow.

Dr. Brademas also launched and served as the first President of the King Juan Carlos I of Spain Center, which promotes research and scholarship on Spain and Latin America.

Dr. Brademas was awarded honorary degrees by 52 colleges and universities during his life—an incredible testament to his inspirational leadership and service to our country, which he loved so much.

He also earned countless awards, served on many boards, and received numerous prestigious appointments. Among those, Dr. Brademas served as the chairman of President Bill Clinton's Committee on the Arts and Humanities and on the board of the Federal Reserve of New York.

On a personal note, I was honored to call John Brademas my friend and my mentor. I got to know him after being elected to represent many of the same North Central Indiana communities that he served so well in Congress for so long. When I was elected to the House of Representatives, approximately a decade ago, it was a privilege to serve in what many still call ''the Brademas seat.''

Over the years, John was a resource to me, set an example for me, and was an example to so many. He was unfailingly kind, helpful, thoughtful, and incredibly productive. John burned with a deep love for our country and with a desire to make the world a better place. The State of Indiana, the United States, and our world are so much better off because of Dr. John Brademas. God bless Mary Ellen and the Brademas family, God bless Indiana, and God bless America.

Thank you, Dr. Brademas.

I yield back.

The PRESIDING OFFICER. The Senator from West Virginia.

OPIOID EPIDEMIC

Mrs. CAPITO. Mr. President, I would like to talk a little bit on the floor about an issue that is cascading across the country and is deeply troubling in the State of West Virginia, the region in which I live, and that is the opioid crisis we are seeing.

Many of you have recently read about what has happened in the city of Huntington, WV. Huntington is a beautiful city. It sits right on the Ohio River at the corner of West Virginia, Kentucky, and Ohio. It is the home of the Thundering Herd of Marshall University. However, 1 month ago today, on Monday, August 15, in just a 4-hour period, this small city of Huntington was the site of 28 overdoses. Responding to this mass overdose occupied all of the ambulances in the city and more than a shift's worth of the police officers in Huntington.

Of the 28 people affected, 26 were revived using naloxone, a lifesaving drug that helps reverse overdoses. However, the heroin they had used was likely laced with a substance so potent that the ordinary dose of naloxone was not enough. Responders had to use two and sometimes three doses of naloxone to bring people back to life and out of the overdose.

Rashes of overdoses due to particularly strong batches of heroin have been happening more and more frequently. This is heroin that is likely laced with fentanyl or a new product we have heard about—a synthetic product—called carfentanil, which is a drug used to sedate elephants and other large animals that is 100 times as potent as fentanyl. Apparently, this is happening much too frequently.

Versions of this chaotic scene are happening day after day in big cities and small towns in Kentucky, New Hampshire, Ohio, and Florida. The region and area of my friend Senator PORTMAN, the State of Ohio and Cincinnati, probably 2 or 3 days after this occurred in Huntington had the same thing occur but much larger.

What makes the recent spate of overdoses in Huntington so noteworthy is that Huntington is a city that knows it has a problem and is doing all the right things to fight it. Under the mayor's guidance, they have really worked hard to put together a great consortium, which began in 2014, to fight this scourge on their town. The mayor started the office of drug control policy. They have staffed the office with people who have intimate knowledge of the problem.

They are not hiding their head in the sand. They are not saying it is something else. They know what this problem is, and they are trying to hit it face on. In staffing the office, they have a former police chief, a fire department captain who is also a registered nurse and works at the hospital, and a police department criminal intelligence analyst. They have created a strategic plan which focuses on three general principles: prevention, treatment, and law enforcement.

The plan embraces harm reduction strategies, including weekly training for citizens on how to use naloxone. I actually went to a naloxone training seminar myself, just to see. If you are trained on it properly, it can make the difference. It can make the difference in preventing people from inflicting irreversible damage to themselves and others.

Huntington has expanded their adult drug court and recently received a grant to launch the Women's Empowerment and Addiction Recovery Program—a specialized track within the drug court that will expand services to address the needs of drug-addicted prostitutes. Even in the face of the overdose, they are making progress. In fact, the cooperation among local agencies—and the sad reality that they are well-practiced and well-trained—can also be accredited with the 26 lives they have saved.

While the overdose rate in Huntington has remained steadily high, the number of deaths from overdose has fallen, and that is an encouraging sign. Jim Johnson, who is the director of the Huntington Mayor's Office of Drug Control Policy has said:

> What we are seeing around the country is overdose deaths going up—[especially] with the rise of fentanyl and . . . [other substances]. It's not good that our [Huntington] overdose rate is holding—but compared to others having real increases—it's encouraging. And we are happy the death rate is down.

As I have heard from West Virginians and read in local and national news accounts about this rash of overdoses, I think: What have we done and what do we need to do to help cities all across this Nation?

The Comprehensive Addiction and Recovery Act, or CARA, marked a big first step forward. It reflects some of the best practices we have seen in places like Huntington. It includes reforms to help law enforcement respond to this epidemic, such as the successful drug court programs that operate in West Virginia and in many other States.

It expands the availability of naloxone and allows funds to be used for followup services for those who receive another chance at life. When somebody comes into the emergency room in an overdose situation, is administered naloxone, and 1 or 2 hours later gets up and just walks out the door, we haven't really followed through on our public health obligation.

In this bill, we have followup services so that person can be followed by a home visit or a home phone call to see what their situation might be.

I proudly voted for CARA, as most of us did, and believe it is an excellent first step, but that is exactly what it is—a first step. Now we must take a fresh look at this epidemic—an epidemic that, to me, is threatening to take an entire generation, this next generation of our best and brightest.

We must look at ways to stop the drugs from getting to our communities. One solution is the Synthetics Trafficking and Overdose Prevention Act, or STOP Act, which was recently introduced by Senators PORTMAN, AYOTTE, and JOHNSON.

The STOP Act, of which I recently became a cosponsor, is designed to stop dangerous synthetic drugs such as

fentanyl and carfentanil from being shipped through our borders and addresses any gaps in our mail security.

Earlier this year, I announced that the DEA had established a tactical diversion squad in Clarksburg, WV. It probably doesn't sound like much but it will be a big help to enhancing our law enforcement efforts to stay one step ahead of this influx of drugs.

Programs like the High Intensity Drug Trafficking Area Program, known as HIDTA, are critical in helping to coordinate initiatives that reduce drug use and abuse in communities. We must embrace and intensify prevention strategies in our schools, community centers, and our afterschool programs.

Our youth cannot think that this epidemic is acceptable or that it is the new normal. We must ensure that when someone decides they want treatment for their drug use, they have access to this treatment. There are no lists of people to admit into incarceration. There is no waiting list here. Yet there is a waiting list for our drug treatment and prevention centers.

September is National Alcohol Addiction and Recovery Month, and today Senator MURPHY of Connecticut and I are offering a resolution which honors the significant achievements of those citizens who are now in recovery. The resolution also recognizes the nationwide need for increased access to treatment.

This is an area where there is so much more work to do. We must have the detox beds available and the workforce trained and ready to assist those seeking treatment. We also want to make sure we have a range of treatment options available. This is definitely not a one-size-fits-all problem. Each addict found their way to addiction in a different way, and each must figure their own path out, whether through inpatient rehab, peer-to-peer rehab, medication-assisted therapy, a 12-step program, or, most likely, a combination of these and other options.

It is also essential that we remember that recovery does not end when an addict finishes treatment. Services need to be available to assist with their transition back into society.

We must look at the collateral effects substance abuse has on our communities, whether it is through increased violent crime, child neglect and abuse, or disease, especially hepatitis and HIV, given the rise in heroin use.

Are there immediate solutions for all of these problems? No, we have found there aren't. But, like the city of Huntington, we must continue to come to terms with the extent of the problem in order to know what solutions do make sense, and, like Huntington, progress is going to be incremental and it will take time. We can begin to tackle some of the problems through commonsense changes and policies.

One example is Jesse's Law, a bill named after a West Virginian. She was a daughter, a sister, and an addict in recovery. Following surgery from a running injury, despite her best efforts and those of her family, Jesse was discharged from the hospital—she had told the hospital she had addiction issues—she was discharged from the hospital with a prescription for 50 oxycodone pills and fatally overdosed later that evening. By amending the privacy regulations for persons with substance abuse disorders, we can ensure that those individuals receive the safe, effective, and coordinated care they need to prevent other tragedies like Jesse's and her family's from occurring.

I recognize that these problems are also going to take additional funding. As a member of the Appropriations Committee, along with the Presiding Officer, I will work to ensure that these resources are going to programs that best meet a State's needs, whether it is HIDTA, the DOD's counterdrug program, or substance abuse grants. In the fiscal year 2017 Labor-HHS appropriations bill, there is a $126 million increase for programs fighting opioid abuse. In bills passed by the committee, funding to address heroin opioid abuse is more than double last year's levels. However, I also know this problem cannot be solved by simply throwing money at it.

I look forward to working with my colleagues on both sides of the aisle to develop additional policies to tackle these problems. We must consider all options. The outcomes are sad. I mean, I personally know families who have been affected by this. I think everybody does. If you are in a townhall meeting and you ask for a show of hands from those who have a story or know somebody from their church or their children's friends, almost every hand in the meeting will go up.

We need to work with State and local officials to learn what is working and what is not.

I will also keep fighting for an additional issue, a side issue that is just as important, which is veterans who rely on the VA programs to help with their opioid addiction, or that newborn who is born dependent on opioids, or the addict who is willing to seek treatment, and any other person because practically every person in this country is touched by this disease.

I will keep fighting for cities like Huntington that even in their darkest hours continue to move forward and fight every day toward a brighter drug-free future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CASEY. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. The Senator is recognized.

GUN VIOLENCE

Mr. CASEY. Mr. President, I will start today with some numbers. Unfortunately, some of these numbers are all too familiar to Americans concerned about the horror of gun violence. There are 3 numbers: 49, 280, and 99.

Forty-nine, unfortunately, we know maybe more than the other two numbers. That is the number of people killed in Orlando just a couple of months ago in the worst act of gun violence we know of. So many Americans watched that horror and would have guessed that the Senate would have acted with a sense of purpose and urgency and even outrage to begin to take steps to reduce gun violence. Unfortunately, that didn't happen a couple of months ago. There were 49 killed in Orlando. We can recite the other communities in the country over the last not just number of years but even the last several years, and 49 is the Orlando number.

I am not sure we hear enough about the other two numbers, which are the weekly death toll or the weekly toll of violence in cities and communities across the country. Two hundred and eighty is the number just in the last week who were shot across the country and 99 is the number killed. That is just 1 week.

For purposes of my remarks, to set aside numbers for a moment and consider the human trauma, the human tragedy, the toll of that, it is almost incomprehensible, all of the families who have been destroyed by gun violence. For many of us, it is a news event that we watch on television and read about. We are horrified. We pray for the victims. We wish for action to be taken to at least begin—just begin to reduce gun violence, but then we move on. Most of us move on if we are not directly affected, but those families don't move on. Their lives are either destroyed forever or adversely impacted in some way forever, mothers and fathers and brothers and sisters and husbands and wives and friends. It is impossible to in any way describe the adverse impact this problem is having.

There are some who would say there is not much we can do about it other than enforce the law, and that is their point of view. I don't happen to agree with that. I think we need to take the same approach to this issue as we have taken to any issue the American people have faced over many generations. Most of the time we come together with concerted action and begin to tackle a problem. It might take a year, it might take 5 years, it might take 25 years, but, as Americans, in most cases we come together and begin to address the problem. Only in Washington does that not happen anywhere near often enough.

There are a couple of commonsense steps we can take right now—meaning

next week or the week after or in the very near term—commonsense steps that have wide support across the country in both parties. One would be to finally say: Why not vote in accordance with not just a national consensus but actually a consensus here in the Senate on background checks? Why would we allow these gaping holes in our system to remain wide open so that almost anyone can get a gun? No matter how dangerous, no matter how much a threat they are to society, they can get a gun because of these gaping holes in our background check system. No one disputes that there are these holes. No one disputes that they lead to unnecessary death and violence. But we haven't been able to get enough Members in the Senate to come together to support background checks. We should try to do that again. I don't know why we don't have more votes. Let's keep voting until we get enough momentum.

Second, this idea of terrorists whom we made a judgment about—that we either know they are terrorists or we suspect they are terrorists based upon all kinds of evidence—and we say: That category of people will not be able to get on an airplane. Guess what. When we did that after 9/11, that was our policy or part of our larger policy against terrorism. We came together and said that those people can't get on airplanes. Guess what. We haven't had planes fly into buildings in the country since 9/11 because we came together, we made a decision, we acted on it, and we stopped at least that part of the practices terrorists engage in. But when it comes to this issue of reducing—even beginning to reduce gun violence, we haven't had the same consensus.

So we have a circumstance now where suspected terrorists are deemed too dangerous to fly in a plane but not to own a weapon of war. So, virtually, under the policy that is in place now, because the Senate hasn't acted, because we haven't had an act of Congress, there are folks who are either suspected terrorists or terrorists who can't get on an airplane but can buy any gun they want or obtain any gun they want and there is no legal prohibition. That makes no sense to anyone who is serious about this issue of preventing violence and reducing gun violence.

How about individuals who are convicted of violent hate crimes that involve the use of force being allowed to get a gun? Why would we wait until that individual commits a felony with a use of force that in many cases involves the use of force with a firearm? Why would we wait for that violent person to go down that pathway, someone who is convicted of a hate crime that involves domestic abuse or some other act of violence or the use of force?

So I think a number of these strategies are commonsense steps we can take that would have zero impact on the right to bear arms. We are not talking about law-abiding citizens; we are talking about people who pose a demonstrated threat to people in our community and beyond. But so far that hasn't happened. I hope we will schedule some votes. How can that be harmful, to keep voting on such an important issue until we move forward? So that is something we can work on before we leave here.

There is no rule that says we have to leave at the end of next week. We could work the week after that and the week after that and begin to make progress on a whole range of issues, including gun violence. Of course, I hope that will include finally getting to a conclusion on Zika funding to address this threat to pregnant women and their children. We should finally get that done, and maybe we can get that done with the spending bill next week. That would be great progress. But unless we act, we leave on the table this horror of gun violence where there has been virtually no progress for years—not just months but for years.

PENSIONS FOR MINE WORKERS

Mr. CASEY. Mr. President, I wish to speak about an issue that is—to say it is unfinished business is an understatement. The fact that we are standing here in the fall of 2016 and the Congress of the United States hasn't fulfilled its promise to coal miners is really an insult not only to coal miners who spent a lot of years in the mines in a lot of States, mine and other States, but it is also an insult to the country because their government—our government—made a promise to them more than a generation ago.

Some people may remember the book ''The Red Badge of Courage.'' That was written by Stephen Crane, a great novelist who didn't even make it to the age of 30. He died in his late twenties.

Stephen Crane is known for being a great novelist and known for writing ''The Red Badge of Courage,'' but one of the most compelling accounts he ever wrote or anyone has ever written about the dangers and horrors of a particular line of work was Stephen Crane's essay, just before the turn of the last century, about a coal mine in my hometown of Scranton. The name of the article published in Collier's magazine was ''In the Depths of the Coal Mine.'' I will not of course read all of it and recite major portions of it, but suffice it to say that Stephen Crane, a great novelist, went into a coal mine and reported what he saw there, not as a work of fiction but as a work of the harsh realities in nonfiction of what the miners were facing.

In one part of the essay, he described the mine he was in when he descended all the way down. Of course, you only have to go down a very short distance before it is pitch black. You can't even see your hand in front of your face. He described the mine as a place of ''an inscrutable darkness, a soundless place of tangible loneliness. . . . ''

Then he went on from there describing what he saw, describing young children working in the mines, children the ages of 10, 11, 12, and into their teens, working in the mines; describing the process of how the coal got out of the mines, mules pulling these carts full of coal. He described what my fraternal grandfather saw when he was there as a young boy at the age of 11, who entered a mine not too far away from this particular mine, just as Stephen Crane was writing.

Stephen Crane concluded the essay by talking not only about all of the horrors of the mine but how miners could die in that mine. He described it at one point in summation as the 100 perils or the 100 dangers that those coal miners faced.

Why do I raise that today? I realize coal mining in the present day or even 10 or 15 or 20 years ago, maybe even 30 years ago, was not nearly as dangerous as it was in the 1890s or the early part of the 1900s, but it is still very dangerous work today and has been for all these years. We have seen too many places where miners have been trapped and rescued or trapped and never rescued, killed, in places like Pennsylvania, West Virginia, Kentucky, and other places over more than a generation—in fact, many generations. Those miners worked there for, in many cases, more than 10 years or 20 years. Some of them also served our country in World War II, Korea, Vietnam, or beyond.

They were promised by their government that they would have a pension. A number of us, in a bipartisan fashion, came together to support the Miners Protection Act, which would make sure that at a minimum the now 12,951 miners in Pennsylvania would get that pension they were promised and a smaller number—but a big number, in the thousands, in Pennsylvania—would also get the health care they have a right to expect. This was a promise by the Federal Government. It wasn't a ''we will try to'' or ''we hope to do it'' or ''we will make every effort to do it,'' it was a hard-and-fast, irrefutable promise, and it is time the Federal Government has delivered on that promise to those miners and their families.

They went into the darkness and the danger of a coal mine in the 1950s, 1960s, 1970s, and beyond. Some of them were younger than that. Some of them still do it and still engage in that work. They should have a right to expect that just as they kept their promise to their families that they would go to work every day and work hard and bring home a paycheck, just as they made a promise to their employer that they would go into that mine every day and do impossibly difficult work year after year and sometimes decade after decade—and they fulfilled that promise to their employer and to their families. Some of them made a promise to their country that not only would they work hard, but they would serve their country in war and combat.

The question is, Will we keep our promise to them?

Their promise was much tougher than our promise. All we have to do here to keep the promise is vote the right way, vote in the U.S. Senate to make sure miners get their pensions and health care and vote in the House in the same way. That is not hard to do—to walk into the well of the U.S. Senate or somewhere in this Chamber and put your hand up. That is pretty easy to fulfill the promise we made to them. This isn't a lot of money for these miners. In addition to Social Security, sometimes it is about 530 bucks a month for all of that work they did. So it is not hard to fulfill this promise that our country and our government made to them.

These are people who are not in the newspaper every day, they are not on television. They may not have a lot of power. They may not be connected to people who are powerful or people who are wealthy. They are just hard-working people who did their job and deserve to have that promise fulfilled.

I believe this is a matter of basic justice. It is basic justice whether we are going to fulfill that promise. Saint Augustine said a long time ago, hundreds of years ago: ''Without justice, what are kingdoms but great bands of robbers.''

If you apply that to today's terminology, a kingdom in some sense is like our government—a governing body for a nation. Without justice, what is a government but a great band of robbers. We owe people that basic justice, that promise.

So let's fulfill our promise as Democrats, Republicans, and Independents in the U.S. Senate. Let's not allow inaction or other circumstances, political or otherwise, to prevent us from doing the right thing. Let's not rob these miners and their families of what they deserve, what they earned. We are not giving them anything. We are just voting the right way so they have a promise fulfilled.

I would hope that before everyone goes home to do whatever folks will do—travel to their States or campaign or whatever they are going to do—I would hope, at a minimum, we would take action on a number of things we talked about today but in particular that we make sure families don't have to worry about the horror and threat of Zika, something we can prevent the spread of if we take action; that families will not be threatened by it in Florida or Puerto Rico or anywhere because beyond that, we don't get to the solution, the action. Of course, we hope we can go home and say we at least said to miners and their families: We have fulfilled the promise the government made to you generations ago. That is the least this body and the other body should do before we leave Washington.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

TRIBUTE TO TIM MITCHELL

Mr. CASEY. Mr. President, I didn't want to leave today without joining the chorus of commendations for Tim Mitchell. I think technically tomorrow is his 25th anniversary, if I have that right, and I heard some of the comments this morning, but I didn't get to the microphone earlier to say anything, and I should have. I will be brief.

I just want to thank Tim for his remarkable service to the Senate these 25 years, and I know he has more work to do, but it is an important anniversary to highlight.

Some people mentioned his great baseball knowledge, where I am often deficient, despite having two great teams in Pennsylvania, the Pirates and Phillies, but Tim knows just about as much as anyone. In addition to his knowledge of baseball and his great work in the Senate, which often in the Senate goes unrecognized or unheralded, Tim is someone who brings to the job great character, integrity, and a kind of decency that sometimes we all don't exercise every day of the week. Sometimes he is getting seven questions from nine different people and he handles every one. Sometimes you ask him the impossible question which he tries to answer, but he probably shouldn't, which is: When will we finish this week, which is always an open question with an uncertain answer. I have at least kept my faith with him by saying: Tim, I won't quote you, but tell me when we might wrap up this week.

He is a great example of public service in the Senate and a great example of what we all hope to be when we work in a government institution or in a Chamber like the U.S. Senate. I am so grateful to Tim for his ongoing commitment to public service. I wish him 25 more years on top of the 25 years that preceded this anniversary.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from Pennsylvania.

Several of us came to the floor earlier today to pay tribute to Tim Mitchell in his service to the Senate, which is certainly deserved on this occasion of his 25th anniversary of beginning work here.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 3347 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SASSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RELIGIOUS LIBERTY

Mr. SASSE. Mr. President, I rise today to address the recently released new report of the U.S. Commission on Civil Rights entitled ''Peaceful Coexistence: Reconciling Nondiscrimination Principles with Civil Liberties.''

The Commission on Civil Rights has a glorious and profound history in our Nation. Founded in 1957, the Commission initially had the grand cause of ending the horror and the tragedy of Jim Crow laws in our Nation.

Sadly, however, the Commission's focus has recently strayed, and its new report poses profound threats to the historic American understanding of our First Amendment. In the Commission's just released report, the majority reveals a disturbingly low view of our first freedoms. It actually puts the term ''religious liberty'' in scare quotes, and it says that religious liberty must now be subservient to other values.

Here is a snapshot of the majority's position from this new report, in their own words:

> Progress toward social justice depends upon the enactment of, and vigorous enforcement of, status-based nondiscrimination laws. Limited claims for religious liberty are allowed only when religious liberty comes into direct conflict with nondiscrimination precepts. The central finding which the Commission made in this regard is:
>
> Religious exemptions to the protections of civil rights based upon classifications such as race, color, national origin, sex, disability status, sexual orientation, and gender identity, when they are permissible, significantly infringe upon these civil rights.

Additionally, the Commission's Chair, Martin Castro noted:

> The phrases ''religious liberty'' and ''religious freedom'' will stand for nothing except hypocrisy so long as they remain code words for discrimination, intolerance, racism, sexism, homophobia, Islamophobia, Christian supremacy or any form of intolerance.

But are the phrases ''religious liberty'' and ''religious freedom'' simply hypocritical code words? Are they shields for phobias, intolerances, and power struggles?

Of course, they are not.

Religious liberty is far more beautiful, far more profound, and far more human than that. Our national identity is actually based on this very premise.

The American founding was unbelievably bold. Our Founders were making the somewhat arrogant claim, almost, that almost everyone in the history of the world had actually been wrong about the nature of government and about the nature of human rights.

Our country's Founders believed that God created people with dignity and that we have our rights via nature. Government is our shared project to secure those rights. Government does not

come first. Government is not the author or the source of our rights, and this conviction matters for today's conversations. In fact, this conviction is our Constitution.

No King, no Congress, no Senate, no Commission gives our people their rights, for government is not the author or source of rights. Government is a tool to secure our rights.

We have rights because we are people, created with dignity. Government is that shared project to secure those rights that we have because we are people created with dignity. So we the people are the ones who actually give the government limited authorities. It is not the government that is condescending to grant us some rights.

Gail Heriot, who is a member of the Commission, offered a compelling statement and a healthy rebuttal to the majority's very low view of religious freedom. Thankfully, Ms. Heriot indicated her opposition to the runaway chairman's bizarre dismissal of religious freedom. She considered asking him to withdraw it, but then she decided against it, and here is her reason why. She decided:

> It might be better for Christians, people of faith generally, and advocates of limited government to know and understand where they stand with him—

Where they stand with this chairman. Ms. Heriot notes—and I am going to quote her here at length:

> The conflicts that can arise between religious conscience and the secular law are many and varied. Some of the nation's best legal minds have written on how the federal and state governments should resolve those conflicts. But no one has ever come up with a systematic framework for doing so—at least not one that all Americans agree on—and perhaps no one ever will. Instead, we have been left to resolve these issues that arise on a more case-by-case basis.

While she does not aim to create that framework in her remarks, she continues by saying:

> The bigger and more complex government becomes, the more conflicts between religious conscience and the duty to comply with law we can expect.
>
> Back when the Federal Government didn't heavily subsidize both public and private higher education, when it didn't heavily regulate employment relationships, when it didn't have the leading role in financing and delivering healthcare, we didn't need to worry nearly so much about the ways in which conflicts with religious conscience and the law arise. Nobody thought about whether the Sisters of Charity should be given a religious exemption from the ObamaCare contraceptive mandate, because there was no Obamacare contraceptive mandate. The Roman Catholic Church didn't need the so-called Ministerial Exemption to Title VII in order to limit ordinations to men (and to Roman Catholics), because there was no Title VII.

What she is talking about here is about the ways that expanding government tends to crowd out civil society and mediating institutions. She is talking about the ways that power drives out persuasion. She is talking about the ways that law crowds out neighborliness.

She continues:

> The second [. . .] comment I will make is this: While the targeted religious accommodations approach may sometimes be a good idea, it is not always the best strategy for people of faith. Targeted religious accommodations make it possible for ever-expanding government bureaucracies to divide and to conquer. They remove the faith-based objections to their expansive ambitions, thus allowing them to ignore objections that are not based on faith. The bureaucratic juggernaut rolls on. People of faith should not allow themselves to become just another special interest group that needs to be appeased before the next government expansion is allowed to proceed.

Here, she is talking people of faith.

> They have an interest in ensuring the health of the many institutions of our civil society that act as counterweights to the state—including not just the Church itself, but also the family, the free press, small business and others. They have an interest in ordered liberty in all its manifestations. A nation in which religious liberty is the only protected freedom is a nation that soon will be without religious liberty as well.

Are people of faith simply another special interest group that should be appeased? I suggest—along with Ms. Heriot and, frankly, far more importantly, with all of the Founders of this Nation—they are not. People of faith and people of no faith at all, people of conscience, are simply exercising their humanity, and they do not need the government's permission to do so.

The Commission's report is titled ''Peaceful Coexistence.'' Who wants to disagree with a title like that? But this profession of peaceful coexistence must never quietly euthanize religious liberty just because Washington lawyers and bureaucrats find it convenient and orderly to do so. It must never be used to chip away at our most fundamental freedom, for the First Amendment is a cluster of freedoms: freedom of religion, the press, assembly, and speech. They all must go together. It must never undermine the essence of what it means to be human. It must never erode the American creed, which should be uniting us. We can and we should disagree peaceably. We should argue and debate and seek to persuade. We should jealously together be seeking to defend every right of conscience and self-expression.

In closing, I ask my colleagues from both parties—for this should not be a partisan issue, as the First Amendment is not the domain of any political party—to consider the dangerous implications of this new report.

To my progressive friends, I invite you to become liberals again in your understanding of religious liberty and its merits.

To my conservative friends, let's cheerfully celebrate all Americans' freedoms. Let's work to kindly dismantle the pernicious myth that somehow your freedoms are merely a cover for fear or hate or some other phobia. These freedoms are too important to relinquish. They are the essence of what we share together as Americans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NORTH KOREA

Mr. GARDNER. Mr. President, I rise today to speak about the threat from North Korea.

Pyongyang has just conducted its fifth nuclear test, which is the regime's fourth test since 2009. This is also the regime's second test this year, and this is the largest weapon they have ever tested, with an estimated explosive yield of 10 kilotons of TNT.

The rapid advancement of North Korea's nuclear and ballistic missile program represents a grave threat to global peace and stability and a direct threat to the U.S. homeland in our immediate future.

This past week, since the detonation of this fifth nuclear test, I have had the opportunity to visit with General Robinson, our combatant commander of NORTHCOM, to visit with Ambassador Ahn of North Korea, to speak with Ambassador Sasae of Japan, to visit with Ambassador Fried of the State Department, to talk to representatives at the Treasury Department—all about what is happening in North Korea and our response to the provocative actions, the dangerous actions of this regime as they continue to attempt to obtain nuclear status. All of them are very worried about what is happening.

In my conversations, it was clear that we can expect and anticipate even more tests coming up, whether that is the launch of rockets against international sanctions, U.S. sanctions, the international community, United Nations security resolutions, or whether that is indeed further attempts to test or actual tests of nuclear weapons. They all recognize this will continue. They recognize the dangerous position our allies and our homeland are in.

This morning, there was testimony from the U.S. State Department—Tom Countryman, Assistant Secretary—talking about the fact that these activities continue in North Korea with the assistance of outside actors, that North Korea receives material for its nuclear program from illegal operations in China, operations out of Russia.

So in response to this test and the dangerous actions of North Korea and the conversations I have held across all levels of government this past week, I am asking the administration to urgently take the following actions:

No. 1. Take immediate steps to expand U.S. sanctions against North Korea and those entities that assist the regime—most importantly, China-based entities. We know there are entities within China that are assisting the

North Korean regime, violating U.S. sanctions, and violating United Nations Security Council resolutions. The administration must take immediate steps to expand these sanctions against them and anyone who is violating the regime of sanctions.

No. 2. We must negotiate a new United Nations Security Council resolution that closes loopholes that have allowed China to skip full-faith enforcement. I will talk more about that in a little bit, but the fact is that China is finding exemptions in existing resolutions to skip full-faith enforcement. Why is that important? Because we know that about 90 percent of North Korea's economy—their hard currency—comes from these types of operations and business with China.

No. 3. We must expedite the deployment of the terminal high altitude area defense—THAAD—system in South Korea. We must expedite the THAAD system to make sure South Korea has the ability to protect itself from these aggressive actions taken by the North Korean regime.

No. 4. Take all feasible steps to facilitate a stronger trilateral alliance between the United States, Japan, and South Korea to more effectively counter the North Korean threat. A strong trilateral alliance between Japan, the United States, and South Korea can be used to help China make sure they are enforcing the regulations, standing up to full-faith execution of the sanctions, and make sure we are pushing peaceful denuclearization of the North Korean regime.

It is unfortunate—this aggression in North Korea isn't new. The aggression we see from North Korea today predates the current administration and goes back multiple administrations. Time and time again since I came to the Senate, I have stood before this great body and I have argued that this administration's policy of so-called strategic patience—which was crafted under then-Secretary of State Hillary Clinton—was failing to stop the forgotten maniac in Pyongyang. The regime's nuclear stockpile is growing fast. Nuclear experts have reported that North Korea may have as many as 20 nuclear warheads and has the potential to possess as many as 100 warheads within the next 5 years. The administration has admitted that the policy of strategic patience has failed. It is evident in the fact that they have 100 nuclear warheads coming online in the next several years. But we have gone from a strategy of strategic patience to no strategy at all when it comes to dealing with the North Korean regime.

The regime's ballistic missile capability is rapidly advancing. Director of National Intelligence James Clapper has stated in his testimony to Congress that ''North Korea has also expanded the size and sophistication of its ballistic missile force—from close-range ballistic missiles to intercontinental ballistic missiles (ICBMs)—and continues to conduct test launches.''

Director Clapper also stated that ''Pyongyang is also committed to developing a long-range, nuclear-armed missile that is capable of posing a direct threat to the United States.''

Assistant Secretary Tom Countryman testified before the Senate Foreign Relations Committee that the activities involved for the construction of this nuclear warhead in North Korea have been indigenized, meaning that it is coming from the industry within North Korea. They are not relying on Pakistan or others to provide it for them; they have the engineering know-how and they have the capabilities to build it on their own, within the country, without turning outside for help. He also said that some material, yes, is coming from China and Russia. And that is exactly what we must stop.

We should never forget that the Kim Jong-un regime has been one of the world's foremost abusers of human rights. The North Korean regime maintains a vast network of political prison camps where as many as 200,000 men, women, and children are confined to atrocious living conditions, where they are tortured, maimed, and killed. This isn't just report language; I have spoken to defectors from North Korea who talk of these political concentration camps where this torture is occurring. On February 7, 2014, the United Nations Human Rights Commission of Inquiry released a groundbreaking report detailing North Korea's horrendous record on human rights. The Commission found that North Korea's actions constituted a ''crime against humanity.''

We also know that Pyongyang is quickly developing its cyber capabilities as another dangerous tool of intimidation, an asymmetric tool, demonstrated by its attack on Sony Pictures, the hacking incident that occurred in November of 2014, and the repeated attack on the South Korean financial and communication systems. According to a recent report by the Center for Strategic and International Studies, ''North Korea is emerging as a significant actor in cyberspace with both its military and clandestine organizations gaining the ability to conduct cyber operations.'' They are trying and striving to achieve an asymmetric capability so that they can attack South Korea, our allies, such as Japan, and, indeed, the United States.

So given this record of aggression from North Korea and fecklessness from this administration—the fact that we went from a failed policy, a strategy of strategic patience to no strategy—the Congress came together this year to pass the North Korean Sanction and Policy Enhancement Act, legislation I coauthored here in the Senate with my colleague Senator BOB MENENDEZ. This legislation, which President Obama signed into law on February 18, 2016, was a momentous achievement, and for the first time ever, our Congress imposed mandatory sanctions on North Korea. Unfortunately, the administration's implementation of this legislation has been lacking and certainly disappointing. While they have taken some positive steps, such as designating North Korea as a jurisdiction of ''primary money laundering concern'' and also designating top North Korean officials, including Kim Jong-un, as human rights violators, these actions only scratch the surface of the sanctions authorities provided to the President under the new law.

We know the source of the majority of North Korea's export earnings is the People's Republic of China. Nearly 90 percent of North Korea's trade is with China. Yet, to date, no Chinese entities that are responsible for this 90 percent have been designated for sanctions violations under the new legislation. So while we are trying to keep this regime from continuing to grow a nuclear profile, the entities that are giving them the money and the resources to do it outside of the country haven't faced the sanctions this body authorized earlier this year.

The Wall Street Journal wrote in an editorial on August 18, 2016:

> The promise of secondary sanctions is that they can force foreign banks, trading companies and ports to choose between doing business with North Korea and doing business in dollars, which usually is an easy call. . . . But this only works if the U.S. exercises its power and blacklists offending institutions, as Congress required in February's North Korea Sanctions and Policy Enhancement Act. The Obama administration hasn't done so even once.

As the Wall Street Journal further noted, for instance, the administration has not acted on information from the United Nations Panel of Experts Report that the Bank of China ''allegedly helped a North Korea-linked client get $40 million in deceptive wire transfers through U.S. banks.''

Moreover, there is ample evidence of increased North Korean efforts to evade sanctions with help from Chinese-based entities. According to a New York Times report on September 9, 2016, ''To evade sanctions, the North's state-run trading companies opened offices in China, hired more capable Chinese middlemen, and paid higher fees to employ more sophisticated brokers.''

This isn't a regime that is facing the full wrath of the sanctions of the United States; this is a regime that has figured out how to use its neighboring countries to cheat to evade sanctions. We need those neighboring nations, which I know also agree in the denuclearization of North Korea, to step up, to stand up and agree to stop the provocations of North Korea by ensuring that we can shut down the money flow, ensuring that we can shut down the supplies, the materials they are using in this nuclear production, make sure they stop providing trade opportunities for hard currency going to North Korea that is feeding a nuclear program, not feeding the people of North Korea.

This behavior can't be tolerated, and the administration now has the tools to punish these actions. It is unacceptable that it has not done so already, despite the will of this body. Passage of our legislation 96 to 0—every Republican and Democrat supported our efforts to impose sanctions on this regime. These latest developments in North Korea show that we are now reaping the rewards for our weak policies. The simple fact is that this administration's strategic patience has been a strategic failure, both with North Korea and with China, and has resulted in no strategy.

As Secretary Ash Carter stated immediately following the latest nuclear test, China shares an important responsibility for this development and has an important responsibility to reverse it. It is important that it use its location, its history, and its influence to further the denuclearization of the Korean Peninsula and not the direction that things have been going. We must now send a strong message to Beijing that our patience has run out and exert any and all effort with Beijing to use its critical leverage to stop the madman in Pyongyang. We must not tolerate this behavior.

The four things that I pointed out at the beginning of this talk are important to secure. Tomorrow I will be sending a letter to the President. Over a dozen Members of this body have signed and agreed to participate in this letter, asking a series of questions about our strategy toward North Korea, about the compliance of China and whether they are living up to the full faith of the United Nations Security Council Resolution 2270.

Are they skirting the resolution? We are encouraging the closure of the livelihood exemption in the Security Council resolution. It talks about Air Koryo and its ability to skirt the sanctions to help secure luxury goods that are banned by the sanctions.

I hope that other colleagues will stand with me as we make sure that we are doing everything we can to stop the actions of a regime that is bent on the destruction of its neighbor South Korea—our great ally. It is bent on the destruction of our allies around the region and certainly intent on finding the capability, the technology to deliver one of those warheads to the U.S. homeland.

This is an important issue for this generation. It is important that this generation act and solve it before the next generation bears the consequences.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

ADDRESSING CRITICAL MATTERS FACING OUR NATION

Mr. REED. Mr. President, today I join many of my colleagues who have come to the floor to implore the leadership and my colleagues on the other side of the aisle to work with us to address critical matters facing our Nation. From failing to provide the necessary funding to combat the Zika virus and our Nation's opioid epidemic to failing to even consider a candidate for the Highest Court in the land, or legislation to curb gun violence and address college costs and the student debt crisis—we must act on all of these measures, and we must do it promptly.

We are entrusted by the American people to find solutions for difficult, hard-to-fix problems, not to ignore them at almost every turn. I have heard from people of all persuasions, reaching out, urging Congress to take action. So I come here today to remind my colleagues across the aisle, and my colleagues within my caucus, that we all must do our job. That message has come through loud and clear from the American public, and we have to put those words into action.

For more than 8 months, we have seen, for example, the harmful effects of the Zika virus. We have seen its heartbreaking impact on newborns, women, and families and deepened our understanding of the suffering this virus causes. Pregnancies have been lost. We have seen children born with permanent birth defects that could have been avoided. And recently, the Centers for Disease Control and Prevention has said that the disease can enter people's eyes, causing serious vision impairment.

It has been over 6 months since the President requested $1.9 billion in emergency funding to fight the Zika virus. It has been 4 months since the Senate passed a compromise measure to provide $1.1 billion for a comprehensive response to Zika and to speed up development of a vaccine by a strong bipartisan vote of 68 to 29.

Instead of the other body passing this measure, the majority in both bodies agreed upon a bill that uses this public health crisis as an opportunity to attack the Environmental Protection Agency and make cuts to the Affordable Care Act, veterans' health care, and other provisions. This approach seeks to drain funds from critical health needs, which have not abated, as a way to pay for the Zika emergency. Indeed, it is an emergency that requires an emergency response.

In light of this failure, the administration shifted all the funds it could to the Zika efforts. As the head of the Centers for Disease Control has noted, these funds are now running out. It is urgent that we pass a measure like the one we already did that gives the public health community the resources it needs to prevent further infections, treat those who have been affected, and develop vaccines to limit future outbreaks.

Unfortunately, Congress has taken a similar approach of delay to the opioid epidemic, severely underfunding efforts to combat this crisis. Like many Americans, I have seen the devastating impact the opioid crisis continues to have on our Nation. Indeed, since 2010, we have lost more than 1,000 Rhode Islanders to accidental drug overdoses, including more than 230 overdose deaths in 2014—an increase of 73 percent since 2009. Nationally, drug overdoses have exceeded car crashes as the number one injury-related death. Two Americans die of drug overdoses every hour.

Action is urgently called for, and I commend my colleague from Rhode Island, Senator WHITEHOUSE, who spearheaded passage in this body of the bipartisan Comprehensive Addiction and Recovery Act, or CARA. However, CARA provides authority only for a response plan to address this complex challenge; it does not adequately fund this effort. For this law to work, we need real dollars to deliver lifesaving prevention and treatment services. It is critical that we provide robust resources to confront this epidemic and ensure that people have access to the treatment they need. Unfortunately, that has not happened. We cannot fight the opioid crisis with words. We need dollars, as well as words.

Those across the aisle have also fallen short on their responsibility by refusing to hold so much as a hearing on President Obama's nomination of Chief Judge Merrick Garland to the Supreme Court. This body has a constitutional obligation to advise and consent on the President's nominees. When we fail in that obligation, we undermine the stability of our system of justice and endanger Separation of Powers.

Since the stunning announcement by the majority leadership that no hearing would be held on a replacement, the Supreme Court has deadlocked on five major questions of law. These are legal issues that directly impact millions of Americans in terms of labor force protections, business interests, and civil rights. These issues are more important than political gamesmanship, and they need resolution now.

If this obstructionism continues, American families and businesses will face growing legal uncertainty as disputed Federal laws apply differently across States. This damage to our legal system is unprecedented and could take years to undo. I urge my colleagues to do their job and allow a vote on Chief Judge Garland's nomination.

The majority has also thwarted efforts to address the continuing epidemic of gun violence in our country. This year, nearly as many Americans will lose their lives to guns as will be killed in automobile accidents. Sadly, the number of gun deaths continues to grow, fueled by easy access to lethal firearms.

This body could take action to limit the devastation to families in our communities brought about by military-grade firearms that are too easily accessed. It is my hope that through an honest, open dialogue, we can bridge the divide and pass legislation—such as closing the terror gap—in order to keep our families and communities safe from the threat of gun violence.

Another area that I want to emphasize is college affordability, where inaction has exacerbated a crisis in which sending a child to college can often put families hopelessly in the red.

We all understand that education is the engine that pulls this economy forward, fulfills individual aspirations, and makes America what it is. The United States invented modern public education and led the world in access to higher education for generations. It is a great irony that we are falling behind.

Rising college costs and student loan debt are putting America at risk. And too many institutions lack accountability, putting profit before providing a quality education to students. We need to revamp our system for financing college, and we need to help families currently struggling under the weight of student loan debt.

Many of my colleagues, and I have joined them, have put forth commonsense proposals to allow families to refinance student loans at today's low rates; to ensure that all Americans have access to tuition-free community college; to strengthen the Pell grant and reduce the reliance on student loans; and to ensure that States and institutions live up to their shared responsibilities in providing high quality and affordable higher education. These solutions are badly needed, and the majority needs to work with us to do our job and not leave students and families behind.

It is a great honor to serve the people of Rhode Island, and I know all of my colleagues in the Senate feel the same way about their respective States. Congress has always faced an array of complex and varied challenges. We must come together and find sincere solutions to improve our country.

I say to my colleagues: It is long past time to get to work, to do your job, and to act on these pressing problems. They cannot wait any longer.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

GLOBAL ANTI-POACHING ACT

Mr. COONS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 459, H.R. 2494.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2494) to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Eliminate, Neutralize, and Disrupt Wildlife Trafficking 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. Definitions.

TITLE I—PURPOSES AND POLICY

Sec. 101. Purposes.
Sec. 102. Statement of United States policy.

TITLE II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

Sec. 201. Report.

TITLE III—FRAMEWORK FOR INTERAGENCY RESPONSE

Sec. 301. Presidential Task Force on Wildlife Trafficking.

TITLE IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

Sec. 401. Anti-poaching programs.
Sec. 402. Anti-trafficking programs.
Sec. 403. Engagement of United States diplomatic missions.
Sec. 404. Community conservation.

TITLE V—TRANSITION OF OVERSEAS CONTINGENCY FUNDING TO BASE FUNDING

Sec. 501. Sense of congress on funding.

TITLE VI—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

Sec. 601. Amendments to Fisherman's Protective Act of 1967.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) CO-CHAIRS OF THE TASK FORCE.—The term ''Co-Chairs of the Task Force'' means the Secretary of State, the Secretary of the Interior, and the Attorney General, as established pursuant to Executive Order 13648.

(3) COMMUNITY CONSERVATION.—The term ''community conservation'' means an approach to conservation that recognizes the rights of local people to sustainably manage, or benefit directly and indirectly from wildlife and other natural resources and includes—

(A) devolving management and governance to local communities to create positive conditions for sustainable resource use; and

(B) building the capacity of communities for conservation and natural resource management.

(4) COUNTRY OF CONCERN.—The term ''country of concern'' refers to a foreign country specially designated by the Secretary of State pursuant to subsection (b) of section 201 as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which the government has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(5) FOCUS COUNTRY.—The term ''focus country'' refers to a foreign country determined by the Secretary of State to be a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products.

(6) DEFENSE ARTICLE; DEFENSE SERVICE; SIGNIFICANT MILITARY EQUIPMENT; TRAINING.—The terms ''defense article'', ''defense service'', ''significant military equipment'', and ''training'' have the meanings given such terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(7) IMPLEMENTATION PLAN.—The term ''Implementation Plan'' means the Implementation Plan for the National Strategy for Combating Wildlife Trafficking released on February 11, 2015, a modification of that plan, or a successor plan.

(8) NATIONAL STRATEGY.—The term ''National Strategy'' means the National Strategy for Combating Wildlife Trafficking published on February 11, 2014, a modification of that strategy, or a successor strategy.

(9) NATIONAL WILDLIFE SERVICES.—The term ''national wildlife services'' refers to the ministries and government bodies designated to manage matters pertaining to wildlife management, including poaching or trafficking, in a focus country.

(10) SECURITY FORCE.—The term ''security force'' means a military, law enforcement, gendarmerie, park ranger, or any other security force with a responsibility for protecting wildlife and natural habitats.

(11) TASK FORCE.—The term ''Task Force'' means the Presidential Task Force on Wildlife Trafficking, as established by Executive Order 13648 (78 Fed. Reg. 40621) and modified by section 201.

(12) WILDLIFE TRAFFICKING.—The term ''wildlife trafficking'' refers to the poaching or other illegal taking of protected or managed species and the illegal trade in wildlife and their related parts and products.

TITLE I—PURPOSES AND POLICY

SEC. 101. PURPOSES.

The purposes of this Act are—

(1) to support a collaborative, interagency approach to address wildlife trafficking;

(2) to protect and conserve the remaining populations of wild elephants, rhinoceroses, and other species threatened by poaching and the illegal wildlife trade;

(3) to disrupt regional and global transnational organized criminal networks and to prevent the illegal wildlife trade from being used as a source of financing for criminal groups that undermine United States and global security interests;

(4) to prevent wildlife poaching and trafficking from being a means to make a living in focus countries;

(5) to support the efforts of, and collaborate with, individuals, communities, local organizations, and foreign governments to combat poaching and wildlife trafficking;

(6) to assist focus countries in implementation of national wildlife anti-trafficking and poaching laws; and

(7) to ensure that United States assistance to prevent and suppress illicit wildlife trafficking is carefully planned and coordinated, and that it is systematically and rationally prioritized on the basis of detailed analysis of the nature and severity of threats to wildlife and the willingness and ability of foreign partners to cooperate effectively toward these ends.

SEC. 102. STATEMENT OF UNITED STATES POLICY.

It is the policy of the United States—

(1) to take immediate actions to stop the illegal global trade in wildlife and wildlife products and associated transnational organized crime;

(2) to provide technical and other forms of assistance to help focus countries halt the poaching of elephants, rhinoceroses, and other imperiled species and end the illegal trade in wildlife and wildlife products, including by providing training and assistance in—

(A) wildlife protection and management of wildlife populations;

(B) anti-poaching and effective management of protected areas including community managed and privately-owned lands;

(C) local engagement of security forces in anti-poaching responsibilities, where appropriate;

(D) wildlife trafficking investigative techniques, including forensic tools;

(E) transparency and corruption issues;

(F) management, tracking, and inventory of confiscated wildlife contraband;

(G) demand reduction strategies in countries that lack the means and resources to conduct them; and

(H) bilateral and multilateral agreements and cooperation;

(3) to employ appropriate assets and resources of the United States Government in a coordinated manner to curtail poaching and disrupt and dismantle illegal wildlife trade networks and the financing of those networks in a manner appropriate for each focus country;

(4) to build upon the National Strategy and Implementation Plan to further combat wildlife trafficking in a holistic manner and guide the response of the United States Government to ensure progress in the fight against wildlife trafficking; and

(5) to recognize the ties of wildlife trafficking to broader forms of transnational organized criminal activities, including trafficking, and where applicable, to focus on those crimes in a coordinated, cross-cutting manner.

TITLE II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

SEC. 201. REPORT.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall submit to Congress a report that lists each country determined by the Secretary of State to be a focus country within the meaning of this Act.

(b) SPECIAL DESIGNATION.—In each report required under subsection (a), the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall identify each country listed in the report that also constitutes a country of concern (as defined in section 2(4)) .

(c) SUNSET.—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

TITLE III—FRAMEWORK FOR INTERAGENCY RESPONSE

SEC. 301. PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING.

(a) RESPONSIBILITIES.—In addition to the functions required by Executive Order 13648 (78 Fed. Reg. 40621), the Task Force shall be informed by the Secretary of State's annual report required under section 201 and considering all available information, ensure that relevant United States Government agencies—

(1) collaborate, to the greatest extent practicable, with the national wildlife services, or other relevant bodies of each focus country to prepare, not later than 90 days after the date of submission of the report required under section 201(a), a United States mission assessment of the threats to wildlife in that focus country and an assessment of the capacity of that country to address wildlife trafficking;

(2) collaborate, to the greatest extent practicable, with relevant ministries, national wildlife services, or other relevant bodies of each focus country to prepare, not later than 180 days after preparation of the assessment referred to in paragraph (1), a United States mission strategic plan that includes recommendations for addressing wildlife trafficking, taking into account any regional or national strategies for addressing wildlife trafficking in a focus country developed before the preparation of such assessment;

(3) coordinate efforts among United States Federal agencies and non-Federal partners, including missions, domestic and international organizations, the private sector, and other global partners, to implement the strategic plans required by paragraph (2) in each focus country;

(4) not less frequently than annually, consult and coordinate with stakeholders qualified to provide advice, assistance, and information regarding effective support for anti-poaching activities, coordination of regional law enforcement efforts, development of and support for effective legal enforcement mechanisms, and development of strategies to reduce illicit trade and reduce consumer demand for illegally traded wildlife and wildlife products, and other relevant topics under this Act; and

(5) coordinate or carry out other functions as are necessary to implement this Act.

(b) DUPLICATION AND EFFICIENCY.—The Task Force shall—

(1) ensure that the activities of the Federal agencies involved in carrying out efforts under this Act are coordinated and not duplicated; and

(2) encourage efficiencies and coordination among the efforts of Federal agencies and interagency initiatives ongoing as of the date of the enactment of this Act to address trafficking activities, including trafficking of wildlife, humans, weapons, and narcotics, illegal trade, transnational organized crime, or other illegal activities.

(c) CONSISTENCY WITH AGENCY RESPONSIBILITIES.—The Task Force shall carry out its responsibilities under this Act in a manner consistent with the authorities and responsibilities of agencies represented on the Task Force.

(d) TASK FORCE STRATEGIC REVIEW.—One year after the date of the enactment of this Act, and annually thereafter, the Task Force shall submit a strategic assessment of its work and provide a briefing to the appropriate congressional committees that shall include—

(1) a review and assessment of the Task Force's implementation of this Act, identifying successes, failures, and gaps in its work, or that of agencies represented on the Task Force, including detailed descriptions of—

(A) what approaches, initiatives, or programs have succeeded best in increasing the willingness and capacity of focus countries to suppress and prevent illegal wildlife trafficking, and what approaches, initiatives, or programs have not succeeded as well as hoped; and

(B) which foreign governments subject to subsections (a) and (b) of section 201 have proven to be the most successful partners in suppressing and preventing illegal wildlife trafficking, which focus countries have not proven to be so, and what factors contributed to these results in each country discussed;

(2) a description of each Task Force member agency's priorities and objectives for combating wildlife trafficking;

(3) an account of total United States funding each year since fiscal year 2014 for all government agencies and programs involved in countering poaching and wildlife trafficking;

(4) an account of total United States funding since fiscal year 2014 to support the activities of the Task Force, including administrative overhead costs and congressional reporting; and

(5) recommendations for how to improve United States and international efforts to suppress and prevent illegal wildlife trafficking in the future, based upon the Task Force's experience as of the time of the review.

(e) TERMINATION OF TASK FORCE.—The statutory authorization for the Task Force provided by this Act shall terminate 5 years after the date of the enactment of this Act or such earlier date that the President terminates the Task Force by rescinding, superseding, or otherwise modifying relevant portions of Executive Order 13648.

TITLE IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

SEC. 401. ANTI-POACHING PROGRAMS.

(a) WILDLIFE LAW ENFORCEMENT PROFESSIONAL TRAINING AND COORDINATION ACTIVITIES.—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and nongovernmental partners where appropriate, may provide assistance to focus countries to carry out the recommendations made in the strategic plan required by section 301(a)(2), among other goals, to improve the effectiveness of wildlife law enforcement in regions and countries that have demonstrated capacity, willingness, and need for assistance.

(b) AUTHORITY TO PROVIDE SECURITY ASSISTANCE TO COUNTER WILDLIFE TRAFFICKING AND POACHING.—

(1) IN GENERAL.—The President is authorized to provide defense articles, defense services, and related training to security forces of focus countries for the purpose of countering wildlife trafficking and poaching where appropriate.

(2) TYPES OF ASSISTANCE.—

(A) IN GENERAL.—Assistance provided under paragraph (1) may include intelligence and surveillance assets, communications and electronic equipment, mobility assets, night vision and thermal imaging devices, and organizational clothing and individual equipment, pursuant to the applicable provision of the Arms Export Control Act (22 U.S.C. 2751 et seq.) or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(B) LIMITATION.—Assistance provided under paragraph (1) may not include significant military equipment.

(3) SPECIAL RULE.—Assistance provided under paragraph (1) shall be in addition to any other assistance provided to the countries under any other provision of law.

(4) PROHIBITION ON ASSISTANCE.—

(A) IN GENERAL.—No assistance may be provided under subsection (b) to a unit of a security force if the President determines that the unit has been found to engage in wildlife trafficking or poaching.

(B) EXCEPTION.—The prohibition in subparagraph (A) shall not apply with respect to a unit of a security force of a country if the President determines that the government of the country is taking effective steps to hold the unit accountable and prevent the unit from engaging in trafficking and poaching.

(5) CERTIFICATION.—With respect to any assistance provided pursuant to this subsection, the Secretary of State shall certify to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that such assistance is necessary for the purposes of combating wildlife trafficking.

(6) NOTIFICATION.—Consistent with the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), the Secretary of State shall notify the appropriate congressional committees regarding defense articles, defense services, and related training provided under paragraph (1).

SEC. 402. ANTI-TRAFFICKING PROGRAMS.

(a) INVESTIGATIVE CAPACITY BUILDING.—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and communities, regions, and governments in focus countries, may design and implement programs in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2) among other goals, with clear and measurable targets and indicators of success, to increase the capacity of wildlife law enforcement and customs and border security officers in focus countries.

(b) TRANSNATIONAL PROGRAMS.—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with other relevant

United States agencies, nongovernmental partners, and international bodies, and in collaboration with communities, regions, and governments in focus countries, may design and implement programs, including support for Wildlife Enforcement Networks, in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2), among other goals, to better understand and combat the transnational trade in illegal wildlife.

SEC. 403. ENGAGEMENT OF UNITED STATES DIPLOMATIC MISSIONS.

As soon as practicable but not later than 2 years after the date of the enactment of this Act, each chief of mission to a focus country should begin to implement the recommendations contained in the strategic plan required under section 301(a)(2), among other goals, for the country.

SEC. 404. COMMUNITY CONSERVATION.

The Secretary of State, in collaboration with the United State Agency for International Development, heads of other relevant United States agencies, the private sector, nongovernmental organizations, and other development partners, may provide support in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2) as such recommendations relate to the development, scaling, and replication of community wildlife conservancies and community conservation programs in focus countries to assist with rural stability and greater security for people and wildlife, empower and support communities to manage or benefit from their wildlife resources sustainably, and reduce the threat of poaching and trafficking, including through—

(1) promoting conservation-based enterprises and incentives, such as eco-tourism and sustainable agricultural production, that empower communities to manage wildlife, natural resources, and community ventures where appropriate, by ensuring they benefit from well-managed wildlife populations;

(2) helping create alternative livelihoods to poaching by mitigating wildlife trafficking, helping support rural stability, greater security for people and wildlife, sustainable economic development, and economic incentives to conserve wildlife populations;

(3) engaging regional businesses and the private sector to develop goods and services to aid in anti-poaching and anti-trafficking measures;

(4) working with communities to develop secure and safe methods of sharing information with enforcement officials;

(5) providing technical assistance to support sustainable land use plans to improve the economic, environmental, and social outcomes in community-owned or -managed lands;

(6) supporting community anti-poaching efforts, including policing and informant networks;

(7) working with community and national governments to develop relevant policy and regulatory frameworks to enable and promote community conservation programs, including supporting law enforcement engagement with wildlife protection authorities to promote information-sharing; and

(8) working with national governments to ensure that communities have timely and effective support from national authorities to mitigate risks that communities may face when engaging in anti-poaching and anti-trafficking activities.

TITLE V—TRANSITION OF OVERSEAS CONTINGENCY FUNDING TO BASE FUNDING

SEC. 501. SENSE OF CONGRESS ON FUNDING.

It is the sense of Congress that the President and Congress should provide for an appropriate and responsible transition for funding designated for overseas contingency operations to traditional and regular annual appropriations, including emergency supplemental funding, as appropriate.

TITLE VI—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

SEC. 601. AMENDMENTS TO FISHERMAN'S PROTECTIVE ACT OF 1967.

Section 8 of the Fisherman's Protective Act of 1967 (22 U.S.C. 1978) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting '', in consultation with the Secretary of State,'' *after ''Secretary of Commerce'';*

(B) in paragraph (2), by inserting '', in consultation with the Secretary of State,'' *after ''Secretary of the Interior'';*

(C) in paragraph (3), by inserting ''in consultation with the Secretary of State,'' after '', as appropriate,'';

(D) by redesigning paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following new paragraph:

''(4) The Secretary of Commerce and the Secretary of the Interior shall each report to Congress each certification to the President made by such Secretary under this subsection, within 15 days after making such certification.''; and

(2) in subsection (d), by inserting ''in consultation with the Secretary of State,'' after ''as the case may be,''.

Mr. COONS. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn; the Coons amendment at the desk be agreed to; and the bill, as amended, be read a third time.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

The committee-reported amendment was withdrawn.

The amendment (No. 5078) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. COONS. Mr. President, I know of no further debate on this measure.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2494), as amended, was passed.

Mr. COONS. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

Mr. COONS. Mr. President, I am going to take a few minutes, if I might, to celebrate something that we, frankly, have a chance to celebrate far too rarely—a bipartisan legislative success.

I am thrilled to be here to celebrate the passage of the End Wildlife Trafficking Act, a bill Senator FLAKE and I have been working on for months since it was introduced in December of last year, an idea which we have been working on for well over a year. This bill has been a long time in coming.

I first saw the tragic consequences of poaching and wildlife trafficking decades ago when I was a young man in Kenya, and I first visited Africa with a number of my colleagues on a trip to look at the dramatic increase in wildlife trafficking just a few short years ago.

President Obama issued an Executive order to combat wildlife trafficking back in 2013, and Senator CARDIN and I held a joint hearing on the topic in 2014 when I chaired the African Affairs Subcommittee. Senator FLAKE, now the chair of the African Affairs Subcommittee, and I introduced this bill together last December, and now we are excited to see it pass this body and be one step closer to becoming law.

Why is this bill important? Why does wildlife trafficking in Africa matter? Because nearly 100 elephants are killed every single day so their ivory tusks can be sold on the black market. Ivory now commands prices higher than heroin or gold, and it has become one of the principal ways of financing transnational networks of terrorists and of criminals.

The tragic consequences for the African elephant were recently noted in a report that showed that the population of elephants across the continent shrank by one-third in the last decade. In 2014, more than 1,000 rhinoceroses were illegally killed in South Africa, a several thousand-percent increase since the decade before. And as rhino horn and elephant tusks command outrageous prices on the world market, the demand has driven both wildlife poaching and trafficking steadily upward. Until today, it has become a multibillion-dollar industry that threatens wildlife, fragile ecosystems, and our national security.

Wildlife poaching and trafficking is one of those problems about which it is tempting to throw up our hands and ask: What could we possibly do about this? It happens on the other side of the world and it affects wildlife most of us will never see in person. But we didn't. And because of that, because of our persistence and determination and because so many people on the committee staff in the Senate and in the executive branch have devoted time and effort to coming up with a strategy and a pathway toward addressing it, we have lots of reasons today to be optimistic.

In President Obama, we have a President engaged in the continent of Africa and committed to combating trafficking and poaching. In Secretary Kerry, we have a former Senator who, when he was chairman of the Foreign Relations Committee, dedicated personal time and effort to highlighting the issue of wildlife trafficking. As I mentioned, in 2013, the President created a task force on wildlife trafficking that produced a national strategy for working together to combat wildlife trafficking. Now, just today, we have a strong bill—the End Wildlife Trafficking Act—that has passed the Senate and is on its way to the House.

Based on a recent conversation, I am optimistic that Chairman ROYCE and Ranking Member ENGEL, of the House Foreign Affairs Committee, will move this forward in the week ahead. Both

Chairman ROYCE and Ranking Member ENGEL deserve great credit for passing a complementary bill in the House, and it is because they have already acted on this that I am optimistic we will be able to together reach our end goal.

What exactly does that bill do? Let me briefly say, it requires a strategy, it authorizes an interagency approach to working with the governments of many countries affected by wildlife trafficking, and it produces recommendations on how to address those threats in coordination with nongovernmental organizations. It authorizes the Secretary of State and the Administrator of USAID to support efforts to combat poaching and wildlife trafficking and to encourage community conservation programs—an initiative, a direction, that Senator FLAKE and I have seen in person on the ground in southern Africa.

It also includes strategic regular reviews to monitor progress being made, and it gives prosecutors more tools to go after individuals involved in high-value wildlife crime. Last, but not least, it encourages diplomatic efforts around the world to try and reduce the demand for wildlife trafficking and for the markets that consume so much of this illicit traffic, whether in China, Vietnam, Malaysia, or elsewhere. Finally, it requires an annual report back to us in Congress to let us know how any taxpayer dollars appropriated in this fight against wildlife trafficking are being spent.

This bill isn't just good policy. In a Congress that is all too often paralyzed by division and by dysfunction, the passage of this act is an important example of what it can look like when we put good policy before partisan politics.

I want to briefly thank the staff of Senators CORKER and CARDIN; my own staff, including Lisa Jones, who spent a great deal of time on this; the staff of Senator FLAKE, Colleen Donnelly and Sarah Towles; and three terrific people, all of them AAAS fellows who have helped bring this bill to passage: Rosa Mutiso, Allie Schwier, and Leah Rubin Shen, who has moved from being an AAAS fellow to my office and has done a terrific job getting us to the finish line today.

I am so grateful for all of the work of the dedicated folks in Congress and in the executive branch who have made this possible.

Thank you very much.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

WRDA

Mr. PETERS. Mr. President, I rise to applaud the Senate for passing earlier today the Water Resources Development Act of 2016, better known as WRDA. It is important to pause for a moment and appreciate the fact that we were able to come together in such a bipartisan way on such an important and substantive matter. Today, WRDA passed by an overwhelming majority of 95 to 3.

Today we took a critical step toward making real investments in our Nation's waterways, ports, harbors, ecosystems, and the infrastructure we rely on for our drinking water. We also made a statement that when a group of people are suffering, our country must pull together to help.

Delivering assistance to Flint, MI, and other communities suffering from poor drinking water quality is, frankly, quite overdue. We should have provided funding to fix Flint's water infrastructure long ago, but today we have taken a meaningful step toward the future, where the people of Flint, as well as communities all across America, can turn on their taps and trust that it is safe to use the water that comes out of them.

We cannot forget that right now the people of Flint are still living in this crisis. People are still depending on bottled water and filters for everyday water needs. The health effects will last for decades to come.

Over the past year, I have regularly heard from Flint families about their ongoing struggles. Just this week, I heard from Flint residents who came to Washington. They came to share their stories and to keep up the fight for the Federal support their community needs. These Americans continue to endure unimaginable circumstances with both grace and dignity.

The breadth and severity of the hardships these families have faced are breathtaking, but I continue to hear news stories that would shock all of us in this Chamber and push Congress to finish our work to get this package signed into law.

This week I heard from one Flint mother who told me a story about her 10-year-old daughter with aching bones and teeth. Lead and calcium compete for the same locations in the body and are stored in bone tissue. This is one of the many reasons lead exposure is especially devastating to growing children.

Try to imagine the horror of seeing your daughter's teeth crumble while biting into a sandwich. This is what the people of Flint are living with. The girl's blood lead levels, even recently, were up and down, and she takes large supplements to improve her bone strength. As these Flint residents continue to tell their stories, we must not let their reality fade from the minds of this Nation. As a nation, we can do better than this. We must take care of our own.

As we pause to recognize the weight of our actions today, we must recognize and remember the people who have been fighting for a very long time.

I would like to recognize Dr. Mona Hanna-Attisha, Dr. Marc Edwards, and Miguel Del Toral for their tireless work to identify and shine a light on the crisis of Flint last year, as well as for all of their advocacy and work since then.

I would also like to recognize the grassroots leaders in Flint who realized there was a serious problem way before anyone else. LeeAnne Walters, Melissa Mays, the Concerned Pastors of Flint, and many others. Despite being repeatedly dismissed and ignored, they kept talking and marching and battling to let the world know about the injustice.

Senator STABENOW and her team have worked tirelessly with us on this effort and to advance our package helping Flint and other countries across the country. She and I underwent weeks of negotiations to carefully craft a bipartisan agreement, and we have a number of Senators who were willing to work with us and truly wanted to find a solution.

Senator STABENOW's staff, particularly Matt VanKuiken and Aaron Suntag, deserve a lot of credit for late nights drafting legislative language and making calls to negotiate a deal.

Senators INHOFE and BOXER deserve special gratitude for their creative ideas and steadfast determination.

I would also like to thank the Environment and Public Works Committee staff, including Alex Herrgott, Jason Albritton, Bettina Poirier, and Susan Bodine, among others. Your long hours and commitment were critical to the bill's passage.

I should also recognize the cosponsors of our bipartisan legislation, including Senators BROWN, PORTMAN, KIRK, REED, BURR, DURBIN, MIKULSKI, CAPITO, and BALDWIN.

I would like to recognize Senators MURKOWSKI and CANTWELL and their staff who worked for weeks to help us find a path forward on a bipartisan energy bill. While this did not come to fruition, we kept working hard to find a path forward. We didn't let one roadblock stand in the way. We kept on fighting for Flint, just like the families in Flint keep on fighting.

So while I am pleased the Senate finally passed this bipartisan, fully paid-for legislation to provide much needed support for Flint families, we now need to redouble our efforts to get it done and get it over the finish line.

I urge my colleagues in the House to swiftly pass similar assistance to Flint and other communities across the country. This bill is the best way for us to help them make critical investments in their aging water infrastructure.

I thank my colleague Congressman KILDEE, who has been Flint's most steadfast champion in the U.S. House. He has worked with Senator STABENOW and me to secure Federal resources for Flint families, and I know he is working hard with his House colleagues to pass legislation to aid Flint.

Local elected officials, such as State Senator Jim Ananich, State Representative Sheldon Neeley, and Mayor Karen Weaver continue to battle for their constituents, secure resources to fix problems, and shine a light on all of the many positive aspects of the city of Flint.

I know other Members of the Michigan delegation and of other States are committed, but now is the time to step up to the plate and show that we will follow through on our responsibilities as representatives of the people.

Finally, if we are to solve this crisis, the State of Michigan must step up with substantial long-term support for the people of Flint and help them fully recover in the years and decades ahead. This disaster happened on their watch, and it is an immense failure on the part of the State of Michigan to protect the health and safety of its city's residents.

Despite the grim facts of this tragedy, some day in the future I hope we will look back at today and say it was a milestone and a turning point. I am optimistic that we will. This is not the end of our efforts for Flint. This is the beginning of making things right.

We won't stop fighting for what is best for Flint families. I urge all of my colleagues to continue working to invest in critical water infrastructure so that we never, ever see a crisis like this again anywhere in our country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PUERTO RICAN TASK FORCE'S INTERIM REPORT

Mr. HATCH. Mr. President, pursuant to section 409 of the Puerto Rico Oversight, Management, and Economic Stability Act, or PROMESA, P.L. 114–187, the bipartisan Congressional Task Force on Economic Growth in Puerto Rico has been charged with compiling a report by December 31, 2016, that identifies impediments to growth and recommends changes to promote long-term economic growth and stability, spur new job creation, reduce child poverty, and attract investment in the territory.

The statute also requires submission of an interim report on the status of the task force's efforts to the House and Senate. As chairman of the task force and after having submitted this report to leadership of both parties in the Senate and the House, I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL TASK FORCE ON ECONOMIC GROWTH IN PUERTO RICO

STATUS UPDATE TO THE HOUSE AND SENATE

Background:

On June 30, 2016, the ''Puerto Rico Oversight, Management, and Economic Stability Act,'' or ''PROMESA,'' was signed into law (Public Law 114–187). Section 409 of PROMESA establishes an eight-member Congressional Task Force on Economic Growth in Puerto Rico (hereafter, ''Task Force'').

The Task Force has two basic charges:

1. To issue, between September 1, 2016 and September 15, 2016, a status update to the House and Senate that includes—

a. information the Task Force has collected; and

b. a discussion on matters the chairman of the Task Force deems urgent for consideration by Congress.

2. To issue, not later than December 31, 2016, a report of Task Force findings to the House and Senate regarding—

a. impediments in current Federal law and programs to economic growth in Puerto Rico including equitable access to Federal health care programs;

b. recommended changes to Federal law and programs that, if adopted, would serve to spur sustainable long-term economic growth, job creation, reduce child poverty, and attract investment in Puerto Rico;

c. the economic effect of Administrative Order No. 346 of the Department of Health of the Commonwealth of Puerto Rico (relating to natural products, natural supplements, and dietary supplements) or any successor or substantially similar order, rule, or guidance of the Commonwealth of Puerto Rico; and

d. additional information the Task Force deems appropriate.

Further, PROMESA urges the Task Force's final report to reflect the shared views of all eight members ''to the greatest extent practicable.'' PROMESA also directs the Task Force to consult with the Puerto Rico Legislative Assembly, the Puerto Rico Department of Economic Development and Commerce, and the private sector of Puerto Rico.

Task Force Members were selected in July in accordance with specifications in PROMESA, and are as follows: Senator Orrin Hatch, (R–UT); Senator Robert Menendez (D–NJ); Senator Marco Rubio (R–FL); Senator Bill Nelson (D–FL); Representative Tom MacArthur (R–NJ); Resident Commissioner Pedro Pierluisi (PR); Representative Sean Duffy (R–WI); Representative Nydia Veláquez (D–NY).

This report provides the status update pursuant to the Task Force's first basic charge, highlighting information the Task Force has collected and outlining the Task Force's ongoing activities related to information gathering, analysis of policy options, and communication with stakeholders.

Residents of Puerto Rico and their families face numerous challenges to economic growth along many dimensions affected by Federal law and programs, including health care, government finances, economic stagnation, population loss, and sectoral inefficiencies. In addition, Puerto Rico is confronting challenges shared with several states related to the Zika virus and faces the highest number of confirmed cases of any U.S. jurisdiction. Task Force Members are actively working to arrive at a consensus in order to provide Congress with findings and recommendations as called for under PROMESA.

Information the Task Force has collected:

Data

Task Force staff convened a meeting with researchers from the Federal Reserve Bank of New York to discuss sources of data on Puerto Rico's economy and financial activities. The Federal Reserve Bank of New York oversees the Second District of the Federal Reserve System, which includes Puerto Rico. Researchers and analysts at the Federal Reserve Bank of New York have a long history of monitoring economic and financial developments in Puerto Rico and provided useful information to Task Force staff on available data to assist the Task Force in analyzing the economic and financial environment in the territory.

Task Force staff have also been in contact with entities within Puerto Rico, including the Puerto Rico Institute of Statistics (Instituto de Estadísticas de Puerto Rico), to obtain the best available information about Puerto Rico's economic and fiscal situation.

Like other observers, the Task Force is concerned about the relative lack of reliable data pertaining to certain aspects of the economic, financial, and fiscal situation in Puerto Rico, which are necessary for productive analyses that may lead to sound public policy recommendations.

Therefore, the Task Force intends to analyze the extent to which Federal statistical products that measure economic and financial activity in the states might also provide equivalent information for Puerto Rico and other territories, and the Task Force intends to explore ways in which any such data gaps can be responsibly closed.

Task Force Email Portal

The Task Force established an email portal—prtaskforce@mail.house.gov—and issued press releases calling on stakeholders to submit their input to this portal. These written submissions, from both the public and private sectors, will be useful to the Task Force as it works to arrive at bipartisan recommendations. All submissions will be considered part of the public record and the Task Force intends to publish them prior to or along with its final report. To date, the Task Force has received approximately 335 submissions to the email portal from individuals and organizations representing a wide variety of interests. Task Force staff have begun analyzing these submissions and will continue to do so as the year progresses.

The Task Force initially announced a deadline for submission to the email portal of September 2, 2016. The Task Force has since extended the deadline until October 14, 2016 in order to cast the widest net possible and to ensure that stakeholders have ample opportunity to provide input.

Federal Agencies

As a U.S. jurisdiction, Puerto Rico is affected by Federal laws enacted by Congress and administered by Federal agencies. Accordingly, the Task Force, in order to fulfill its charges under PROMESA, will require input and cooperation from various Federal agencies and offices Task Force staff have begun, and will continue, to contact congressional liaisons from Federal agencies and offices to schedule briefings and facilitate information sharing.

Thus far, Task Force staff have contacted officials at the U.S. Department of Health and Human Services, including the Centers for Medicare and Medicaid Services, to open a dialogue regarding Federal health policy and its impact on Puerto Rico. Task Force staff have also contacted officials at the U.S. Department of Commerce, the U.S. Department of Labor, and the Federal Housing Finance Agency to discuss a range of topics, including the inclusion, or lack thereof, of Puerto Rico in economic measures commonly used to gauge economic and financial activities in states. The U.S. Department of Energy, the U.S. Environmental Protection Agency, the U.S. Small Business Administration, and the U.S. Department of the Treasury have also been contacted to discuss critical energy, environmental, health, and economic issues. Task Force staff expect to contact officials at additional Federal agencies to obtain pertinent information.

Task Force Members urge all Federal agencies and offices contacted by Task Force staff to recognize the relatively brief time period in which the Task Force is required to

operate, and welcome prompt responses to requests for information and willingness to meet with Task Force staff on short notice to provide background and briefing materials. Moreover, Task Force Members emphasize the need for bipartisan cooperation as the Task Force works to arrive at findings and recommendations.

Congressional Support

The Task Force expects to benefit from the support of available congressional support offices, most notably the Joint Committee on Taxation (JCT), the Congressional Budget Office (CBO), and the Library of Congress's Congressional Research Service (CRS).

Task Force staff have contacted JCT, which will provide a briefing in the near term to discuss the application of Federal tax policy in Puerto Rico, as well as individual, corporate, and other tax proposals put forward in recent years by stakeholders in Puerto Rico and in Congress. Staff have reached out to CRS researchers for updates on previously-issued CRS reports related to Puerto Rico and have scheduled briefings on a number of germane issues.

Offices and Agencies in Puerto Rico

As noted above, PROMESA specifically requires the Task Force to consult with the Puerto Rico Legislative Assembly, the Puerto Rico Department of Economic Development and Commerce, and the private sector of Puerto Rico.

Task Force staff have begun outreach to leaders of the Puerto Rico Legislative Assembly, and welcome any input and recommendations that they wish to provide. Task Force staff have also contacted the Secretary of the Puerto Rico Department of Economic Development and Commerce, and welcome input and recommendations from the Secretary and other officials at the agency. Similarly, Task Force staff have contacted the Secretary of the Puerto Rico Department of Health to obtain input with respect to the Department's Administrative Order No. 346. Consultation with entities in the private sector of Puerto Rico has also been ongoing and will continue throughout this process.

TRIBUTE TO THE KENTUCKY BANKERS ASSOCIATION

Mr. MCCONNELL. Mr. President, I rise today to extend my thanks and congratulations to a venerable Kentucky business trade association that is celebrating a milestone anniversary of service to its members and its customers. The Kentucky Bankers Association, a nonprofit trade association serving Kentucky's community financial services industry, celebrates its 125th anniversary this October.

Founded in October of 1891, the Kentucky Bankers Association, KBA, represents State and federally chartered banks and thrifts. It has 185 member banks, 167 of which are headquartered in Kentucky. Not only do KBA's member banks provide high-quality service to the people of the Commonwealth, but they also employ more than 23,000 Kentuckians.

The purpose of the Kentucky Bankers Association is to provide advocacy for the financial services industry both in Kentucky and on the national level. The organization also serves as a fount of information to its members on the banking industry and acts as a catalyst for internal debate and action within the industry and among its members. It also publishes an industry magazine to provide news and information to its members. And by providing loans to Kentucky businesses, they enable future business growth and spur the creation of new jobs.

KBA has served its members for 125 years, and many of KBA's member banks have also been serving their customers for a long time. The oldest bank chartered in Kentucky was established in 1835, making it 181 years old. And the average age of Kentucky chartered banks is 84 years old. Kentuckians who bank with KBA's members have counted on and appreciated their high level of service for generations.

I also want to congratulate my friend Ballard Cassady, the president and CEO of KBA, as he has served in that position for 30 years. His dedication to the KBA is equaled only by KBA member banks' dedication to their customers.

Kentucky community banks are integral parts of the local neighborhoods they serve. And the KBA plays a vital role in representing these community financial institutions. I want to extend my gratitude to the KBA, Mr. Cassady, and KBA leadership for 125 years of service to Kentucky's community financial institutions and their consumers. And I wish to thank KBA's member banks across the Commonwealth for their long-standing commitment to the people of Kentucky.

TRIBUTE TO JOHN BEL EDWARDS

Mr. REID. Mr. President, today I recognize Governor John Bel Edwards, who is celebrating his 50th birthday on September 16, 2016.

Governor Edwards is a committed public servant who has dedicated his career to improving the lives of Louisiana residents. A Louisiana native, Governor Edwards graduated from Amite High School as valedictorian of his class. After graduating from the U.S. Military Academy at West Point 4 years later, he bravely served our country as an airborne ranger in the U.S. Army. Following his service, Governor Edwards attended law school at Louisiana State University, where he graduated Order of the Coif, the prestigious honor society for our Nation's brightest law school graduates.

In 2008, Governor Edwards was elected to the Louisiana House of Representatives. Throughout his tenure, he worked diligently to ensure that the needs of Louisiana residents were met. His Democratic colleagues recognized his unwavering commitment to public service and his steadfast leadership ability, and they elected him as chairman of the Louisiana House Democratic Caucus.

It comes as no surprise that Governor Edwards has already achieved a number of accomplishments on behalf of Louisiana since he became the Governor of the State in January 2016. He has led State legislators in addressing Louisiana's most pressing issues, including the State's budget crisis, historic flood events that have damaged more than 100,000 homes throughout the State, and several tornadoes that have impacted many of the State's most vulnerable residents. In addition to managing the response to these crises, Governor Edwards is implementing programs that are critical to the success and well-being of Louisiana residents, such as Medicaid expansion and major infrastructure development projects.

Governor Edwards is married to his high-school sweetheart, Donna Edwards, and they have three beautiful children: Samantha Bel, Sarah Ellen, and John Miller. I join the Governor's family, friends, and the residents of Louisiana in wishing him a very happy 50th birthday. His dedication to Louisiana is commendable, and I look forward learning about his future success on behalf of the residents of Louisiana and all Americans.

WATER RESOURCES DEVELOPMENT ACT OF 2016

Mr. DURBIN. Mr. President, I want to take a few minutes to celebrate the bipartisan passage of this year's Water Resources Development Act. This critically important legislation will help keep our drinking water safe, move goods on Illinois waterways, protect communities from flooding and preserve the precious natural resources that are our rivers, streams, and wetlands.

Our Nation's water infrastructure plays a vital role in protecting our communities from flooding, safeguarding our drinking water from contamination, and advancing commerce through the safe and secure movement of goods. The safety of the American people and the stability of the American economy depend on the reliability of our water infrastructure.

But our water infrastructure in the U.S. is aging and overburdened, and investment is not keeping up with the need. We have locks and dams that are crumbling, in serious need of maintenance and upgrades, and lead water pipes that are long overdue for replacement. What happened in Flint has shown just how vulnerable our water infrastructure is and why investing in it is so important. That is why I was proud to support the passage of the Water Resource and Development Act of 2016, which makes significant investments in water infrastructure around the country.

I am proud to report that much of the water infrastructure funding in this bill will benefit my home State of Illinois. The bill authorizes a final feasibility report on phase II of the Des Plaines River Project, which will provide flood risk management and environmental restoration on the Upper Des Plaines River and tributaries in Illinois and Wisconsin. The bill also includes language that expedites the

completion of the McCook Reservoir in the Chicago region. McCook is a 10-billion-gallon reservoir designed to redirect flood and wastewater from the Chicago region. When completed, the project will benefit Chicago and 36 surrounding suburbs, including 1.5 million structures and over 5 million people. Also included is language that will help pay for work on the Lockport Prairie Nature Preserve and the Prairie Bluff Preserve in Will County. These are important projects for Illinois that will help prevent flooding in our communities and restore our region's ecosystems.

In Illinois, we treasure Lake Michigan, from the drinking water it provides to millions of people, to the commerce and tourism it brings to the Chicago area. That is why protecting and restoring our Great Lakes is so important to Illinois. This bill authorizes $300 million per year to help protect our Great Lakes through the Great Lakes Restoration Initiative, or GLRI, which provides Illinois with millions in Federal funding to combat invasive species like Asian carp; reduce and remove pollution, waste runoff, and toxic chemicals; and restore wetlands and other lakefront assets. GLRI funds have been used for restoration projects like the removal of toxic chemicals from Waukegan Harbor, green infrastructure like the Millennium Reserve near the Calumet River, and the restoration of 40 acres of land at Northerly Island.

Finally, this bill takes important steps to address the water contamination issues that have been plaguing communities across the country. Lead water contamination is not a new problem. In Illinois, we have been battling this issue for years. The contaminated water crisis in Flint, MI, was a wakeup call to all of us that we must have strong drinking water protections in place and invest the necessary resources to keep our water safe for our children. This bill provides $220 million in direct emergency assistance to Flint and other communities facing similar drinking water emergencies. It provides $1.4 billion over 5 years to help small and disadvantaged communities comply with the Safe Drinking Water Act. The bill modernizes our State Revolving Loan Fund program and provides $300 million in grants for communities to replace lead service lines. And because we are also seeing high levels of lead in our schools' water, the bill authorizes $100 million for additional lead testing in schools. This bill also addresses many of the issues that I raised in the Lead-Safe Housing for Kids Act that I introduced with Senator MENENDEZ and the CLEAR Act that I introduced with Senator CARDIN, two bills that would ensure our children are protected from the dangerous effects of lead in our water and our housing.

Congress has a responsibility to protect the safety of our drinking water, defend our communities from flooding, improve our waterways, and fix the Nation's crumbling water infrastructure. I want to congratulate Chairman INHOFE and Ranking Member BOXER for their hard work and dedication to improving our water infrastructure and for getting this bill passed by the Senate. I am proud to support the important investments that this bipartisan bill makes to improve water infrastructure in Illinois and around the country.

U.S. PARTNERSHIP WITH GEORGIA

Mrs. SHAHEEN. Mr. President, Georgia is a trusted friend and steadfast partner of the United States. I firmly support Georgia's sovereignty, security, and prosperity, and I wish to congratulate Georgians on the remarkable democratic and economic progress they have achieved in 25 years of independence since the fall of the Soviet Union.

I would particularly like to call attention to our unwavering security partnership with Georgia, whose Armed Forces participate in international missions worldwide, including the Resolute Support Mission in Afghanistan, where Georgia is contributing more personnel than any other non-NATO member. I know the United States deeply appreciates Georgia's contributions to these missions and honors its sacrifices.

Our important security relationship with Georgia continues to grow. Through ongoing regional efforts like the European Readiness Initiative and expanded bilateral cooperation, as laid out in the new defense agreement signed in July, the United States and Georgia are working ever more closely to boost our mutual security, build Georgia's resilience and self-defense capabilities, and create a safer region and world. In this context, I remain deeply concerned about Russia's continued occupation of Abkhazia and South Ossetia and believe Russia must fulfill its obligations under the 2008 ceasefire agreement. The United States is steadfast in our support for Georgia's sovereignty and remains committed to helping Georgia achieve its goal of NATO and European Union membership and full integration into European institutions.

Georgia is preparing for parliamentary elections in October, an important test of the country's civic institutions and democratic practices. Georgia's continued democratic maturation depends on free and fair elections contested in a pluralistic media environment. I also believe it is critical for Georgia to sustain progress in enacting its reform agenda, particularly in the justice sector, which will both further strengthen our bilateral partnership and prove to Georgians that their government is working for them. Progress has not come without difficulty, but the commitment of the Georgian people has made Georgia a true standout in a difficult region and an important partner of the United States.

Again, I would like to congratulate Georgia on reaching this significant milestone and recognize the importance of our continued close partnership.

GROWTH AWARENESS

Mr. KIRK. Mr. President, today, on behalf of every child who suffers from growth disorders, I ask my colleagues to join me in recognizing this week, September 19 through 23, as Growth Awareness Week.

Tracking a child's growth is critical as it is a major sign of his or her overall health. When their growth is delayed, it is an indicator of potential underlying medical disorders. In fact, more than 600 serious diseases and health conditions, ranging from nutritional disturbances and hormone imbalances to unidentified kidney problems and brain tumors, can cause growth failure. Unfortunately, the two most common causes of growth failures frequently go undiagnosed, even in children who are evaluated.

By failing to diagnose the cause of growth failure, the potential for damage and high costs of care increases. By contrast, early detection and diagnosis can ensure a healthy future for children with growth failures. That is why raising public awareness and education about growth failure is so important.

I commend the MAGIC Foundation for their great work and look forward to working with my colleagues to improve the lives and health of children in Illinois and across the country.

NATIONAL TRUCK DRIVER APPRECIATION WEEK

Mrs. FISCHER. Mr. President, today I wish to recognize America's professional truck drivers who serve our Nation by safely delivering such vital goods as the clothes we wear, the food we eat, and the medicine we rely on.

This week, September 11 through 17, is designated as National Truck Driver Appreciation Week to honor the 3.5 million professional truck drivers in the United States. According to the American Trucking Associations, the trucking industry employs more than 7 million people, making it not only essential to our economy, but also one of our country's largest employers.

In Nebraska, the trucking industry employs nearly 63,000 men and women who safely deliver essential goods from Scottsbluff to Lincoln and everywhere in between.

Trucking is a major driver of our economy, responsible for nearly 70 percent of the total U.S. freight tonnage. More than 80 percent of communities rely solely on the trucking industry for their goods and commodities.

America's truck drivers are dedicated to keeping our highways safe. They follow stringent safety regulations, attend frequent training programs, and educate the motoring public to help them drive safely around tractor-trailers.

America's truck drivers sacrifice precious time with their families while delivering their products to millions more. This week, we pause to say thank you.

I salute these fine professionals and their families for their dedication to delivering life's essentials safely and securely.

20TH ANNIVERSARY OF THE LORING JOB CORPS CENTER IN LIMESTONE, MAINE

Ms. COLLINS. Mr. President, on October 1, 1996, the first students arrived at the new Loring Job Corps Center in Limestone, ME. It is a pleasure to recognize this milestone 20th anniversary of this program, dedicated to helping disadvantaged young people develop the determination, abilities, and character to succeed.

In the two decades since its founding, the Loring Job Corps Center has graduated more than 10,500 students. Whether they go on to the workforce, higher education, or the military, these graduates take with them the skills, self-confidence, and resolve to overcome the setbacks, obstacles, and failures that are part of life. The focus on community service at Loring helps to create the engaged citizens that are so important to Maine's future.

In addition to providing training and education, Loring Job Corps has developed a nationally recognized premilitary program and is one of the highest military placement Job Corps centers in our Nation. This is a fitting tribute to the namesake of the former Air Force base on which the center is located: MAJ Charles Loring, a Maine native who was awarded the Medal of Honor posthumously for heroism in the Korean war. Two years ago, the Loring Job Corps Center reaffirmed its respect for those who serve our Nation by rededicating its dining center, Dahlgren Hall, in memory of LT Edward Dahlgren, a World War II Medal of Honor recipient from nearby Perham, ME.

Young people today face a great many challenges and threats to their well-being, and Job Corps students at Loring and throughout the Nation are no exception. It is essential that Congress continues to work with the Department of Labor to strengthen policies to better ensure the safety of the young men and women who enter the Job Corps to better their lives.

The national Job Corps program was founded more than a half-century ago on the noble idea that, if given the opportunity, the support, and the training, America's at-risk young people could overcome any obstacles and achieve. For 20 years, Loring Job Corps graduates have turned that idea into reality. I congratulate the faculty, staff, and students for this accomplishment and offer my best wishes for continued success.

Mr. KING. Mr. President, today I join my esteemed colleague, Senator COLLINS, in recognizing the 20th anniversary of Loring Jobs Corps Center in Limestone, ME. This center is a subsidiary of the Department of Labor's national Jobs Corps program, which provides vocational training, education, and opportunity to our Nation's at-risk youth. Over the past two decades, the Loring Jobs Corps has been an important part of that noble effort.

Throughout our great Nation, young people face roadblocks to their personal and vocational success. Recognizing that every member of society has potential if given opportunity, Jobs Corps gives people the skills they need to overcome these problems and create better engaged members of society. Through their efforts, they have inspired self-confidence and a sense of commitment to the community in the lives of their members. Through military service, higher education, or the workforce, graduates of the Jobs Corps have been able to make a difference in the world and been an inspiration for countless others.

Since its opening in 1996, Loring Jobs Corps Center has been at the forefront of the effort to improve the lives of disadvantaged young people and provides them with the skills necessary to thrive in their communities. Through career training and education, Loring Jobs Corps has helped over 10,500 students to a brighter, fuller future and stands poised to help thousands more. A testament to the program's success, the Loring Center has even become one of the highest military placement Job Corps centers in the country.

I like to think of Maine as one big small town. As such, we all have a responsibility to help disenfranchised youth in our communities, and the Loring Jobs Corps has gone above and beyond in accepting this responsibility. I thank the center for its consistent dedication to at-risk youth, commend them for their long record of service, and wish them the best of success for years to come.

TRIBUTE TO MICHAEL F. BUCHWALD

Mrs. FEINSTEIN. Mr. President, today I wish to pay tribute to Mike Buchwald, a dedicated member of my staff for over 9 years. Mike has served in my personal office, as my counsel, and finally, as deputy staff director for oversight and policy on the Senate Select Committee on Intelligence. Over this time period, Mike has displayed a work ethic like none other. I have come to rely deeply on his attention to detail and exceptional command of the Nation's intelligence analysis.

Before joining the committee, Mike served an associate at the international law firm of O'Melveny & Myers, where he specialized in criminal, congressional, and internal investigations of corporations and nonprofit entities as a member of the white-collar defense and strategic counseling groups. He served as a law clerk for Federal District Judge George P. Schiavelli in California, where he was born and raised. Prior to law school, he worked as a legislative assistant in my personal office for 3 years. Mike earned his J.D. from the University of Virginia School of Law and his B.A. cum laude with distinction in history from Yale University. He is a member of Phi Beta Kappa and has been admitted to practice law in California and the District of Columbia.

Mike's accomplishments on the Intelligence committee were extensive, many of which were completed behind the scenes in furtherance of the committee's oversight mandate. Two important public reports on which Mike was involved were the 2010 report on Attempted Terrorist Attack on Northwest Airlines Flight 253 and the 2013 SSCI Review of Terrorist Attacks on U.S. Facilities in Benghazi. Both reports were critical in helping improve our understanding of these attacks and how the U.S. Government and the intelligence community can prepare for them in the future.

The sheer volume of other committee activities in which Mike was engaged are too numerous to mention. Suffice it to say that he was an integral part of my intelligence team, supporting me and the committee in the enactment of seven consecutive intelligence authorization bills and overseeing the most complex activities undertaken by our government. He has unmatched passion for congressional oversight, for the intelligence community, and for this country's national security. Mike not only served me well, but was the consummate professional with all members and committee staff on both sides of the aisle.

Mike will continue to further his government career by accepting a position within the U.S. Department of Justice's National Security Division. I am certain the Department will find him to be a shining light, committed to protecting this country and its citizens. It is also important for me to acknowledge the support Mike has received from his fiancée and now wife, Jamie Lynn Poslosky. I thank her for allowing Mike to spend many late nights in the office meeting the oversight demands of the Intelligence Committee.

I am pleased to have this opportunity to publicly thank Mike and to wish him the very best in all his future endeavors. I will miss his insights and his ability to always have the right document at hand for any discussion or deliberations. Thank you, Mike, for your many years of service and dedication both to the country and to me personally.

TRIBUTE TO ANNETTE MARIE GILLIS

Mr. ISAKSON. Mr. President, as chairman of the Select Committee on Ethics, on behalf of the members of the

committee and its staff, it is my privilege to give public notice and honorable mention to the outstanding service that Annette Marie Gillis, deputy staff director, has provided to the committee and the Senate for the past 36 years.

Annette, the middle child of Henry Lee and Geneva G. Gillis's seven children, was born and raised in Alexandria, VA. She began her Federal service in 1979, right after high school, with the U.S. House of Representatives, working first for Congressman Herbert E. Harris and then for Congressman Carl D. Purcell.

In September 1980, Annette came to the Senate Select Committee on Ethics as a staff assistant. While working for the committee, she earned an associate of science degree in management from Northern Virginia Community College and then a bachelor of arts in Psychology, magna cum laude, from Marymount University. Because of her intellect, hard work, and professionalism, she advanced to become systems administrator, then chief clerk, and finally, in 2005, deputy staff director. Her contributions to the critical work of the committee have been invaluable. Over the years, serving under 14 different chairmen, including myself and Senator BOXER, Annette has been the constant in the committee's work, expertly managing the operations of the committee and its staff.

I now would like to yield to the Senator from California, whom I have had the honor of serving with on the Select Committee on Ethics, so that she can say a few words about Annette.

Mrs. BOXER. Mr. President, Annette's contributions go far beyond the committee itself. Through her work on the committee's education and training programs, reporting requirements, and compliance functions, Annette has reached the entire Senate community and, indeed, the Nation. Her contributions, drawn from a reserve of institutional knowledge and experience, have been immeasurable.

The committee commends Annette's unwavering commitment to its work and is honored to have been the beneficiary of her loyal service. Despite the impact of her retirement, we, the committee members and staff, are pleased to see Annette receive the recognition she deserves for her decades of faithful service to the U.S. Senate and the American people.

We ask our colleagues to join us in thanking Annette for her invaluable service to the Select Committee on Ethics, the Senate community, and our Nation.

We thank you, Annette, for your 36 years of dedicated service.

TRIBUTE TO ROB NOEL

Mr. RUBIO. Mr. President, I wanted to take a moment to thank a key member of my office who, after more than 4 years of service to the people of Florida, is leaving us tomorrow to pursue a new career opportunity.

Rob Noel started in our office's communications shop, often rising before the sun to see what was in the news and to make sure my staff and I had the latest info on the issues of the day. Over time, his duties would grow, eventually becoming our speechwriter and deputy communications director.

Rob is a talented writer and has been an invaluable part of our efforts to communicate the causes that are important to us, to shine a spotlight on injustices we see around America and the world, and to rally support for the ideas and solutions that we believe can make a difference for people.

On behalf of myself, your colleagues, and the people of Florida, thank you, Rob, for your service. We wish you the best.

ADDITIONAL STATEMENTS

TEXT TO 911 IN NEW JERSEY

• Mr. BOOKER. Mr. President, I wish to commend the hardworking men and women in New Jersey who have made significant strides to ensure our State keeps pace with modern technology when it comes to public safety. This month, all 21 counties in our great State will have access to expanded 911 services, by being able to text to 911 in case of emergency.

This exciting new development will help save lives across our State and serves as a national model for receiving public safety services. Text to 911 further empowers persons with disabilities—such as hearing or speech impairments—who may have previously faced barriers to accessing emergency services. Today, 911 in New Jersey is open and accessible to more residents than ever before, and I commend the hard work and collaboration in New Jersey that resulted in this accomplishment.

Tragically, there are situations that happen every day where victims of crime or domestic violence are not in a position to physically call 911. With text to 911, individuals who can't speak on the phone can still access vital services. Further, with text to 911 enabled, there may soon come a time when victims can send information they never could have before, such as photos which can be instantly shared with first responders on the ground.

In February of this year, the text to 911 system was rolled out at Rutgers University and showed excellent results. In July, Camden County announced its successful implementation of this new service. And today all counties in our entire State have access to this convenient way of reaching local police. While this service is incredibly important and helps bring our emergency communications into the 21st century, it is important to note that, at this time, a phone call is preferred over a text message. I commend the educational campaign that has accompanied the text to 911 roll out, sharing the message to ''call if you can, text if you can't.''

With this month's announcement, New Jersey leads the way as the fifth State to implement text to 911 in the entire Nation. This major achievement would not have been possible without the commitment and collaboration from cellular providers, Rutgers University, and other host sites across the State, as well as State and local governments and emergency response professionals who came together to advance this goal. I am confident that text to 911 will have a tremendous impact on the residents of our State, and I hope our successes and lessons learned in New Jersey can help further inform other States seeking to update their 911 capabilities and better protect their citizens.•

REMEMBERING RONNIE BALDWIN

• Mr. BOOZMAN. Mr. President, today I wish to remember the life of Ronnie Baldwin, who passed away on August 28, 2016.

Ronnie Baldwin led a life dedicated to public service. He joined the Wynne Police Department after graduating from Wynne High School in 1970. He served with that department for more than 15 years, first as a patrolman, then a lieutenant and a criminal investigator. He continued his commitment to protecting the community as the Brinkley chief of police and served as sheriff of Cross County from 1999–2008.

He remained committed to the law enforcement community, serving as executive director of the Arkansas Sheriff's Association, which he told friends was his dream job.

His commitment to public service extended beyond the borders of Arkansas. He was a board member of the National Sheriffs' Association and also served as a board member of the Arkansas Professional Bail Bond Licensing Board for more than 11 years.

Ronnie once said in a newspaper interview that he believed ''actions define character.'' Those who had the privilege of working with him knew that he lived by those words.

A true family man and dear friend, Ronnie leaves behind many loved ones, including his wife, Martha, children, grandchildren, and many friends. I want to offer my prayers and sincere condolences to his loved ones on their loss. Ronnie was a true hero who led a life committed to protecting public safety. I thank him for his lifelong commitment to Arkansas and law enforcement throughout the Nation.•

100TH ANNIVERSARY OF THE LEGAL AID SOCIETY—EMPLOYMENT LAW CENTER

• Mrs. BOXER. Mr. President, as the Legal Aid Society—Employment Law Center, LAS-ELC, celebrates its 100th anniversary, I want to congratulate the staff, volunteers, and supporters of this extraordinary organization for all

they have done for decades to support low-income workers in the San Francisco Bay Area.

Established in 1916 by the State Commission of Immigration and Housing, LAS-ELC has a long history of successfully advocating on behalf of working families. Beginning with its early efforts to assist struggling workers during the Great Depression and WWII veterans as they integrated back into life at home, LAS-ELC has provided critical support for men and women in need of help. Their groundbreaking work includes securing the first-ever Federal grant to provide free legal services to indigent criminal defendants, leading the settlement of a major class action on behalf of women and minorities who were denied jobs and promotions by the San Francisco Fire Department and winning a court ruling establishing AIDS and HIV status as a disability protected by State and Federal employment laws.

Over the years, the organization has won hundreds of individual rulings and settlements for workers discriminated against on the basis of race, gender, ethnicity, disability, or religious beliefs. Today, LAS-ELC serves thousands of clients annually, provides free information about workers' legal rights, and advocates for policy changes that better support workers and help strengthen families and communities.

A hundred years after its founding, LAS-ELC continues to lead the fight against discrimination, harassment, wage theft, and other workplace injustices. I am pleased to join in honoring this special anniversary and wish LAS-ELC continued success in the years to come.●

TRIBUTE TO BRUCE DUTTON

● Mr. DAINES. Mr. President, this week I have the distinct honor of recognizing Bruce Dutton of Garfield County, who celebrated his 100th birthday in August this year. He is a Montanan and a veteran who served his country during World War II, and he is also a sheep rancher. Montana has a long history of strong work ethic and dedication to service and Mr. Dutton exemplifies these qualities.

When Bruce was born 100 years ago, homesteaders were settling homes and setting up communities across Montana, carving out a living from the land. His parents, Bruce and Margaret, had a family homestead between Mosby and Sand Springs, MT. When Bruce's mother, Margaret, felt it was nearing time for her to give birth, she traveled over 20 miles to Mrs. McDougal's neighboring homestead for help. Mrs. McDougal provided her dugout for Margaret where she gave birth to Bruce, the third of seven children.

Bruce did not lack for education on the homestead. The Dutton family even provided boarding for teachers who traveled from as far as Idaho to serve the local school. When a proper teacher was not available, a local high school graduate would fill in. After eighth grade, he took a break from school to help on the family ranch, but was still able to learn algebra. When he returned to school, Bruce traveled over 200 miles to stay with an aunt and uncle in Great Falls for high school but returned closer to home to finish school while ranching sheep.

On July 25, 1942, Bruce traveled over 300 miles to Butte, Montana to enlist in the Army where he served a variety of duties. While training in Texas, Bruce worked for a local rancher bucking hay on the weekends. As the end of his duty approached, Bruce wrote his father asking if he was needed at home. If he was needed at home, he wanted his father to know he could elect to terminate his service early. His father did, in fact, call him home, and Bruce forfeited $75.00 of separation pay to terminate his military service early and return to Montana.

With a $2,000 bank loan to buy sheep, Bruce committed to his own sheep business with his brother, Joe. His persistence and hard work continued to pay off when—as he says, through pure determination—he convinced Daisy, a teacher in Winnett, to marry him and devoted his life to his family, the community, and the work of lambing, docking, and sheering sheep.

Today his legacy is the present-day Cat Creek Cattle Company Ranch near Cat Creek. Bruce and Daisy raised two children, continued to be involved in the community serving as Garfield County commissioner, working on the Weede State Grazing District Board, and the Sage Hen Grazing District Board, as a Mason and a Shriner.

Now, on his 100th year, Bruce is part of a generation of Montanans who have witnessed incredible advancements in our State and our Nation. From the homestead dugout near Melstone, to his military service, a man on the moon, we owe much to his generation.●

REMEMBERING MARGARET MARIE McISAAC

● Mr. HELLER. Mr. President, today we honor the life and legacy of an outstanding individual, Margaret Marie McIsaac, whose passing signifies a great loss to the State of Nevada. I send my condolences and prayers to Mrs. McIsaac's family in this time of mourning. She was a woman truly committed to her family, friends, and community. Although she will be sorely missed, her hard work and great influence in Nevada will be felt for years to come.

Margaret was born in Winsor, NC, but moved several different times before establishing herself in Sparks, NV. While in Sparks, Margaret was soon acknowledged throughout Washoe County as a defender of Republican values and principles, as well as a true American patriot. Margaret was also a prominent personality in the Washoe Republican Women, WRW, volunteer group.

In addition to being one of northern Nevada's prized Republican supporters, Margaret dedicated much of her time to American veterans and their families after losing her beloved husband, Don, who was a steadfast Washoe County conservative as well. After her husband's death, many thought Margaret's dedication to her fellow Republicans would simmer, but she continued to fight for her beliefs and truly made a difference in several key elections throughout the Silver State.

Margaret was such an inspiring and kind woman, and I am honored to have known her. She was also an incredibly valuable resource to conservative efforts across our State, and her devout loyalty to me and several other elected officials in Nevada is truly inspiring. Margaret's joyful disposition was infectious, and I was proud to call such a committed supporter my friend.

I extend my deepest gratitude for all of her work on behalf of our State. Margaret's years of service will be remembered for generations to come. Our State is fortunate to have had a public servant of such commitment and unwavering devotion, and I am deeply appreciative of Margaret's invaluable contributions to Nevada.

Today I join citizens across Nevada in celebrating the life of a truly dedicated and inspirational woman, Margaret Marie McIsaac.●

COMMERCIAL REAL ESTATE DEVELOPMENT ASSOCIATION OF NORTHERN NEVADA'S 10TH ANNIVERSARY

● Mr. HELLER. Mr. President, today I wish to recognize the 10th anniversary of an important entity to Nevada, the Commercial Real Estate Development Association, NAIOP, of northern Nevada. I am proud to honor this NAIOP chapter and its contributions that make such a significant impact on the commercial real estate industry in northern Nevada.

NAIOP commissioned a chapter in northern Nevada in October of 2006. Since then, NAIOP of northern Nevada has continuously assisted Nevadans striving to succeed in the commercial real estate business. Specifically, the northern Nevada chapter provides beneficial business and educational resources to its members, as well as a critical networking program that enables NAIOP members to connect with each other all throughout the United States.

The northern Nevada chapter has 15 board of directors, as well as several different committees that consist of a chairperson and other NAIOP members. These committees perform specific tasks that work toward NAIOP's overall vision and are crucially important to the growth and success northern Nevadans experience firsthand.

In light of the chapter's 10th anniversary celebration, I would like to recognize the individuals who will be honored for their hard work and dedication to the chapter, including Scott Shanks, Michael Dermody, Scott Beggs, Bill Miles, Brad Woodring, Marc Markwell, Brandon Page, Dave Howard, Doug Roberts, and Paul Kinne. Our State has truly benefited from these hard-working individuals, and I am thankful for their leadership and the great work they are doing for businesses throughout northern Nevada.

Over the past decade, NAIOP of northern Nevada has demonstrated strong dedication to the great State of Nevada's business and real estate community. Without the determination and persistence of those who established this chapter, northern Nevada would not have seen the excellent growth we see today.

I ask my colleagues and all Nevadans to join me in congratulating NAIOP of northern Nevada on its 10th anniversary. This institution has advanced Nevada's real estate industry, and I am honored to recognize this important milestone. I wish NAIOP of northern Nevada well in all of its future endeavors and in creating greater opportunities in Nevada.●

MESSAGE FROM THE HOUSE

At 12:34 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5226. An act to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes.

H.R. 5351. An act to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba.

H.R. 5620. An act to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5226. An act to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5620. An act to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3326. A bill to give States the authority to provide temporary access to affordable private health insurance options outside of Obamacare exchanges.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3348. A bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2058. A bill to require the Secretary of Commerce to maintain and operate at least one Doppler weather radar site within 55 miles of each city in the United States that has a population of more than 700,000 individuals, and for other purposes (Rept. No. 114–351).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 2616. A bill to modify certain cost-sharing and revenue provisions relating to the Arkansas Valley Conduit, Colorado (Rept. No. 114–352).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2902. A bill to provide for long-term water supplies, optimal use of existing water supply infrastructure, and protection of existing water rights (Rept. No. 114–353).

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. 3155. A bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit.

Florence Y. Pan, of the District of Columbia, to be United States District Judge for the District of Columbia.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO:

S. 3332. A bill to provide appropriate information to Federal law enforcement and intelligence agencies, pursuant to investigating terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 3333. A bill to provide for the disposal of certain Bureau of Land Management land in Mohave County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. HELLER):

S. 3334. A bill to establish a procedure for resolving claims to certain rights-of-way; to the Committee on Energy and Natural Resources.

By Ms. BALDWIN (for herself and Mr. MCCAIN):

S. 3335. A bill to require reporting regarding certain drug price increases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. ERNST (for herself, Mr. DURBIN, Mr. GRASSLEY, Mr. KIRK, and Mrs. GILLIBRAND):

S. 3336. A bill to provide arsenal installation; to the Committee on Armed Services.

By Mr. LEE (for himself, Mr. CASSIDY, Mr. CARPER, Mr. BOOKER, and Mr. JOHNSON):

S. 3337. A bill to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR (for himself and Mr. BENNET):

S. 3338. A bill to amend the Internal Revenue Code of 1986 to encourage small businesses to enroll their employees in retirement savings options, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN:

S. 3339. A bill to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care; to the Committee on Finance.

By Mr. KIRK:

S. 3340. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to enter into contracts with funeral homes to ensure the expeditious and respectful provision of burial and funeral services for indigent, deceased veterans and remains of deceased veterans that are unclaimed, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 3341. A bill to establish and strengthen projects that defray the cost of related instruction associated with pre-apprenticeship and apprenticeship programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 3342. A bill to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 3343. A bill to authorize the Attorney General to provide a grant to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals; to the Committee on the Judiciary.

By Mr. HATCH (for himself and Mr. BENNET):

S. 3344. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to encourage innovation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 3345. A bill to designate the facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, as the ''Abner J. Mikva Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ (for himself, Mr. NELSON, Mr. RUBIO, Mr. PETERS, Mr. WICKER, and Mr. UDALL):

S. 3346. A bill to authorize the programs of the National Aeronautics and Space Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. FRANKEN, and Mr. REED):

S. 3347. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself, Mr. BENNET, Ms. WARREN, Mrs. BOXER, Mr. KAINE, Ms. BALDWIN, Mr. CARDIN, Mr. MURPHY, and Mr. UDALL):

S. 3348. A bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information; read the first time.

By Mr. REED (for himself and Ms. BALDWIN):

S. 3349. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to improve career and technical education opportunities for adult learners, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COCHRAN (for himself and Mr. TESTER):

S. 3350. A bill to amend the Packers and Stockyards Act, 1921, to clarify the duties relating to services furnished in connection with the buying or selling of livestock in commerce through online, video, or other electronic methods, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ALEXANDER (for himself, Mr. UDALL, Mr. CORKER, Mr. HEINRICH, Mr. MCCONNELL, Mr. REID, Ms. MURKOWSKI, Ms. CANTWELL, Mr. GRAHAM, Mr. BROWN, and Mr. PORTMAN):

S. Res. 560. A resolution designating October 30, 2016, as a national day of remembrance for nuclear weapons program workers; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mr. SCHUMER, Mrs. MURRAY, Mr. DURBIN, Mr. SANDERS, Ms. STABENOW, Mrs. BOXER, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. UDALL, Mr. WYDEN, Mr. BROWN, Mrs. GILLIBRAND, Mr. MURPHY, Mr. MENENDEZ, Mr. REED, Mr. CARDIN, Mr. BLUMENTHAL, Mr. CASEY, Mr. MARKEY, Mrs. SHAHEEN, Mr. BENNET, Ms. BALDWIN, Ms. WARREN, Mr. PETERS, Mr. SCHATZ, Mr. HEINRICH, Mr. LEAHY, Ms. HIRONO, Ms. MIKULSKI, Mr. REID, and Ms. KLOBUCHAR):

S. Res. 561. A resolution supporting efforts to increase competition and accountability in the health insurance marketplace, and to extend accessible, quality, affordable health care coverage to every American through the choice of a public insurance plan; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself, Mr. ALEXANDER, Ms. CANTWELL, Mrs. CAPITO, Mr. CASSIDY, Ms. HIRONO, Mr. NELSON, Mr. PETERS, Mr. KING, Mr. MARKEY, and Mr. HEINRICH):

S. Res. 562. A resolution expressing support for designation of the week of October 9, 2016, through October 15, 2016, as ''Earth Science Week''; to the Committee on Commerce, Science, and Transportation.

By Mr. MCCAIN:

S. Res. 563. A resolution calling on the Department of Defense, other elements of the Federal Government, and foreign countries to intensify efforts to investigate, recover, and identify all missing and unaccounted-for personnel of the United States; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself, Mr. REED, Mrs. FEINSTEIN, Mr. DURBIN, and Mr. SCHUMER):

S. Res. 564. A resolution condemning North Korea's fifth nuclear test on September 9, 2016; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CORNYN, Mr. BENNET, Mr. BOOKER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. HELLER, Mrs. MURRAY, Mr. NELSON, Mr. RUBIO, Mr. SCHUMER, Mr. UDALL, Ms. WARREN, Mr. HATCH, Mr. KAINE, and Mr. HEINRICH):

S. Res. 565. A resolution designating the week beginning September 12, 2016, as ''National Hispanic-Serving Institutions Week''; considered and agreed to.

By Mr. GRASSLEY (for himself, Mr. LEAHY, Ms. AYOTTE, and Ms. KLOBUCHAR):

S. Res. 566. A resolution supporting the goals and ideals of National Domestic Violence Awareness Month, commending domestic violence victim advocates, domestic violence victim service providers, crisis hotline staff, and first responders serving victims of domestic violence for their compassionate support of victims of domestic violence, and expressing the sense of the Senate that Congress should continue to support efforts to end domestic violence and hold perpetrators of domestic violence accountable; considered and agreed to.

By Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. ENZI, Mr. DONNELLY, and Mr. COCHRAN):

S. Res. 567. A resolution designating the week beginning October 16, 2016, as ''National Character Counts Week''; considered and agreed to.

By Mr. CORKER (for himself, Mr. ALEXANDER, and Mr. COONS):

S. Res. 568. A resolution recognizing the invaluable contributions of the towing and recovery industry in the United States, the International Towing & Recovery Hall of Fame & Museum, towing associations around the world, and the members of those towing associations and designating the week of September 9 through 15, 2016, as ''National Towing Industry Awareness Week''; considered and agreed to.

By Mr. VITTER (for himself, Mrs. SHAHEEN, Ms. AYOTTE, Ms. CANTWELL, Mr. BARRASSO, Mr. PETERS, Mr. PORTMAN, Mr. WARNER, Mr. SCOTT, Mr. DONNELLY, Mr. DAINES, Mr. MARKEY, Mr. BOOZMAN, Mr. TESTER, Mr. RISCH, Ms. HIRONO, Mr. HOEVEN, Mr. UDALL, Mrs. FISCHER, Ms. MIKULSKI, Ms. MURKOWSKI, Mr. KING, Mr. INHOFE, Mr. COONS, Ms. COLLINS, Ms. HEITKAMP, Mr. KIRK, Mr. MANCHIN, Mr. CARDIN, Mrs. BOXER, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. BOOKER, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. CASEY, Mr. GARDNER, Mr. ENZI, and Mrs. ERNST):

S. Res. 569. A resolution recognizing November 26, 2016, as ''Small Business Saturday'' and supporting the efforts of the Small Business Administration to increase awareness of the value of locally owned small businesses; considered and agreed to.

ADDITIONAL COSPONSORS

S. 386

At the request of Mr. THUNE, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 428

At the request of Mr. BROWN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment under Medicaid and the Children's Health Insurance Program, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 689

At the request of Mr. THUNE, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 689, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 979

At the request of Mr. NELSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1411

At the request of Mrs. ERNST, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1411, a bill to amend the Act of August 25, 1958, commonly known as the ''Former Presidents Act of 1958'', with respect to the monetary allowance payable to a former President, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1605

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1605, a bill to amend the Millennium Challenge Act of 2003 to authorize concurrent compacts for purposes of regional economic integration and cross-border collaborations, and for other purposes.

S. 1804

At the request of Mr. CRUZ, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1804, a bill to eliminate the Bureau of Consumer Financial Protection by repealing title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act, commonly known as the Consumer Financial Protection Act of 2010.

S. 2253

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2253, a bill to amend title 38, United States Code, to provide veterans affected by closures of educational institutions certain relief and restoration of educational benefits, and for other purposes.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2612

At the request of Mr. LEAHY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2612, a bill to ensure United States jurisdiction over offenses committed by United States personnel stationed in Canada in furtherance of border security initiatives.

S. 2615

At the request of Mrs. MCCASKILL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2615, a bill to increase competition in the pharmaceutical industry.

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2615, supra.

S. 2645

At the request of Mrs. SHAHEEN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2645, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights against lesbian, gay, bisexual, and transgender individuals, and for other purposes.

S. 2726

At the request of Mr. KIRK, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 2726, a bill to hold Iran accountable for its state sponsorship of terrorism and other threatening activities and for its human rights abuses, and for other purposes.

S. 2759

At the request of Mrs. ERNST, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2759, a bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable credit for working family caregivers.

S. 2763

At the request of Mr. CORNYN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Vermont (Mr. LEAHY) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 2763, a bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

S. 2803

At the request of Mr. SASSE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2803, a bill to require the Secretary of Health and Human Services to deposit certain funds into the general fund of the Treasury in accordance with provisions of Federal law with regard to the Patient Protection and Affordable Care Act's Transitional Reinsurance Program.

S. 2979

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 2979, a bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

S. 3073

At the request of Ms. BALDWIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 3073, a bill to establish a commission to ensure a suitable observance of the centennial of the passage and ratification of the Nineteenth Amendment to the United States Constitution providing for women's suffrage, and for other purposes.

S. 3124

At the request of Mrs. ERNST, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3124, a bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 3155

At the request of Mr. HATCH, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3155, a bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

S. 3164

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 3164, a bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act.

S. 3179

At the request of Ms. HEITKAMP, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 3179, a bill to amend the Internal Revenue Code of 1986 to improve and extend the credit for carbon dioxide sequestration.

S. 3198

At the request of Mr. HATCH, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3245

At the request of Mr. MERKLEY, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Illinois (Mr. KIRK) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 3245, a bill to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

S. 3270

At the request of Mr. GRASSLEY, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Illinois (Mr. DURBIN) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 3270, a bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

S. 3292

At the request of Mr. PORTMAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 3292, a bill to amend the Tariff Act of 1930 to make the Postmaster General the importer of record for the non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection, and for other purposes.

S. 3296

At the request of Mr. HELLER, his name was added as a cosponsor of S. 3296, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3297

At the request of Mr. COTTON, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 3297, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

S. 3308

At the request of Mrs. CAPITO, the name of the Senator from Oklahoma

(Mr. LANKFORD) was added as a cosponsor of S. 3308, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA–PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 3311

At the request of Mr. SASSE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 3311, a bill to amend the Internal Revenue Code of 1986 to exempt individuals whose health plans under the Consumer Operated and Oriented Plan program have been terminated from the individual mandate penalty.

S. CON. RES. 30

At the request of Mr. LEE, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Con. Res. 30, a concurrent resolution expressing concern over the disappearance of David Sneddon, and for other purposes.

S. RES. 552

At the request of Mr. COONS, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. Res. 552, a resolution commemorating the fifteenth anniversary of NATO's invocation of Article V to defend the United States following the terrorist attacks of September 11, 2001.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. KIRK):

S. 3345. A bill to designate the facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, as the ''Abner J. Mikva Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3345

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

SECTION 1. ABNER J. MIKVA POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, shall be known and designated as the ''Abner J. Mikva Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Abner J. Mikva Post Office Building''.

By Mr. DURBIN (for himself, Mr. FRANKEN, and Mr. REED):

S. 3347. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, this has been a big week in Chicago and the Midwest, in fact, across the country, as some 35,000 students who attended ITT Tech have finally come to realize that school is closing and many of them have to assess now what their lives will be from this point forward.

In my hometown of Springfield, IL, there was a large sign in the local shopping mall ''ITT Tech,'' and I used to drive by and look at it, thinking: I know how this story is going to end, and it will not be good.

It turns out some 750 students signed up at this for-profit college in the State of Illinois and, as I mentioned, many outside the State, and many of them were fleeced, literally.

In this situation, they offered them an associate's degree at the ITT Tech campus at the White Oaks Mall in Springfield. There were several courses, one in communications, another one in computers.

The tuition charged at ITT Tech for a 2-year associate's degree was $47,000. If those same students got in their cars and drove 15 minutes away, they would have been at Lincoln Land Community College. The same course is offered not for $47,000 for a 2-year career degree but less than $7,000.

These students did not know better. They thought they were in good hands. They signed up for these loans, and now the school has disappeared. It disappeared after more than a dozen attorneys general around the United States started suing ITT Tech for its practices: recruiting students who were not ready for college, misleading them about the courses that were being offered, and overcharging them on their loans. It is currently being sued by the Consumer Financial Protection Bureau and the Securities and Exchange Commission. This is not the first major for-profit college to go down. Corinthian was an early casualty. I am sorry to say that I think others will follow.

It bears repeating that when we take a look at this industry, the for-profit college industry, we are looking at the most heavily subsidized private for-profit companies in the United States of America. For many of these companies, over 90 percent of their revenue sources come from the Federal Treasury in the form of Pell grants and direct government loans. They take the money from the government through the students. The students end up with the debt to pay off and many times, if they can stick with the course, a worthless diploma or certificate.

Why are we letting this happen? Why are we letting American families work hard to send their kids to college, only to be exploited by schools that are thinly veiled machines for taking money away from these poor students and saddling them with debt? Why aren't we speaking out? Well, sadly, the for-profit college and university industry in America has friends in high places. When the time comes, they hire some of the most effective lobbyists in Washington on both political sides to push for their agenda and to keep them in business. It is understandable. They take millions of dollars out of these operations. They end up with salaries for CEOs that are higher for their so-called university presidents than any university president in America. We let it happen. The Congress lets it happen. The government lets it happen.

It is time for a new day and some new thinking. The 2016–2017 school year has begun. Millions of students across the country are walking onto college campuses, and they are excited about their opportunities. Many of these students know they are going to have to take out loans to finance their education and will end up owing the government thousands of dollars.

We know that student debt is now larger than credit card debt. It is over $1 trillion. That means that students and their families across America are deeply indebted for higher education. If you are getting a good education out of it, something that really changes your life for the better and gives you new opportunities, the argument can be made. But, sadly, in many cases students don't receive the education they were promised. And at the end of the day whether these students owe money to the government or to private lenders, makes a big difference.

A lot of students—19, 20 years old—really don't understand the magnitude of the debt they are incurring. We know that two-thirds of students who take out private education loans really don't understand the terms of those loans, the interest rates of those loans, and how they compare with government loans. They don't understand that in many cases, private student loans are significantly more expensive and riskier.

Federal student loans have fixed, affordable interest rates. They have a variety of consumer protections built into them: forbearance in times of economic difficulty; manageable repayment options, such as income-based repayment plans which calculate your monthly student loan payment based on your income.

On the other hand, private student loans don't have these protections and offer interest rates that are some of the highest in the land, up to 18 percent. These private loans also don't include repayment options that Federal loans do. I have heard from many private education loan borrowers that their lender is unwilling to work with them when it comes to alternative repayment plans. They are harassed by collection agencies night and day when they owe these private student loans. In many cases, private lenders are more focused on their own bottom line than the students' welfare.

This past summer, the Consumer Financial Protection Bureau took action against Wells Fargo Bank—one of the

largest private student lenders—for illegal student loan servicing practices. Wells Fargo charged borrowers illegal fees, failed to provide borrowers with accurate loan information, and failed to correct inaccurate credit reports. Upon being caught, Wells Fargo was fined $3.6 million and is required to refund borrowers who were illegally charged.

While I commend the Consumer Financial Protection Bureau for their work to hold private student lenders accountable, there are steps we in Congress should take to make sure students have a fighting chance.

Today, Senators FRANKEN, REED, and I will introduce the Know Before You Owe Private Education Loan Act of 2016. This legislation requires school certification before a student can take out a private loan. There are certain steps the school has to take before certifying a loan. The prospective borrower's school has to confirm the student's enrollment status, cost of attendance, and estimated Federal financial aid assistance before certifying. The school must also notify students of the amount of unused Federal student aid for which they are still eligible. Think about that. Some of these schools are luring students into more expensive, terrible private loans when the students are still eligible for lower interest rates and better terms through the Federal Government. I have heard too many stories of for-profit colleges steering students into these private institutional loans. This bill will help stop that.

The bill will also ensure that students are given information about the differences in terms and repayment options. For students who still decide to get a private student loan, the bill requires private lenders to send the student borrowers quarterly updates on their balance, accrued interest, and capitalized interest.

The bill also requires private lenders to annually report the number of students taking out private loans, the amount of the loans, and the interest rates—all of these to be reported to the Consumer Financial Protection Bureau. Currently, there is little information publicly available about private student loans. Increasing the amount of available information will help policymakers and enforcement agencies more effectively protect students and their families.

Here are a few of the organizations supporting our bill: the Institute for College Access and Success, National Association for College Admission Counseling, National Consumer Law Center, Consumer Action, National Association of Student Financial Aid Administrators, National Association of Consumer Advocates, Consumers Union, the American Association of University Women, the American Federation of Teachers.

Loan certification for private education loans could keep many students from taking on unnecessary debt or unknowingly giving up the benefits and protections of Federal student loans. It is an important part of making college more affordable. I thank Senators FRANKEN and JACK REED for standing with me in this effort.

I sincerely hope that this Congress, which is now coming to a close before the election, will take up this question of student loans when we return after the election. I know we only have a few weeks, but if you ask working families across America what concerns them greatly, it is the amount of debt kids are incurring to go to college. In some families, mom and dad have never been to college, and sending their son or daughter off to a university is a dream come true. It can turn into a nightmare if they end up at for-profit colleges and universities.

I put on the Record the last time I spoke—and I will put it on again—the basic numbers to know about the for-profit college and university industry. Ten percent of all college students attend these schools, schools such as the University of Phoenix, DeVry, Kaplan, and Rasmussen. You know the names. Ten percent of the students end up in these schools, but when it comes to student loan defaults, 40 percent of the student loan defaults are students from for-profit colleges and universities. Students are dramatically overcharged for tuition. They are put into courses that are worthless, and they end up with maybe a certificate or a diploma that cannot even land them a job.

Another statistic that I think is shameful—and it really should be a reminder to Members of the Senate of our responsibility—the Department of Education analyzed programs at for-profit colleges and found that 72 percent of for-profit college graduates, on average, make less money than high school dropouts—72 percent. After all that time, all that debt, all those promises, they make less money than if they dropped out of high school. How can we continue to subsidize this industry after what we know about their performance? We need to hold them to higher standards.

In the meantime, let's find a way to protect students and working families who are trying to realize the American dream, make this a better nation, and provide a better life for themselves and their families.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3347

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Know Before You Owe Private Education Loan Act of 2016''.

SEC. 2. AMENDMENTS TO THE TRUTH IN LENDING ACT.

(a) IN GENERAL.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)) is amended—

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

''(3) INSTITUTIONAL CERTIFICATION REQUIRED.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), before a creditor may issue any funds with respect to an extension of credit described in this subsection, the creditor shall obtain from the relevant institution of higher education where such loan is to be used for a student, such institution's certification of—

''(i) the enrollment status of the student;

''(ii) the student's cost of attendance at the institution as determined by the institution under part F of title IV of the Higher Education Act of 1965; and

''(iii) the difference between—

''(I) such cost of attendance; and

''(II) the student's estimated financial assistance, including such assistance received under title IV of the Higher Education Act of 1965 and other financial assistance known to the institution, as applicable.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), a creditor may issue funds with respect to an extension of credit described in this subsection without obtaining from the relevant institution of higher education such institution's certification if such institution fails to provide within 15 business days of the creditor's request for such certification—

''(i) the requested certification; or

''(ii) notification that the institution has received the request for certification and will need additional time to comply with the certification request.

''(C) LOANS DISBURSED WITHOUT CERTIFICATION.—If a creditor issues funds without obtaining a certification, as described in subparagraph (B), such creditor shall report the issuance of such funds in a manner determined by the Director of the Bureau of Consumer Financial Protection.'';

(2) by redesignating paragraphs (9), (10), and (11) as paragraphs (10), (11), and (12), respectively; and

(3) by inserting after paragraph (8) the following:

''(9) PROVISION OF INFORMATION.—

''(A) PROVISION OF INFORMATION TO STUDENTS.—

''(i) LOAN STATEMENT.—A creditor that issues any funds with respect to an extension of credit described in this subsection shall send loan statements, where such loan is to be used for a student, to borrowers of such funds not less than once every 3 months during the time that such student is enrolled at an institution of higher education.

''(ii) CONTENTS OF LOAN STATEMENT.—Each statement described in clause (i) shall—

''(I) report the borrower's total remaining debt to the creditor, including accrued but unpaid interest and capitalized interest;

''(II) report any debt increases since the last statement; and

''(III) list the current interest rate for each loan.

''(B) NOTIFICATION OF LOANS DISBURSED WITHOUT CERTIFICATION.—On or before the date a creditor issues any funds with respect to an extension of credit described in this subsection, the creditor shall notify the relevant institution of higher education, in writing, of the amount of the extension of credit and the student on whose behalf credit is extended. The form of such written notification shall be subject to the regulations of the Bureau.

''(C) ANNUAL REPORT.—A creditor that issues funds with respect to an extension of credit described in this subsection shall prepare and submit an annual report to the Bureau containing the required information about private student loans to be determined

by the Bureau, in consultation with the Secretary of Education.''.

(b) DEFINITION OF PRIVATE EDUCATION LOAN.—Section 140(a)(7)(A) of the Truth in Lending Act (15 U.S.C. 1650(a)(7)(A)) is amended—

(1) by redesignating clause (ii) as clause (iii);

(2) in clause (i), by striking ''and'' after the semicolon; and

(3) by adding after clause (i) the following:

''(ii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and''.

(c) REGULATIONS.—Not later than 365 days after the date of enactment of this Act, the Bureau of Consumer Financial Protection shall issue regulations in final form to implement paragraphs (3) and (9) of section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by subsection (a). Such regulations shall become effective not later than 6 months after their date of issuance.

SEC. 3. AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.

(a) AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by striking paragraph (28) and inserting the following:

''(28)(A) The institution shall—

''(i) upon the request of a private educational lender, acting in connection with an application initiated by a borrower for a private education loan in accordance with section 128(e)(3) of the Truth in Lending Act, provide certification to such private educational lender—

''(I) that the student who initiated the application for the private education loan, or on whose behalf the application was initiated, is enrolled or is scheduled to enroll at the institution;

''(II) of such student's cost of attendance at the institution as determined under part F of this title; and

''(III) of the difference between—

''(aa) the cost of attendance at the institution; and

''(bb) the student's estimated financial assistance received under this title and other assistance known to the institution, as applicable; and

''(ii) provide the certification described in clause (i), or notify the creditor that the institution has received the request for certification and will need additional time to comply with the certification request—

''(I) within 15 business days of receipt of such certification request; and

''(II) only after the institution has completed the activities described in subparagraph (B).

''(B) The institution shall, upon receipt of a certification request described in subparagraph (A)(i), and prior to providing such certification—

''(i) determine whether the student who initiated the application for the private education loan, or on whose behalf the application was initiated, has applied for and exhausted the Federal financial assistance available to such student under this title and inform the student accordingly; and

''(ii) provide the borrower whose loan application has prompted the certification request by a private education lender, as described in subparagraph (A)(i), with the following information and disclosures:

''(I) The amount of additional Federal student assistance for which the borrower is eligible and the potential advantages of Federal loans under this title, including disclosure of the fixed interest rates, deferments, flexible repayment options, loan forgiveness programs, and additional protections, and the higher student loan limits for dependent students whose parents are not eligible for a Federal Direct PLUS Loan.

''(II) The borrower's ability to select a private educational lender of the borrower's choice.

''(III) The impact of a proposed private education loan on the borrower's potential eligibility for other financial assistance, including Federal financial assistance under this title.

''(IV) The borrower's right to accept or reject a private education loan within the 30-day period following a private educational lender's approval of a borrower's application and about a borrower's 3-day right to cancel period.

''(C) For purposes of this paragraph, the terms 'private educational lender' and 'private education loan' have the meanings given such terms in section 140 of the Truth in Lending Act (15 U.S.C. 1650).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the effective date of the regulations described in section 2(c).

SEC. 4. REPORT.

Not later than 24 months after the issuance of regulations under section 2(c), the Director of the Bureau of Consumer Financial Protection and the Secretary of Education shall jointly submit to Congress a report on the compliance of institutions of higher education and private educational lenders with section 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by section 2, and section 487(a)(28) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)), as amended by section 3. Such report shall include information about the degree to which specific institutions utilize certifications in effectively encouraging the exhaustion of Federal student loan eligibility and lowering student private education loan debt.

By Mr. REED (for himself and Ms. BALDWIN):

S. 3349. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to improve career and technical education opportunities for adult learners, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am proud to introduce the Career and Technical Education for Adult Learners or the CTE for All Act with my colleague, Senator BALDWIN.

Our legislation addresses the critical need to expand educational opportunities for working adults with low academic skills. A Department of Education update of the Organisation for Economic Co-operation and Development, OECD, 2013 Survey of Adult Skills confirms that a significant number of working adults in the United States have low literacy, numeracy, and digital problem solving skills. Specifically, 14 percent have low literacy skills; 23 percent have low numeracy skills; and 62 percent have low digital problem solving skills. Moreover, the skills gap has no age barrier as half of low skilled working adults are under the age of 45.

Our ability to accelerate the economic momentum we have seen in the latest income data from the U.S. Census Bureau will depend, in large part, on our commitment to providing education and training opportunities to low-skilled adults. These workers are concentrated in fields such as construction, health care, manufacturing, and hospitality. Expanding career and technical education opportunities to these workers could enhance their career opportunities and strengthen their earning potential, fueling economic productivity and growth for the future. Unfortunately, according to the U.S. Department of Education, roughly half of low-skilled workers are not engaged in formal or non-formal learning opportunities. The CTE for All Act aims to change that by ensuring that there are pathways for adult learners in career and technical education programs.

Specifically, our legislation will ensure that programs funded under the Carl D. Perkins Career and Technical Education Act are aligned with adult education programs and industry sector partnerships authorized under the Workforce Innovation and Opportunity Act. The CTE for All Act will require that the state director for adult education is consulted in the development of the statewide plan for career and technical education. The bill adds low-skilled adults to the special populations to be served in career and technical education programs and will allow states to report separate performance indicators for adult career and technical education students. The legislation would also allow adult education providers that offer integrated education and training programs to receive career and technical education funding. Additionally, the legislation encourages career and technical education programs to include work experiences for their students.

We have worked with the adult education community and other stakeholders in developing this legislation. We are pleased to have the support of the National Council of State Directors of Adult Education, the Commission on Adult Basic Education, the National Skills Coalition, the Center for Law and Social Policy, CLASP, and the National Council of Adult Learning.

We are stronger as a nation when every person—no matter their starting point—has the opportunity to develop their skills and reach their potential. The CTE for All Act will strengthen the ladder of opportunity for low-skilled adults who work hard every day to provide for their families. I urge my colleagues to support this legislation and work with us to include these provisions in the reauthorization of the Carl D. Perkins Career and Technical Education Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 560—DESIGNATING OCTOBER 30, 2016, AS A NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

Mr. ALEXANDER (for himself, Mr. UDALL, Mr. CORKER, Mr. HEINRICH, Mr. MCCONNELL, Mr. REID, Ms. MURKOWSKI,

Ms. CANTWELL, Mr. GRAHAM, Mr. BROWN, and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 560

Whereas, since World War II, hundreds of thousands of men and women, including uranium miners, millers, and haulers, have served the United States by building nuclear weapons for the defense of the United States;

Whereas dedicated workers paid a high price for developing a nuclear weapons program at the service, and for the benefit of, the United States, including by developing disabling or fatal illnesses;

Whereas the Senate recognized the contributions, services, and sacrifices that those patriotic men and women made for the defense of the United States in—

(1) Senate Resolution 151, 111th Congress, agreed to May 20, 2009;

(2) Senate Resolution 653, 111th Congress, agreed to September 28, 2010;

(3) Senate Resolution 275, 112th Congress, agreed to September 26, 2011;

(4) Senate Resolution 519, 112th Congress, agreed to August 1, 2012;

(5) Senate Resolution 164, 113th Congress, agreed to September 18, 2013;

(6) Senate Resolution 417, 113th Congress, agreed to July 9, 2014; and

(7) Senate Resolution 213, 114th Congress, agreed to September 25, 2015;

Whereas a national day of remembrance time capsule has been crossing the United States, collecting stories and artifacts of nuclear weapons program workers relating to the nuclear defense era of the United States, and a remembrance quilt has been constructed to memorialize the contribution of those workers;

Whereas the stories and artifacts reflected in the time capsule and the remembrance quilt reinforce the importance of recognizing nuclear weapons program workers; and

Whereas those patriotic men and women deserve to be recognized for the contributions, services, and sacrifices they made for the defense of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 30, 2016, as a national day of remembrance for the nuclear weapons program workers of the United States, including the uranium miners, millers, and haulers; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2016, as a national day of remembrance for past and present workers in the nuclear weapons program of the United States.

SENATE RESOLUTION 561—SUPPORTING EFFORTS TO INCREASE COMPETITION AND ACCOUNTABILITY IN THE HEALTH INSURANCE MARKETPLACE, AND TO EXTEND ACCESSIBLE, QUALITY, AFFORDABLE HEALTH CARE COVERAGE TO EVERY AMERICAN THROUGH THE CHOICE OF A PUBLIC INSURANCE PLAN

Mr. MERKLEY (for himself, Mr. SCHUMER, Mrs. MURRAY, Mr. DURBIN, Mr. SANDERS, Ms. STABENOW, Mrs. BOXER, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. UDALL, Mr. WYDEN, Mr. BROWN, Mrs. GILLIBRAND, Mr. MURPHY, Mr. MENENDEZ, Mr. REED, Mr. CARDIN, Mr. BLUMENTHAL, Mr. CASEY, Mr. MARKEY, Mrs. SHAHEEN, Mr. BENNET, Ms. BALDWIN, Ms. WARREN, Mr. PETERS, Mr. SCHATZ, Mr. HEINRICH, Mr. LEAHY, Ms. HIRONO, Ms. MIKULSKI, Mr. REID, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 561

Whereas under the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 119) (referred to in this preamble as the ''Affordable Care Act''), 20,000,000 Americans have gained health insurance coverage, including 11,000,000 Americans that have coverage through the public exchanges created by that Act;

Whereas the uninsured rate is at its lowest point in history, but there is more work to be done to provide access to coverage for Americans that remain uninsured, and to reduce deductibles and out-of-pocket costs for the 31,000,000 Americans who are currently underinsured;

Whereas before the date of enactment of the Affordable Care Act, millions of individuals with preexisting conditions were denied health coverage by insurance companies that controlled who received health care in the United States;

Whereas profound disparities persist in health outcomes based on race, ethnicity, and geography, and nearly 4,000,000 adults, disproportionately people of color, lack coverage as a result of the failure of 19 States to expand the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) under the Affordable Care Act;

Whereas public insurance options for workers' compensation insurance have resulted in lower rates for small businesses and more competition in several States;

Whereas giving all Americans the choice of a public, nonprofit health insurance option would—

(1) lead to increased competition and reduced premiums;

(2) cut wasteful spending on administration, marketing, and executive pay; and

(3) ensure that consumers have the affordable choices they deserve;

Whereas establishing a State-based public health insurance plan is possible through the use of State innovation waivers established by the Affordable Care Act, which allow States to promote unique, creative, and innovative approaches to implementing meaningful health care reform, including a public option;

Whereas public programs such as the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) often deliver care more cost-effectively by limiting administrative overhead and securing better prices from providers; and

Whereas the Congressional Budget Office has found that a public health insurance option would save taxpayers billions of dollars: Now, therefore, be it

Resolved, That the Senate supports efforts to build on the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 119) by ensuring that, in addition to the health coverage options provided by private insurers, every American has access to a public health insurance option, which, when established, will—

(1) strengthen competition;

(2) improve affordability for families by reducing premiums and increasing choices; and

(3) save American taxpayers billions of dollars.

SENATE RESOLUTION 562—EXPRESSING SUPPORT FOR DESIGNATION OF THE WEEK OF OCTOBER 9, 2016, THROUGH OCTOBER 15, 2016, AS ''EARTH SCIENCE WEEK''

Ms. MURKOWSKI (for herself, Mr. ALEXANDER, Ms. CANTWELL, Mrs. CAPITO, Mr. CASSIDY, Ms. HIRONO, Mr. NELSON, Mr. PETERS, Mr. KING, Mr. MARKEY, and Mr. HEINRICH) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 562

Whereas 2016 marks the 19th annual international Earth Science Week, designated by the American Geosciences Institute to help the public gain a better understanding of and appreciation for the Earth sciences and to encourage stewardship of the Earth;

Whereas the theme of Earth Science Week for 2016, ''Our Shared Geoheritage'', promotes better understanding and appreciation of sites or areas with geologic features of significant scientific, educational, cultural, historic, or aesthetic value;

Whereas the study of the Earth sciences leads to an improved understanding of the Earth's natural systems and the interplay between human society and those systems;

Whereas the Earth sciences enable the discovery, development, and responsible production of the mineral base of the United States, which contributes to the strength of the economy of the United States and raises the standard of living in the United States;

Whereas geologic mapping and remote sensing technologies provide the foundational knowledge of Earth's natural systems that is integral—

(1) to the discovery, development, and conservation of energy, water, and natural resources; and

(2) to the safe disposal of waste products;

Whereas the geological aspects of resources, hazards, and the environment are vital to land management and land use decisions at the local, State, regional, national, and international levels;

Whereas the Earth sciences provide the basis for locating, assessing, monitoring, and mitigating natural hazards, such as earthquakes, landslides, floods, droughts, wildfires, subsidence, hurricanes, coastal erosion, and volcanic eruptions;

Whereas the Earth sciences are vital in protecting health and human safety during natural hazards events;

Whereas Earth scientists working in marine environments contribute to the understanding of global oceans, enabling advances in food management, national security, energy resources, transportation, economic growth, and recreation;

Whereas the Earth sciences support the ability to manage healthy and productive soils and ocean and river waters and fisheries, the foundations of the food supply of the United States;

Whereas the Earth sciences enhance understanding of current and past global conditions and offer a basis for anticipating future conditions;

Whereas the Earth sciences contribute to understanding Earth as a planet in the solar system and the universe;

Whereas Earth science research leads to the development of innovative new technologies and industries that fuel the economy of the United States and improve quality of life in the United States;

Whereas Earth science researchers and educators drive creativity and passion for the Science, Technology, Engineering, and

Mathematics (commonly known as ''STEM'') fields among students of all ages through diverse and innovative education and public outreach efforts;

Whereas geoscientists and researchers in the labs, universities, research institutions, and Federal agencies of the United States continually push the frontiers of human knowledge, help develop and incubate the concepts and programs that keep the companies and industries of the United States at the innovative forefront of the world's economy, and inspire future generations of researchers, scientists, and informed citizens; and

Whereas the Earth sciences make vital contributions to an understanding of and respect for nature and the Earth: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of the week of October 9, 2016, through October 15, 2016, as ''Earth Science Week'';

(2) expresses strong support for the goals and ideals of Earth Science Week to increase the understanding of and interest in the Earth sciences at the local, State, national, and international levels;

(3) recognizes the importance of education and public outreach efforts to ensure that the people of the United States gain a better understanding of and appreciation for the impact of the Earth sciences on their daily lives;

(4) encourages K-12 students—

(A) to participate in local, State, and national events in connection with Earth Science Week; and

(B) to get involved in the celebration of Earth Science Week by exploring artistic and academic applications of the Earth sciences; and

(5) encourages the people of the United States to observe Earth Science Week with appropriate activities—

(A) to gain a better understanding of and appreciation for the Earth sciences; and

(B) to encourage stewardship of the Earth.

SENATE RESOLUTION 563—CALLING ON THE DEPARTMENT OF DEFENSE, OTHER ELEMENTS OF THE FEDERAL GOVERNMENT, AND FOREIGN COUNTRIES TO INTENSIFY EFFORTS TO INVESTIGATE, RECOVER, AND IDENTIFY ALL MISSING AND UNACCOUNTED-FOR PERSONNEL OF THE UNITED STATES

Mr. MCCAIN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 563

Whereas more than 83,000 personnel of the United States are still unaccounted-for around the world from past wars and conflicts;

Whereas, though recognizing that an estimated 50,000 of these World War II personnel, were lost deep at sea and are unlikely ever to be recovered, thousands of families and friends have waited decades for the accounting of their loved ones and comrades in arms;

Whereas the families of these brave Americans deserve our nation's best efforts to achieve the fullest possible accounting for their missing loved ones;

Whereas the National League of POW/MIA Families, and their iconic POW/MIA flag, pioneered the accounting effort since 1970 and has been joined in this humanitarian quest for answers by the Korean War, Cold War and World War II families, fully supported by the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, Jewish War Veterans, AMVETS, Vietnam Veterans of America, Special Forces Association, Special Operations Association, Rolling Thunder, and other more recently formed groups, and thousands of families are yearning and advocating for answers concerning the fates of their loved ones and comrades in arms;

Whereas the mission of the Defense POW/MIA Accounting Agency of the Department of Defense is to provide the fullest possible accounting for missing members of the Armed Forces of the United States, designated civilians of the Department, and other designated personnel; and

Whereas the recovery and investigation teams of the Department of Defense deploy to countries around the world to account as fully as possible for these missing and otherwise unaccounted-for personnel of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) calls upon the Defense POW/MIA Accounting Agency and other elements of the Department of Defense, other elements of the Federal Government, and all foreign countries to intensify efforts to investigate, recover, identify and account as fully as possible for all missing and unaccounted-for personnel of the United States around the world; and

(2) calls upon all foreign countries with information on missing personnel of the United States, or with missing personnel of the United States within their territories, to cooperate fully with the Government of the United States to provide the fullest possible accounting for all missing personnel of the United States.

SENATE RESOLUTION 564—CONDEMNING NORTH KOREA'S FIFTH NUCLEAR TEST ON SEPTEMBER 9, 2016

Mr. CARDIN (for himself, Mr. REED, Mrs. FEINSTEIN, Mr. DURBIN, and Mr. SCHUMER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 564

Whereas the Democratic People's Republic of North Korea (DPRK) conducted its fifth nuclear test on September 9, 2016, in Punggye-ri, North Hamgyong Province;

Whereas North Korea's nuclear test on September 9th, the second nuclear test this year, follows an unprecedented campaign of ballistic missile launches, which the Government of North Korea claims are intended to serve as delivery vehicles for nuclear weapons targeting the United States and United States allies South Korea and Japan;

Whereas North Korea continues to test nuclear weapons and intercontinental and submarine-launched ballistic missiles, which pose a major threat to the United States and United States allies and partners in Asia and around the world;

Whereas the Government of North Korea's belligerent behavior has been in direct defiance of United Nations Security Council Resolutions 1718 (adopted October 14, 2006), 1874 (adopted June 12, 2009), 2087 (adopted January 22, 2013), 2094 (adopted March 7, 2013), and 2270 (adopted March 2, 2016) and the non-proliferation regime;

Whereas the United Nations Security Council strongly condemned North Korea's nuclear test and expressed its willingness to begin to work immediately on appropriate measures under Article 41 in a United Nations Security Council Resolution after its meeting on September 10, 2016;

Whereas President Barack Obama stated in response to the nuclear test that ''far from achieving its stated national security and economic development goals, North Korea's provocative and destabilizing actions have instead served to isolate and impoverish its people through its relentless pursuit of nuclear weapons and ballistic missile capabilities'';

Whereas Secretary of State John Kerry stated in response to the nuclear test that ''the D.P.R.K.'s repeated and willful violations of its obligations under U.N. Security Council Resolutions, its belligerent and erratic threats, and web of illicit activities around the world indicate it has no interest in participating in global affairs as a responsible member of the international community'';

Whereas United States Ambassador to the United Nations Samantha Power stated in explanation of the vote on United Nations Security Council Resolution 2270 that ''the chronic suffering of the people of North Korea is the direct result of the choices made by the DPRK government, a government that has consistently prioritized its nuclear weapons and ballistic missile programs over providing for the most basic needs of its own people . . . the North Korean government would rather grow its nuclear weapons program than grow its children'';

Whereas Republic of Korea President Park Geun-hye stated, in response to the nuclear test, ''North Korea's nuclear test, already the second this year, cannot be regarded as anything else but a direct defiance against the international community . . . the nuclear threat posed by North Korea is an urgent and present threat. Accordingly, our and the international community's response too should now be completely different from before.'';

Whereas Congress passed the North Korea Sanctions and Policy Enhancement Act (NKSPEA) on February 18, 2016 (Public Law 114–122);

Whereas NKSPEA imposes mandatory sanctions on individuals who contribute to North Korea's nuclear program, proliferation activities, malicious cyberattacks, and human rights abuses;

Whereas, on June 1 2016, the Department of the Treasury designated North Korea as a ''primary money laundering concern'' under section 5318A of title 31, United States Code;

Whereas, on July 6, 2016, the Department of the Treasury designated top officials of the North Korean regime, including North Korean leader Kim Jong Un, ten other individuals, and five entities, for their role as perpetrators of human rights abuses in North Korea; and

Whereas additional measures to further curtail North Korea's access to international financial markets, further impede trade that benefits the Government of North Korea, government and party officials, and military entities, and freeze assets of North Korean officials are available both through already authorized unilateral United States policy, including secondary sanctions on entities that facilitate trade with North Korea and designations for actions which undermine cybersecurity, and through the United Nations Security Council: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the North Korean regime for continuing its dangerous provocations, focusing solely on the advancement of its nuclear and missile capabilities while violating the human rights of its people;

(2) calls on the North Korean regime to immediately and unconditionally meet its obligation to abandon its nuclear weapons and missile programs in a complete, verifiable, and irreversible manner;

(3) calls on China to exercise its significant economic and diplomatic leverage over the DPRK, including through the aggressive enforcement of existing United Nations Security Council resolutions, in order to halt North Korea's illegal nuclear and missile programs;

(4) reaffirms the commitment of the United States to defending allies in the region, including through deployment of a Terminal High Altitude Area Defense (THAAD) battery to the Republic of Korea and joint United States-Japan efforts to develop the next generation of missile defense interceptors, including the Standard Missile 3;

(5) reinforces longstanding United States commitments to provide extended deterrence, guaranteed by the full spectrum of United States defense capabilities, to the Republic of Korea and Japan;

(6) supports ongoing efforts to strengthen the United States-Republic of Korea alliance, to protect the 28,500 members of the United States Armed Forces stationed on the Korean Peninsula, and to defend the alliance against any and all provocations committed by the North Korean regime; and

(7) calls on all members of the United Nations Security Council to take immediate action to pass additional and meaningful new measures under Article 41 of the United Nations Charter, including—

(A) stricter measures to eliminate exceptions in current United Nation Security Council resolution sanctions;

(B) further restrictions on imports and exports of such sectoral commodities as coal, iron, and precious metals and the prohibition on fuel oil exports to North Korea;

(C) elimination of access for entities involved in North Korea's nuclear and ballistic missile programs to international financial markets and banking;

(D) restrictions on the use of North Korean subcontractors in global supply chains, particularly in the textile and apparel industry;

(E) restrictions on the supply of aviation fuel and a ban on civilian aviation;

(F) a ban on bulk cash transfers to and from North Korea;

(G) prevention of the use of North Korean labor in third-country projects and agreements; and

(H) a downgrading of North Korean diplomatic representation.

SENATE RESOLUTION 565—DESIGNATING THE WEEK BEGINNING SEPTEMBER 12, 2016, AS ''NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK''

Mr. MENENDEZ (for himself, Mr. REID, Mr. CORNYN, Mr. BENNET, Mr. BOOKER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. HELLER, Mrs. MURRAY, Mr. NELSON, Mr. RUBIO, Mr. SCHUMER, Mr. UDALL, Ms. WARREN, Mr. HATCH, Mr. KAINE, and Mr. HEINRICH) submitted the following resolution; which was considered and agreed to:

S. RES. 565

Whereas Hispanic-Serving Institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of not less than 25 percent Hispanic students;

Whereas Hispanic-Serving Institutions play an important role in educating many underprivileged students and helping those students attain their full potential through higher education;

Whereas more than 400 Hispanic-Serving Institutions operate in the United States;

Whereas Hispanic-Serving Institutions represent just 13 percent of all non-profit institutions of higher education, yet serve more than 63 percent of all Hispanic undergraduate students, enrolling more than 1,750,000 Hispanic undergraduate students and more than 86,000 Hispanic graduate students in 2014;

Whereas the number of ''emerging Hispanic-Serving Institutions'', defined as institutions that do not yet meet the threshold of 25 percent Hispanic enrollment but serve a Hispanic student population of between 15 and 24 percent, grew to more than 300 colleges and universities in 2014;

Whereas Hispanic-Serving Institutions are located in 18 States and Puerto Rico and emerging Hispanic-Serving Institutions are located in 33 States and Washington, DC;

Whereas Hispanic-Serving Institutions are actively involved in stabilizing and improving the communities in which the institutions are located;

Whereas celebrating the vast contributions of Hispanic-Serving Institutions to the United States strengthens the culture of the United States; and

Whereas the achievements and goals of Hispanic-Serving Institutions deserve national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and goals of Hispanic-Serving Institutions across the United States;

(2) designates the week beginning September 12, 2016, as ''National Hispanic-Serving Institutions Week''; and

(3) calls on the people of the United States and interested groups to observe National Hispanic-Serving Institutions Week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-Serving Institutions.

SENATE RESOLUTION 566—SUPPORTING THE GOALS AND IDEALS OF NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH, COMMENDING DOMESTIC VIOLENCE VICTIM ADVOCATES, DOMESTIC VIOLENCE VICTIM SERVICE PROVIDERS, CRISIS HOTLINE STAFF, AND FIRST RESPONDERS SERVING VICTIMS OF DOMESTIC VIOLENCE FOR THEIR COMPASSIONATE SUPPORT OF VICTIMS OF DOMESTIC VIOLENCE, AND EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD CONTINUE TO SUPPORT EFFORTS TO END DOMESTIC VIOLENCE AND HOLD PERPETRATORS OF DOMESTIC VIOLENCE ACCOUNTABLE

Mr. GRASSLEY (for himself, Mr. LEAHY, Ms. AYOTTE, and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 566

Whereas domestic violence victim advocates, domestic violence service providers, domestic violence first responders, and other individuals in the United States observe the month of October, 2016, as ''National Domestic Violence Awareness Month'' in order to increase awareness in the United States about the issue of domestic violence;

Whereas it is estimated that each year approximately 12,673,000 individuals in the United States are victims of intimate partner violence, including—

(1) physical violence;

(2) rape; or

(3) stalking;

Whereas more than 1 in 5 women in the United States and up to 1 in 7 men in the United States have experienced severe physical violence by an intimate partner;

Whereas, on average, 3 women are killed by a current or former intimate partner every day in the United States, according to the Bureau of Justice Statistics;

Whereas personal safety and economic security are often inextricably linked for victims of domestic violence, according to the National Network to End Domestic Violence;

Whereas 1 in 11 women and 1 in 21 men who have experienced sexual violence, physical violence, or stalking by an intimate partner missed work or school as a result of the abuse;

Whereas the National Domestic Violence Counts Census found that during 1 day during September 2015, more than 71,828 victims of domestic violence received services, but 12,197 requests for services went unmet due to a lack of funding and resources;

Whereas domestic violence affects women, men, and children of every age and background, but women—

(1) experience more domestic violence than men; and

(2) are significantly more likely than men to be injured during an assault by an intimate partner;

Whereas women aged 18 to 34 typically experience the highest rates of intimate partner violence, according to the Bureau of Justice Statistics;

Whereas most female victims of intimate partner violence have been victimized by the same offender previously;

Whereas domestic violence is cited as a significant factor in homelessness among families;

Whereas research shows that households in which children are abused or neglected are likely to have a higher rate of intimate partner violence;

Whereas millions of children are exposed to domestic violence each year;

Whereas victims of domestic violence experience immediate and long-term negative outcomes, including detrimental effects on mental and physical health;

Whereas crisis hotlines serving domestic violence operate 24 hours per day, 365 days per year, and offer important—

(1) crisis intervention;

(2) support;

(3) information; and

(4) referrals for victims;

Whereas staff and volunteers of domestic violence shelters and programs in the United States, in cooperation with 56 State and territorial coalitions against domestic violence, serve—

(1) thousands of adults and children each day; and

(2) at least 1,000,000 adults and children each year;

Whereas law enforcement officers in the United States put their lives at risk each day by responding to incidents of domestic violence, which can be among the most volatile and deadly disturbance calls;

Whereas Congress first demonstrated a significant commitment to supporting victims of domestic violence through the landmark enactment of the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

Whereas Congress has remained committed to protecting survivors of all forms of domestic violence and sexual abuse by making Federal funding available to support the activities that are authorized under—

(1) the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.); and

(2) the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.);

Whereas there is a need to continue to support programs and activities aimed at domestic violence intervention and domestic violence prevention in the United States; and

Whereas individuals and organizations that are dedicated to preventing and ending domestic violence should be recognized: Now, therefore, be it

Resolved, That—

(1) the Senate supports the goals and ideals of ''National Domestic Violence Awareness Month''; and

(2) it is the sense of the Senate that Congress should—

(A) continue to raise awareness of domestic violence in the United States and the corresponding devastating effects of domestic violence on survivors, families, and communities; and

(B) pledge continued support for programs designed—

(i) to assist survivors;

(ii) to hold perpetrators accountable; and

(iii) to bring an end to domestic violence.

SENATE RESOLUTION 567—DESIGNATING THE WEEK BEGINNING OCTOBER 16, 2016, AS ''NATIONAL CHARACTER COUNTS WEEK''

Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. ENZI, Mr. DONNELLY, and Mr. COCHRAN) submitted the following resolution; which was considered and agreed to:

S. RES. 567

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry of good character;

Whereas the character education of children has become more urgent, as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas, more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of a democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those that have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into teaching activities; and

Whereas the establishment of ''National Character Counts Week'', during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning October 16, 2016, as ''National Character Counts Week''; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

SENATE RESOLUTION 568—RECOGNIZING THE INVALUABLE CONTRIBUTIONS OF THE TOWING AND RECOVERY INDUSTRY IN THE UNITED STATES, THE INTERNATIONAL TOWING & RECOVERY HALL OF FAME & MUSEUM, TOWING ASSOCIATIONS AROUND THE WORLD, AND THE MEMBERS OF THOSE TOWING ASSOCIATIONS AND DESIGNATING THE WEEK OF SEPTEMBER 9 THROUGH 15, 2016, AS ''NATIONAL TOWING INDUSTRY AWARENESS WEEK''

Mr. CORKER (for himself, Mr. ALEXANDER, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 568

Whereas, in 1916, Ernest Holmes built the first twin boom wrecker in Chattanooga, Tennessee, for use in his own garage and later agreed to build and sell the units to others;

Whereas the first production wreckers were known as ''680's'' because they cost $680;

Whereas, in service to the United States, the Ernest Holmes Company supplied the W–45 military wrecker for use during World War II;

Whereas, in 1959, the Ernest Holmes Company patented its first tow sling and car dolly;

Whereas, in the early 1970's, Gerald Holmes built the first hydraulic towing equipment, an advancement in the industry;

Whereas, in 1995, the International Towing & Recovery Hall of Fame & Museum (referred to in this preamble as the ''Museum'') was established in Chattanooga, Tennessee, the birthplace of the tow truck;

Whereas, in 2003, the Museum, having outgrown its original home, moved to 3315 Broad Street in Chattanooga;

Whereas, in 2006, the Museum officially dedicated the Wall of the Fallen, the first monument in the industry to honor towing operators killed in the line of service;

Whereas, in the United States, there are more than 35,000 tow companies and hundreds of thousands of individuals employed in the towing industry, including tow truck operators, dispatchers, safety advisors, and owners;

Whereas more than 1 tow truck operator is killed every 6 days assisting motorists on the roadways of the United States;

Whereas tow truck operators respond to nearly 15,000,000 accidents per year across the United States;

Whereas tow truck operators are an indispensable part of keeping the United States moving by keeping the highways of the United States clear and open for travel;

Whereas most highway crashes require assistance from tow truck operators; and

Whereas the people of the United States have a duty to drive safely and be courteous toward fellow motorists on the roadways as the people of the United States work together toward the common goal of reducing fatal accidents: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 100th anniversary of the tow truck;

(2) designates the week of September 9 through 15, 2016, as ''National Towing Industry Awareness Week'', to be held in conjunction with the International Towing & Recovery Hall of Fame & Museum Hall of Fame Induction Ceremony and the Wall of the Fallen ceremony, each of which is held annually at the International Towing & Recovery Hall of Fame & Museum in Chattanooga, Tennessee; and

(3) encourages the people of the United States—

(A) to observe the move over and slow down laws in the United States; and

(B) to join in the worthy observance of National Towing Industry Awareness Week.

SENATE RESOLUTION 569—RECOGNIZING NOVEMBER 26, 2016, AS ''SMALL BUSINESS SATURDAY'' AND SUPPORTING THE EFFORTS OF THE SMALL BUSINESS ADMINISTRATION TO INCREASE AWARENESS OF THE VALUE OF LOCALLY OWNED SMALL BUSINESSES

Mr. VITTER (for himself, Mrs. SHAHEEN, Ms. AYOTTE, Ms. CANTWELL, Mr. BARRASSO, Mr. PETERS, Mr. PORTMAN, Mr. WARNER, Mr. SCOTT, Mr. DONNELLY, Mr. DAINES, Mr. MARKEY, Mr. BOOZMAN, Mr. TESTER, Mr. RISCH, Ms. HIRONO, Mr. HOEVEN, Mr. UDALL, Mrs. FISCHER, Ms. MIKULSKI, Ms. MURKOWSKI, Mr. KING, Mr. INHOFE, Mr. COONS, Ms. COLLINS, Ms. HEITKAMP, Mr. KIRK, Mr. MANCHIN, Mr. CARDIN, Mrs. BOXER, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. BOOKER, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. CASEY, Mr. GARDNER, Mr. ENZI, and Mrs. ERNST) submitted the following resolution; which was considered and agreed to:

S. RES. 569

Whereas there are 28,773,992 small businesses in the United States;

Whereas small businesses represent 99.7 percent of all businesses with employees in the United States;

Whereas small businesses employ more than 49 percent of the employees in the private sector in the United States;

Whereas small businesses pay more than 42 percent of the total payroll of the employees in the private sector in the United States;

Whereas small businesses constitute 97.7 percent of firms exporting goods;

Whereas small businesses are responsible for more than 46 percent of private sector output;

Whereas small businesses generated 63 percent of net new jobs created during the past 20 years;

Whereas 87 percent of consumers in the United States agree that the success of small businesses is critical to the overall economic health of the United States;

Whereas 89 percent of consumers in the United States agree that small businesses contribute positively to local communities by supplying jobs and generating tax revenue;

Whereas 93 percent of consumers in the United States agree that it is important to support the small businesses in their communities; and

Whereas November 26, 2016, is an appropriate day to recognize ''Small Business Saturday'': Now, therefore, be it

Resolved, That the Senate joins with the Small Business Administration in—

(1) recognizing and encouraging the observance of ''Small Business Saturday'' on November 26, 2016; and

(2) supporting efforts—

(A) to encourage consumers to shop locally; and

(B) to increase awareness of the value of locally owned small businesses and the impact of locally owned small businesses on the economy of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5074. Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the 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.

SA 5075. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra.

SA 5076. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra.

SA 5077. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra.

SA 5078. Mr. COONS (for himself and Mr. FLAKE) proposed an amendment to the bill H.R. 2494, to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes.

TEXT OF AMENDMENTS

SA 5074. Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the 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; as follows:

At the appropriate place, insert the following:

SEC. _____. BUREAU OF RECLAMATION DAKOTAS AREA OFFICE PERMIT FEES FOR CABINS AND TRAILERS.

During the period ending 5 years after the date of enactment of this Act, the Secretary of the Interior shall not increase the permit fee for a cabin or trailer on land in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation by more than 33 percent of the permit fee that was in effect on January 1, 2016.

SEC. _____. USE OF TRAILER HOMES AT HEART BUTTE DAM AND RESERVOIR (LAKE TSCHIDA).

(a) DEFINITIONS.—In this section:

(1) ADDITION.—The term ''addition'' means any enclosed structure added onto the structure of a trailer home that increases the living area of the trailer home.

(2) CAMPER OR RECREATIONAL VEHICLE.—The term ''camper or recreational vehicle'' includes—

(A) a camper, motorhome, trailer camper, bumper hitch camper, fifth wheel camper, or equivalent mobile shelter; and

(B) a recreational vehicle.

(3) IMMEDIATE FAMILY.—The term ''immediate family'' means a spouse, grandparent, parent, sibling, child, or grandchild.

(4) PERMIT.—The term ''permit'' means a permit issued by the Secretary authorizing the use of a lot in a trailer area.

(5) PERMIT YEAR.—The term ''permit year'' means the period beginning on April 1 of a calendar year and ending on March 31 of the following calendar year.

(6) PERMITTEE.—The term ''permittee'' means a person holding a permit.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(8) TRAILER AREA.—The term ''trailer area'' means any of the following areas at Heart Butte Dam and Reservoir (Lake Tschida) (as described in the document of the Bureau of Reclamation entitled ''Heart Butte Reservoir Resource Management Plan'' (March 2008)):

(A) Trailer Area 1 and 2, also known as Management Unit 034.

(B) Southside Trailer Area, also known as Management Unit 014.

(9) TRAILER HOME.—The term ''trailer home'' means a dwelling placed on a supporting frame that—

(A) has or had a tow-hitch; and

(B) is made mobile, or is capable of being made mobile, by an axle and wheels.

(b) PERMIT RENEWAL AND PERMITTED USE.—

(1) IN GENERAL.—The Secretary shall use the same permit renewal process for trailer area permits as the Secretary uses for other permit renewals in other reservoirs in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation.

(2) TRAILER HOMES.—With respect to a trailer home, a permit for each permit year shall authorize the permittee—

(A) to park the trailer home on the lot;

(B) to use the trailer home on the lot;

(C) to physically move the trailer home on and off the lot; and

(D) to leave on the lot any addition, deck, porch, entryway, step to the trailer home, propane tank, or storage shed.

(3) CAMPERS OR RECREATIONAL VEHICLES.—With respect to a camper or recreational vehicle, a permit shall, for each permit year—

(A) from April 1 to October 31, authorize the permittee—

(i) to park the camper or recreational vehicle on the lot;

(ii) to use the camper or recreational vehicle on the lot; and

(iii) to move the camper or recreational vehicle on and off the lot; and

(B) from November 1 to March 31, require a permittee to remove the camper or recreational vehicle from the lot.

(c) REMOVAL.—

(1) IN GENERAL.—The Secretary may require removal of a trailer home from a lot in a trailer area if the trailer home is flooded after the date of enactment of this Act.

(2) REMOVAL AND NEW USE.—If the Secretary requires removal of a trailer home under paragraph (1), on request by the permittee, the Secretary shall authorize the permittee—

(A) to replace the trailer home on the lot with a camper or recreational vehicle in accordance with this section; or

(B) to place a trailer home on the lot from April 1 to October 31.

(d) TRANSFER OF PERMITS.—

(1) TRANSFER OF TRAILER HOME TITLE.—If a permittee transfers title to a trailer home permitted on a lot in a trailer area, the Secretary shall issue a permit to the transferee, under the same terms as the permit applicable on the date of transfer, subject to the conditions described in paragraph (3).

(2) TRANSFER OF CAMPER OR RECREATIONAL VEHICLE TITLE.—If a permittee who has a permit to use a camper or recreational vehicle on a lot in a trailer area transfers title to the interests of the permittee on or to the lot, the Secretary shall issue a permit to the transferee, subject to the conditions described in paragraph (3).

(3) CONDITIONS.—A permit issued by the Secretary under paragraph (1) or (2) shall be subject to the following conditions:

(A) A permit may not be held in the name of a corporation.

(B) A permittee may not have an interest in, or control of, more than 1 seasonal trailer home site in the Great Plains Region of the Bureau of Reclamation, inclusive of sites located on tracts permitted to organized groups on Reclamation reservoirs.

(C) Not more than 2 persons may be permittees under 1 permit, unless—

(i) approved by the Secretary; or

(ii) the additional persons are immediate family members of the permittees.

(e) ANCHORING REQUIREMENTS FOR TRAILER HOMES.—The Secretary shall require compliance with appropriate anchoring requirements for each trailer home (including additions to the trailer home) and other objects on a lot in a trailer area, as determined by the Secretary, after consulting with permittees.

(f) REPLACEMENT, REMOVAL, AND RETURN.—

(1) REPLACEMENT.—Permittees may replace their trailer home with another trailer home.

(2) REMOVAL AND RETURN.—Permittees may—

(A) remove their trailer home; and

(B) if the permittee removes their trailer home under subparagraph (A), return the trailer home to the lot of the permittee.

(g) LIABILITY; TAKING.—

(1) LIABILITY.—The United States shall not be liable for flood damage to the personal property of a permittee or for damages arising out of any act, omission, or occurrence relating to a lot to which a permit applies,

other than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

(2) TAKING.—Any temporary flooding or flood damage to the personal property of a permittee shall not be a taking by the United States.

SA 5075. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the 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; as follows:

At the appropriate place in section 5001 (relating to deauthorizations), insert the following:

(__) NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.—

(1) DEFINITIONS.—In this subsection:

(A) NEW SAVANNAH BLUFF LOCK AND DAM.—The term ''New Savannah Bluff Lock and Dam'' has the meaning given the term in section 348(*l*)(1) of the Water Resources Development Act of 2000 (114 Stat. 2630) (as in effect on the day before the date of enactment of this Act).

(B) PROJECT.—The term ''Project'' means the project for navigation, Savannah Harbor expansion, Georgia, authorized by section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1364).

(2) DEAUTHORIZATION.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act—

(i) the New Savannah Bluff Lock and Dam is deauthorized; and

(ii) notwithstanding section 348(*l*)(2)(B) of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) (as in effect on the day before the date of enactment of this Act) or any other provision of law, the New Savannah Bluff Lock and Dam shall not be conveyed to the city of North Augusta and Aiken County, South Carolina, or any other non-Federal entity.

(B) REPEAL.—Section 348 of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) is amended—

(i) by striking subsection (*l*); and

(ii) by redesignating subsections (m) and (n) as subsections (*l*) and (m), respectively.

(3) PROJECT MODIFICATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Project is modified to include, as the Secretary determines to be necessary—

(i)(I) repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure such that the structure is able—

(aa) to maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act; and

(bb) to allow safe passage via a rock ramp over the structure to historic spawning grounds of Shortnose sturgeon, Atlantic sturgeon, and other migratory fish; or

(II)(aa) construction at an appropriate location across the Savannah River of a rock weir that is able to maintain the pool for water supply and recreational activities, as in existence on the date of enactment of this Act; and

(bb) removal of the New Savannah Bluff Lock and Dam on completion of construction of the weir; and

(ii) conveyance by the Secretary to Augusta-Richmond County, Georgia, of the park and recreation area adjacent to the New Savannah Bluff Lock and Dam, without consideration.

(B) OPERATION AND MAINTENANCE COSTS.—The Federal share of the costs of operation and maintenance of any Project feature constructed pursuant to subparagraph (A) shall be 100 percent.

SA 5076. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the 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; as follows:

Strike section 6009 and insert the following:

SEC. 6009. YAZOO BASIN, MISSISSIPPI.

The authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control known as the ''Yazoo Basin, Mississippi, Mississippi Delta Headwater Project, MS'', authorized by title I of Public Law 98–8 (97 Stat. 22), as amended, shall not be limited to watersheds referenced in reports accompanying appropriations bills for previous fiscal years.

SA 5077. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the 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; as follows:

At the end, add the following:

TITLE IX—BLACKFEET WATER RIGHTS SETTLEMENT ACT

SEC. 9001. SHORT TITLE.

This title may be cited as the ''Blackfeet Water Rights Settlement Act''.

SEC. 9002. PURPOSES.

The purposes of this title are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Blackfeet Tribe of the Blackfeet Indian Reservation; and

(B) the United States, for the benefit of the Tribe and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Tribe and the State, to the extent that the Compact is consistent with this title;

(3) to authorize and direct the Secretary of the Interior—

(A) to execute the Compact; and

(B) to take any other action necessary to carry out the Compact in accordance with this title; and

(4) to authorize funds necessary for the implementation of the Compact and this title.

SEC. 9003. DEFINITIONS.

In this title:

(1) ALLOTTEE.—The term ''allottee'' means any individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BIRCH CREEK AGREEMENT.—The term ''Birch Creek Agreement'' means—

(A) the agreement between the Tribe and the State regarding Birch Creek water use dated January 31, 2008 (as amended on February 13, 2009); and

(B) any amendment or exhibit (including exhibit amendments) to that agreement that is executed in accordance with this title.

(3) BLACKFEET IRRIGATION PROJECT.—The term ''Blackfeet Irrigation Project'' means the irrigation project authorized by the matter under the heading ''MONTANA'' of title II of the Act of March 1, 1907 (34 Stat. 1035, chapter 2285), and administered by the Bureau of Indian Affairs.

(4) COMPACT.—The term ''Compact'' means—

(A) the Blackfeet-Montana water rights compact dated April 15, 2009, as contained in section 85–20–1501 of the Montana Code Annotated (2015); and

(B) any amendment or exhibit (including exhibit amendments) to the Compact that is executed to make the Compact consistent with this title.

(5) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date described in section 9020(f).

(6) LAKE ELWELL.—The term ''Lake Elwell'' means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665).

(7) MILK RIVER BASIN.—The term ''Milk River Basin'' means the North Fork, Middle Fork, South Fork, and main stem of the Milk River and tributaries, from the headwaters to the confluence with the Missouri River.

(8) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term ''Milk River Project'' means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term ''Milk River Project'' includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(9) MILK RIVER PROJECT WATER RIGHTS.—The term ''Milk River Project water rights'' means the water rights held by the Bureau of Reclamation on behalf of the Milk River Project, as finally adjudicated by the Montana Water Court.

(10) MILK RIVER WATER RIGHT.—The term ''Milk River water right'' means the portion of the Tribal water rights described in article III.F of the Compact and this title.

(11) MISSOURI RIVER BASIN.—The term ''Missouri River Basin'' means the hydrologic basin of the Missouri River (including tributaries).

(12) MR&I SYSTEM.—The term ''MR&I System'' means the intake, treatment, pumping, storage, pipelines, appurtenant items, and any other feature of the system, as generally described in the document entitled ''Blackfeet Regional Water System'', prepared by DOWL HKM, and dated June 2010, and modified by DOWL HKM, as set out in the addendum to the report dated March 2013.

(13) OM&R.—The term ''OM&R'' means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to replacing a feature of a project.

(14) RESERVATION.—The term ''Reservation'' means the Blackfeet Indian Reservation of Montana, as—

(A) established by the Treaty of October 17, 1855 (11 Stat. 657); and

(B) modified by—

(i) the Executive Order of July 5, 1873 (relating to the Blackfeet Reserve);

(ii) the Act of April 15, 1874 (18 Stat. 28, chapter 96);

(iii) the Executive order of August 19, 1874 (relating to the Blackfeet Reserve);

(iv) the Executive order of April 13, 1875 (relating to the Blackfeet Reserve);

(v) the Executive order of July 13, 1880 (relating to the Blackfeet Reserve);

(vi) the Agreement with the Blackfeet, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 213); and

(vii) the Agreement with the Blackfeet, ratified by the Act of June 10, 1896 (29 Stat. 353, chapter 398).

(15) ST. MARY RIVER WATER RIGHT.—The term ''St. Mary River water right'' means that portion of the Tribal water rights described in article III.G.1.a.i. of the Compact and this title.

(16) ST. MARY UNIT.—

(A) IN GENERAL.—The term ''St. Mary Unit'' means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term ''St. Mary Unit'' includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(17) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(18) STATE.—The term ''State'' means the State of Montana.

(19) SWIFTCURRENT CREEK BANK STABILIZATION PROJECT.—The term ''Swiftcurrent Creek Bank Stabilization Project'' means the project to mitigate the physical and environmental problems associated with the St. Mary Unit from Sherburne Dam to the St. Mary River, as described in the report entitled ''Boulder/Swiftcurrent Creek Stabilization Project, Phase II Investigations Report'', prepared by DOWL HKM, and dated March 2012.

(20) TRIBAL WATER RIGHTS.—The term ''Tribal water rights'' means the water rights of the Tribe described in article III of the Compact and this title, including—

(A) the Lake Elwell allocation provided to the Tribe under section 9009; and

(B) the instream flow water rights described in section 9019.

(21) TRIBE.—The term ''Tribe'' means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

SEC. 9004. RATIFICATION OF COMPACT.

(a) RATIFICATION.—

(1) IN GENERAL.—As modified by this title, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed, to the extent that such amendment is executed to make the Compact consistent with this title.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this title, the Secretary shall execute the Compact, including all exhibits to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this title precludes the Secretary from approving any modification to an appendix or exhibit to the Compact that is consistent with this title, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this title, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

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

(C) all other applicable environmental laws and regulations.

(2) EFFECT OF EXECUTION.—

(A) IN GENERAL.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) COMPLIANCE.—The Secretary shall carry out all Federal compliance activities necessary to implement the Compact and this title.

SEC. 9005. MILK RIVER WATER RIGHT.

(a) IN GENERAL.—With respect to the Milk River water right, the Tribe—

(1) may continue the historical uses and the uses in existence on the date of enactment of this title; and

(2) except as provided in article III.F.1.d of the Compact, shall not develop new uses until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(b) WATER RIGHTS ARISING UNDER STATE LAW.—With respect to any water rights arising under State law in the Milk River Basin owned or acquired by the Tribe, the Tribe—

(1) may continue any use in existence on the date of enactment of this title; and

(2) shall not change any use until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(c) TRIBAL AGREEMENT.—

(1) IN GENERAL.—In consultation with the Commissioner of Reclamation and the Director of the Bureau of Indian Affairs, the Tribe and the Fort Belknap Indian Community shall enter into an agreement to provide for the exercise of their respective water rights on the respective reservations of the Tribe and the Fort Belknap Indian Community in the Milk River.

(2) CONSIDERATIONS.—The agreement entered into under paragraph (1) shall take into consideration—

(A) the equal priority dates of the 2 Indian tribes;

(B) the water supplies of the Milk River; and

(C) historical, current, and future uses identified by each Indian tribe.

(d) SECRETARIAL DETERMINATION.—

(1) IN GENERAL.—Not later than 120 days after the date on which the agreement described in subsection (c) is submitted to the Secretary, the Secretary shall review and approve or disapprove the agreement.

(2) APPROVAL.—The Secretary shall approve the agreement if the Secretary finds that the agreement—

(A) equitably accommodates the interests of each Indian tribe in the Milk River;

(B) adequately considers the factors described in subsection (c)(2); and

(C) is otherwise in accordance with applicable law.

(3) DEADLINE EXTENSION.—The deadline to review the agreement described in paragraph (1) may be extended by the Secretary after consultation with the Tribe and the Fort Belknap Indian Community.

(e) SECRETARIAL DECISION.—

(1) IN GENERAL.—If the Tribe and the Fort Belknap Indian Community do not, by 3 years after the Secretary certifies under section 9020(f)(5) that the Tribal membership has approved the Compact and this title, enter into an agreement approved under subsection (d)(2), the Secretary, in the Secretary's sole discretion, shall establish, after consultation with the Tribe and the Fort Belknap Indian Community, terms and conditions that reflect the considerations described in subsection (c)(2) by which the respective water rights of the Tribe and the Fort Belknap Indian Community in the Milk River may be exercised.

(2) CONSIDERATION AS FINAL AGENCY ACTION.—The establishment by the Secretary of terms and conditions under paragraph (1) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(3) JUDICIAL REVIEW.—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the establishment of the terms and conditions under this subsection.

(4) INCORPORATION INTO DECREES.—The agreement under subsection (c), or the decision of the Secretary under this subsection, shall be filed with the Montana Water Court, or the district court with jurisdiction, for incorporation into the final decrees of the Tribe and the Fort Belknap Indian Community.

(5) EFFECTIVE DATE.—The agreement under subsection (c) and a decision of the Secretary under this subsection—

(A) shall be effective immediately; and

(B) may not be modified absent—

(i) the approval of the Secretary; and

(ii) the consent of the Tribe and the Fort Belknap Indian Community.

(f) USE OF FUNDS.—The Secretary shall distribute equally the funds made available under section 9018(a)(2)(C)(ii) to the Tribe and the Fort Belknap Indian Community to use to reach an agreement under this section, including for technical analyses and legal and other related efforts.

SEC. 9006. WATER DELIVERY THROUGH MILK RIVER PROJECT.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out the activities authorized under this section with respect to the St. Mary River water right.

(b) TREATMENT.—Notwithstanding article IV.D.4 of the Compact, any responsibility of the United States with respect to the St. Mary River water right shall be limited to, and fulfilled pursuant to—

(1) subsection (c) of this section; and

(2) subsection (b)(3) of section 9016 and subsection (a)(1)(C) of section 9018.

(c) WATER DELIVERY CONTRACT.—

(1) IN GENERAL.—Not later than 180 days after the enforceability date, the Secretary shall enter into a water delivery contract with the Tribe for the delivery of not greater than 5,000 acre-feet per year of the St. Mary River water right through Milk River Project facilities to the Tribe or another entity specified by the Tribe.

(2) TERMS AND CONDITIONS.—The contract under paragraph (1) shall establish the terms and conditions for the water deliveries described in paragraph (1) in accordance with the Compact and this title.

(3) REQUIREMENTS.—The water delivery contract under paragraph (1) shall include provisions requiring that—

(A) the contract shall be without limit as to term;

(B) the Tribe, and not the United States, shall collect, and shall be entitled to, all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f); or

(ii) the expenditure of such funds;

(D) if water deliveries under the contract are interrupted for an extended period of time because of damage to, or a reduction in the capacity of, St. Mary Unit facilities, the rights of the Tribe shall be treated in the same manner as the rights of other contractors receiving water deliveries through the Milk River Project with respect to the water delivered under this section;

(E) deliveries of water under this section shall be—

(i) limited to not greater than 5,000 acre-feet of water in any 1 year;

(ii) consistent with operations of the Milk River Project and without additional costs to the Bureau of Reclamation, including operation, maintenance, and replacement costs; and

(iii) without additional cost to the Milk River Project water users; and

(F) the Tribe shall be required to pay OM&R for water delivered under this section.

(d) SHORTAGE SHARING OR REDUCTION.—

(1) IN GENERAL.—The 5,000 acre-feet per year of water delivered under paragraph (3)(E)(i) of subsection (c) shall not be subject to shortage sharing or reduction, except as provided in paragraph (3)(D) of that subsection.

(2) NO INJURY TO MILK RIVER PROJECT WATER USERS.—Notwithstanding article IV.D.4 of the Compact, any reduction in the Milk River Project water supply caused by the delivery of water under subsection (c) shall not constitute injury to Milk River Project water users.

(e) SUBSEQUENT CONTRACTS.—

(1) IN GENERAL.—As part of the studies authorized by section 9007(c)(1), the Secretary, acting through the Commissioner of Reclamation, and in cooperation with the Tribe, shall identify alternatives to provide to the Tribe water from the St. Mary River water right in quantities greater than the 5,000 acre-feet per year of water described in subsection (c)(3)(E)(i).

(2) CONTRACT FOR WATER DELIVERY.—If the Secretary determines under paragraph (1) that more than 5,000 acre-feet per year of the St. Mary River water right can be delivered to the Tribe, the Secretary shall offer to enter into 1 or more contracts with the Tribe for the delivery of that water, subject to the requirements of subsection (c)(3), except subsection (c)(3)(E)(i), and this subsection.

(3) TREATMENT.—Any delivery of water under this subsection shall be subject to reduction in the same manner as for Milk River Project contract holders.

(f) SUBCONTRACTS.—

(1) IN GENERAL.—The Tribe may enter into any subcontract for the delivery of water under this section to a third party, in accordance with section 9015(e).

(2) COMPLIANCE WITH OTHER LAW.—All subcontracts described in paragraph (1) shall comply with—

(A) this title;

(B) the Compact;

(C) the tribal water code; and

(D) other applicable law.

(3) NO LIABILITY.—The Secretary shall not be liable to any party, including the Tribe, for any term of, or any loss or other detriment resulting from, a lease, contract, or other agreement entered into pursuant to this subsection.

(g) EFFECT OF PROVISIONS.—Nothing in this section—

(1) precludes the Tribe from taking the water described in subsection (c)(3)(E)(i), or any additional water provided under subsection (e), from the direct flow of the St. Mary River; or

(2) modifies the quantity of the Tribal water rights described in article III.G.1 of the Compact.

(h) OTHER RIGHTS.—Notwithstanding the requirements of article III.G.1.d of the Compact, after satisfaction of all water rights under State law for use of St. Mary River water, including the Milk River Project water rights, the Tribe shall have the right to the remaining portion of the share of the United States in the St. Mary River under the International Boundary Waters Treaty of 1909 (36 Stat. 2448) for any tribally authorized use or need consistent with this title.

SEC. 9007. BUREAU OF RECLAMATION ACTIVITIES TO IMPROVE WATER MANAGEMENT.

(a) MILK RIVER PROJECT PURPOSES.—The purposes of the Milk River Project shall include—

(1) irrigation;

(2) flood control;

(3) the protection of fish and wildlife;

(4) recreation;

(5) the provision of municipal, rural, and industrial water supply; and

(6) hydroelectric power generation.

(b) USE OF MILK RIVER PROJECT FACILITIES FOR THE BENEFIT OF TRIBE.—The use of Milk River Project facilities to transport water for the Tribe pursuant to subsections (c) and (e) of section 9006, together with any use by the Tribe of that water in accordance with this title—

(1) shall be considered to be an authorized purpose of the Milk River Project; and

(2) shall not change the priority date of any Tribal water rights.

(c) ST. MARY RIVER STUDIES.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, in cooperation with the Tribe and the State, shall conduct—

(A) an appraisal study—

(i) to develop a plan for the management and development of water supplies in the St. Mary River Basin and Milk River Basin, including the St. Mary River and Milk River water supplies for the Tribe and the Milk River water supplies for the Fort Belknap Indian Community; and

(ii) to identify alternatives to develop additional water of the St. Mary River for the Tribe; and

(B) a feasibility study—

(i) using the information resulting from the appraisal study conducted under paragraph (1) and such other information as is relevant, to evaluate the feasibility of—

(I) alternatives for the rehabilitation of the St. Mary Diversion Dam and Canal; and

(II) increased storage in Fresno Dam and Reservoir; and

(ii) to create a cost allocation study that is based on the authorized purposes described in subsections (a) and (b).

(2) COOPERATIVE AGREEMENT.—On request of the Tribe, the Secretary shall enter into a cooperative agreement with the Tribe with respect to the portion of the appraisal study described in paragraph (1)(A).

(3) COSTS NONREIMBURSABLE.—The cost of the studies under this subsection shall not be—

(A) considered to be a cost of the Milk River Project; or

(B) reimbursable in accordance with the reclamation laws.

(d) SWIFTCURRENT CREEK BANK STABILIZATION.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out appropriate activities concerning the Swiftcurrent Creek Bank Stabilization Project, including—

(A) a review of the final project design; and

(B) value engineering analyses.

(2) MODIFICATION OF FINAL DESIGN.—Prior to beginning construction activities for the Swiftcurrent Creek Bank Stabilization Project, on the basis of the review conducted under paragraph (1), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure compliance with applicable industry standards;

(B) to improve the cost-effectiveness of the Swiftcurrent Creek Bank Stabilization Project; and

(C) to ensure that the Swiftcurrent Creek Bank Stabilization Project may be constructed using only the amounts made available under section 9018.

(3) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out the Swiftcurrent Bank Stabilization Project.

(e) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(f) MILK RIVER PROJECT RIGHTS-OF-WAY AND EASEMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Tribe shall grant the United States a right-of-way on Reservation land owned by the Tribe for all uses by the Milk River Project (permissive or otherwise) in existence as of December 31, 2015, including all facilities, flowage easements, and access easements necessary for the operation and maintenance of the Milk River Project.

(2) AGREEMENT REGARDING EXISTING USES.—The Tribe and the Secretary shall enter into an agreement for a process to determine the location, nature, and extent of the existing uses referenced in this subsection. The agreement shall require that—

(A) a panel of 3 individuals determine the location, nature, and extent of existing uses necessary for the operation and maintenance of the Milk River Project (the ''Panel Determination''), with the Tribe appointing 1 representative of the Tribe, the Secretary appointing 1 representative of the Secretary, and those 2 representatives jointly appointing a third individual;

(B) if the Panel Determination is unanimous, the Tribe grant a right-of-way to the United States for the existing uses identified in the Panel Determination in accordance with applicable law without additional compensation;

(C) if the Panel Determination is not unanimous—

(i) the Secretary adopt the Panel Determination with any amendments the Secretary reasonably determines necessary to correct any clear error (the ''Interior Determination''), provided that if any portion of the Panel Determination is unanimous, the Secretary will not amend that portion; and

(ii) the Tribe grant a right-of-way to the United States for the existing uses identified in the Interior Determination in accordance with applicable law without additional compensation, with the agreement providing for

the timing of the grant to take into consideration the possibility of review under paragraph (5).

(3) EFFECT.—Determinations made under this subsection—

(A) do not address title as between the United States and the Tribe; and

(B) do not apply to any new use of Reservation land by the United States for the Milk River Project after December 31, 2015.

(4) INTERIOR DETERMINATION AS FINAL AGENCY ACTION.—Any determination by the Secretary under paragraph (2)(C) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(5) JUDICIAL REVIEW.—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the Interior Determination.

(g) FUNDING.—The total amount of obligations incurred by the Secretary shall not exceed—

(1) $3,800,000 to carry out subsection (c);

(2) $20,700,000 to carry out subsection (d); and

(3) $3,100,000 to carry out subsection (f).

SEC. 9008. ST. MARY CANAL HYDROELECTRIC POWER GENERATION.

(a) BUREAU OF RECLAMATION JURISDICTION.—Effective beginning on the date of enactment of this title, the Commissioner of Reclamation shall have exclusive jurisdiction to authorize the development of hydropower on the St. Mary Unit.

(b) RIGHTS OF TRIBE.—

(1) EXCLUSIVE RIGHT OF TRIBE.—Subject to paragraph (2) and notwithstanding any other provision of law, the Tribe shall have the exclusive right to develop and market hydroelectric power of the St. Mary Unit.

(2) LIMITATIONS.—The exclusive right described in paragraph (1)—

(A) shall expire on the date that is 15 years after the date of enactment of an Act appropriating funds for rehabilitation of the St. Mary Unit; but

(B) may be extended by the Secretary at the request of the Tribe.

(3) OM&R COSTS.—Effective beginning on the date that is 10 years after the date on which the Tribe begins marketing hydroelectric power generated from the St. Mary Unit to any third party, the Tribe shall make annual payments for operation, maintenance, and replacement costs attributable to the direct use of any facilities by the Tribe for hydroelectric power generation, in amounts determined in accordance with the guidelines and methods of the Bureau of Reclamation for assessing operation, maintenance, and replacement charges.

(c) BUREAU OF RECLAMATION COOPERATION.—The Commissioner of Reclamation shall cooperate with the Tribe in the development of any hydroelectric power generation project under this section.

(d) AGREEMENT.—Before construction of a hydroelectric power generation project under this section, the Tribe shall enter into an agreement with the Commissioner of Reclamation that includes provisions—

(1) requiring that—

(A) the design, construction, and operation of the project shall be consistent with the Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities, as appropriate; and

(B) the hydroelectric power generation project will not impair the efficiencies of the Milk River Project for authorized purposes;

(2) regarding construction and operating criteria and emergency procedures; and

(3) under which any modification proposed by the Tribe to a facility owned by the Bureau of Reclamation shall be subject to review and approval by the Secretary, acting through the Commissioner of Reclamation.

(e) USE OF HYDROELECTRIC POWER BY TRIBE.—Any hydroelectric power generated in accordance with this section shall be used or marketed by the Tribe.

(f) REVENUES.—The Tribe shall collect and retain any revenues from the sale of hydroelectric power generated by a project under this section.

(g) LIABILITY OF UNITED STATES.—The United States shall have no obligation to monitor, administer, or account for—

(1) any revenues received by the Tribe under this section; or

(2) the expenditure of those revenues.

(h) PREFERENCE.—During any period for which the exclusive right of the Tribe described in subsection (b)(1) is not in effect, the Tribe shall have a preference to develop hydropower on the St. Mary Unit facilities, in accordance with Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities.

SEC. 9009. STORAGE ALLOCATION FROM LAKE ELWELL.

(a)(1) STORAGE ALLOCATION TO TRIBE.—The Secretary shall allocate to the Tribe 45,000 acre-feet per year of water stored in Lake Elwell for use by the Tribe for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation, as measured at the outlet works of Tiber Dam or through direct pumping from Lake Elwell.

(2) REDUCTION.—Up to 10,000 acre-feet per year of water allocated to the Tribe pursuant to paragraph (1) will be subject to an acre-foot for acre-foot reduction if depletions from the Tribal water rights above Lake Elwell exceed 88,000 acre-feet per year of water because of New Development (as defined in article II.37 of the Compact).

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Tribe under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Tribe under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Tribe shall administer the water allocated under subsection (a) in accordance with the Compact and this title.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving an allocation under this section, the Tribe shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this title.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Tribe, and not the United States, shall be entitled to all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Tribe shall have the same rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Tribe shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Tribe pursuant to this section or the allocation agreement, regardless of whether that water is delivered for use by the Tribe or under a lease, contract, or by agreement entered into by the Tribe pursuant to subsection (d);

(G) the Tribe shall not be required to make payments to the United States for any water allocated to the Tribe under this title or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H);

(H) for each acre-foot of stored water leased or transferred by the Tribe for industrial purposes—

(i) the Tribe shall pay annually to the United States an amount necessary to cover the proportional share of the annual operation, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Tribe for industrial purposes; and

(ii) the annual payments of the Tribe shall be reviewed and adjusted, as appropriate, to reflect the actual operation, maintenance, and replacement costs for Tiber Dam; and

(I) the adjustment process identified in subsection (a)(2) will be based on specific enumerated provisions.

(d) AGREEMENTS BY TRIBE.—The Tribe may use, lease, contract, exchange, or enter into other agreements for use of the water allocated to the Tribe under subsection (a), if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any portion of the water allocated to the Tribe under subsection (a).

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 9010. IRRIGATION ACTIVITIES.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation and in accordance with subsection (c), shall carry out the following actions relating to the Blackfeet Irrigation Project:

(1) Deferred maintenance.

(2) Dam safety improvements for Four Horns Dam.

(3) Rehabilitation and enhancement of the Four Horns Feeder Canal, Dam, and Reservoir.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activities carried out under this section.

(c) SCOPE OF DEFERRED MAINTENANCE ACTIVITIES AND FOUR HORNS DAM SAFETY IMPROVEMENTS.—

(1) IN GENERAL.—Subject to the conditions described in paragraph (2), the scope of the deferred maintenance activities and Four Horns Dam safety improvements shall be as generally described in—

(A) the document entitled ''Engineering Evaluation and Condition Assessment, Blackfeet Irrigation Project'', prepared by DOWL HKM, and dated August 2007; and

(B) the provisions relating to Four Horns Rehabilitated Dam of the document entitled ''Four Horns Dam Enlarged Appraisal Evaluation Design Report'', prepared by DOWL HKM, and dated April 2007.

(2) CONDITIONS.—The conditions referred to in paragraph (1) are that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the deferred maintenance activities and dam safety improvements may be constructed using only the amounts made available under section 9018.

(d) SCOPE OF REHABILITATION AND ENHANCEMENT OF FOUR HORNS FEEDER CANAL, DAM, AND RESERVOIR.—

(1) IN GENERAL.—The scope of the rehabilitation and improvements shall be as generally described in the document entitled ''Four Horns Feeder Canal Rehabilitation with Export'', prepared by DOWL HKM, and dated April 2013, subject to the condition that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the rehabilitation and improvements may be constructed using only the amounts made available under section 9018.

(2) INCLUSIONS.—The activities carried out by the Secretary under this subsection shall include—

(A) the rehabilitation or improvement of the Four Horns feeder canal system to a capacity of not fewer than 360 cubic feet per second;

(B) the rehabilitation or improvement of the outlet works of Four Horns Dam and Reservoir to deliver not less than 15,000 acre-feet of water per year, in accordance with subparagraph (C); and

(C) construction of facilities to deliver not less than 15,000 acre-feet of water per year from Four Horns Dam and Reservoir, to a point on or near Birch Creek to be designated by the Tribe and the State for delivery of water to the water delivery system of the Pondera County Canal and Reservoir Company on Birch Creek, in accordance with the Birch Creek Agreement.

(3) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes to the final design of any activity under this subsection to ensure that the final design meets applicable industry standards.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $54,900,000, of which—

(1) $40,900,000 shall be allocated to carry out the activities described in subsection (c); and

(2) $14,000,000 shall be allocated to carry out the activities described in subsection (d)(2).

(f) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(g) NON-FEDERAL CONTRIBUTION.—No part of the project under subsection (d) shall be commenced until the State has made available $20,000,000 to carry out the activities described in subsection (d)(2).

(h) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under subsection (m), subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total project costs for each project.

(i) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9011, 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) OWNERSHIP BY TRIBE OF BIRCH CREEK DELIVERY FACILITIES.—Notwithstanding any other provision of law, the Secretary shall transfer to the Tribe, at no cost, title in and to the facilities constructed under subsection (d)(2)(C).

(k) OWNERSHIP, OPERATION, AND MAINTENANCE.—On transfer to the Tribe of title under subsection (j), the Tribe shall—

(1) be responsible for OM&R in accordance with the Birch Creek Agreement; and

(2) enter into an agreement with the Bureau of Indian Affairs regarding the operation of the facilities described in that subsection.

(l) LIABILITY OF UNITED STATES.—The United States shall have no obligation or responsibility with respect the facilities described in subsection (d)(2)(C).

(m) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

(n) EFFECT.—Nothing in this section—

(1) alters any applicable law (including regulations) under which the Bureau of Indian Affairs collects assessments or carries out Blackfeet Irrigation Project OM&R; or

(2) impacts the availability of amounts made available under subsection (a)(1)(B) of section 9018.

SEC. 9011. DESIGN AND CONSTRUCTION OF MR&I SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct the water diversion and delivery features of the MR&I System in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the water diversion and delivery features of the MR&I System.

(c) SCOPE.—

(1) IN GENERAL.—The scope of the design and construction under this section shall be as generally described in the document entitled ''Blackfeet Regional Water System'', prepared by DOWL HKM, dated June 2010, and modified by DOWL HKM in the addendum to the report dated March 2013, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation and construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of the delivery of MR&I System water; and

(C) to ensure that the MR&I System may be constructed using only the amounts made available under section 9018.

(d) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $76,200,000.

(f) NON-FEDERAL CONTRIBUTION.—

(1) CONSULTATION.—Before completion of the final design of the MR&I System required by subsection (c), the Secretary shall consult with the Tribe, the State, and other affected non-Federal parties to discuss the possibility of receiving non-Federal contributions for the cost of the MR&I System.

(2) NEGOTIATIONS.—If, based on the extent to which non-Federal parties are expected to use the MR&I System, a non-Federal contribution to the MR&I System is determined by the parties described in paragraph (1) to be appropriate, the Secretary shall initiate negotiations for an agreement regarding the means by which the contributions shall be provided.

(g) OWNERSHIP BY TRIBE.—Title to the MR&I System and all facilities rehabilitated or constructed under this section shall be held by the Tribe.

(h) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(i) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for any facility rehabilitated or constructed under this section.

(j) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011(a), 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(k) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9012. DESIGN AND CONSTRUCTION OF WATER STORAGE AND IRRIGATION FACILITIES.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct 1 or more facilities to store water and support irrigation on the Reservation in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the irrigation development and water storage facilities described in subsection (c).

(c) SCOPE.—

(1) IN GENERAL.—The scope of the design and construction under this section shall be as generally described in the document entitled ''Blackfeet Water Storage, Development, and Project Report'', prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) MODIFICATION.—The Secretary may modify the scope of construction for the projects described in the document referred to in paragraph (1), if—

(A) the modified project is—

(i) similar in purpose to the proposed projects; and

(ii) consistent with the purposes of this title; and

(B) the Secretary has consulted with the Tribe regarding any modification.

(3) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of any construction; and

(C) to ensure that the projects may be constructed using only the amounts made available under section 9018.

(d) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $87,300,000.

(f) OWNERSHIP BY TRIBE.—Title to all facilities rehabilitated or constructed under this section shall be held by the Tribe, except that title to the Birch Creek Unit of the Blackfeet Indian Irrigation Project shall remain with the Bureau of Indian Affairs.

(g) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(h) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(i) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9013. BLACKFEET WATER, STORAGE, AND DEVELOPMENT PROJECTS.

(a) IN GENERAL.—

(1) SCOPE.—The scope of the construction under this section shall be as generally described in the document entitled ''Blackfeet Water Storage, Development, and Project Report'', prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe.

(2) MODIFICATION.—The Tribe may modify the scope of the projects described in the document referred to in paragraph (1) if—

(A) the modified project is—

(i) similar to the proposed project; and

(ii) consistent with the purposes of this title; and

(B) the modification is approved by the Secretary.

(b) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(c) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $91,000,000.

(d) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(e) OWNERSHIP BY TRIBE.—Title to any facility constructed under this section shall be held by the Tribe.

SEC. 9014. EASEMENTS AND RIGHTS-OF-WAY.

(a) TRIBAL EASEMENTS AND RIGHTS-OF-WAY.—

(1) IN GENERAL.—On request of the Secretary, the Tribe shall grant, at no cost to the United States, such easements and rights-of-way over tribal land as are necessary for the construction of the projects authorized by sections 9010 and 9011.

(2) JURISDICTION.—An easement or right-of-way granted by the Tribe pursuant to paragraph (1) shall not affect in any respect the civil or criminal jurisdiction of the Tribe over the easement or right-of-way.

(b) LANDOWNER EASEMENTS AND RIGHTS-OF-WAY.—In partial consideration for the construction activities authorized by section 9011, and as a condition of receiving service from the MR&I System, a landowner shall grant, at no cost to the United States or the Tribe, such easements and rights-of-way over the land of the landowner as may be necessary for the construction of the MR&I System.

(c) LAND ACQUIRED BY UNITED STATES OR TRIBE.—Any land acquired within the boundaries of the Reservation by the United States on behalf of the Tribe, or by the Tribe on behalf of the Tribe, in connection with achieving the purposes of this title shall be held in trust by the United States for the benefit of the Tribe.

SEC. 9015. TRIBAL WATER RIGHTS.

(a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

(1) IN GENERAL.—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) USE.—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this title.

(3) CONFLICT.—In the event of a conflict between the Compact and this title, the provisions of this title shall control.

(b) INTENT OF CONGRESS.—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this title, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this title;

(2) the availability of funding under this title and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this title to protect the interests of allottees.

(c) TRUST STATUS OF TRIBAL WATER RIGHTS.—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Tribe and the allottees in accordance with this title; and

(2) shall not be subject to forfeiture or abandonment.

(d) ALLOTTEES.—

(1) APPLICABILITY OF ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal water rights.

(2) ENTITLEMENT TO WATER.—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) ALLOCATIONS.—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) CLAIMS.—

(A) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the tribal water code or other applicable tribal law.

(B) ACTION FOR RELIEF.—After the exhaustion of all remedies available under the tribal water code or other applicable tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(5) AUTHORITY OF SECRETARY.—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) AUTHORITY OF TRIBE.—

(1) IN GENERAL.—The Tribe shall have the authority to allocate, distribute, and lease the Tribal water rights for any use on the Reservation in accordance with the Compact, this title, and applicable Federal law.

(2) OFF-RESERVATION USE.—The Tribe may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, subject to the approval of the Secretary.

(3) LAND LEASES BY ALLOTTEES.—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the tribal water code.

(f) TRIBAL WATER CODE.—

(1) IN GENERAL.—Notwithstanding article IV.C.1 of the Compact, not later than 4 years after the date on which the Tribe ratifies the Compact in accordance with this title, the Tribe shall enact a tribal water code that provides for—

(A) the management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this title; and

(B) establishment by the Tribe of conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this title.

(2) INCLUSIONS.—Subject to the approval of the Secretary, the tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Tribe provide water for irrigation use in accordance with this title, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Tribe of any request by an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision; and

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the tribal water code, or to the quantity of water allocated to

land of the allottee, shall exhaust all remedies available to the allottee under tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B).

(3) ACTION BY SECRETARY.—

(A) IN GENERAL.—During the period beginning on the date of enactment of this title and ending on the date on which a tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with this title.

(B) APPROVAL.—The tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the tribal water code or an amendment to the tribal water code not later than 180 days after the date on which the tribal water code or amendment is submitted to the Secretary.

(ii) EXTENSION.—The deadline described in clause (i) may be extended by the Secretary after consultation with the Tribe.

(g) ADMINISTRATION.—

(1) NO ALIENATION.—The Tribe shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this title for the allocation, distribution, leasing, or other arrangement entered into pursuant to this title shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal water rights by a lessee or contractor shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(h) EFFECT.—Except as otherwise expressly provided in this section, nothing in this title—

(1) authorizes any action by an allottee against any individual or entity, or against the Tribe, under Federal, State, tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

SEC. 9016. BLACKFEET SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the ''Blackfeet Settlement Trust Fund'' (referred to in this section as the ''Trust Fund''), to be managed, invested, and distributed by the Secretary and to remain available until expended.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Administration and Energy Account.

(2) The OM&R Account.

(3) The St. Mary Account.

(4) The Blackfeet Water, Storage, and Development Projects Account.

(c) DEPOSITS.—The Secretary shall deposit in the Trust Fund—

(1) in the Administration and Energy Account, the amount made available pursuant to section 9018(a)(1)(A);

(2) in the OM&R Account, the amount made available pursuant to section 9018(a)(1)(B);

(3) in the St. Mary Account, the amount made available pursuant to section 9018(a)(1)(C); and

(4) in the Blackfeet Water, Storage, and Development Projects Account, the amount made available pursuant to section 9018(a)(1)(D).

(d) INTEREST.—.In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Trust Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (i).

(e) MANAGEMENT.—The Secretary shall manage, invest, and distribute all amounts in the Trust Fund in a manner that is consistent with the investment authority of the Secretary under—

(1) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(2) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(3) this section.

(f) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, shall be made available to the Tribe by the Secretary beginning on the enforceability date.

(2) FUNDING FOR TRIBAL IMPLEMENTATION ACTIVITIES.—Notwithstanding paragraph (1), on approval pursuant to this title and the Compact by a referendum vote of a majority of votes cast by members of the Tribe on the day of the vote, as certified by the Secretary and the Tribe and subject to the availability of appropriations, of the amounts in the Administration and Energy Account, $4,800,000 shall be made available to the Tribe for the implementation of this title.

(g) WITHDRAWALS UNDER AIFRMRA.—

(1) IN GENERAL.—The Tribe may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a tribal management plan submitted by the Tribe in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under paragraph (1) shall require that the Tribe shall spend all amounts withdrawn from the Trust Fund in accordance with this title.

(B) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Tribe from the Trust Fund under this subsection are used in accordance with this title.

(h) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(1) IN GENERAL.—The Tribe may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(2) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under paragraph (1), the Tribe shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Tribe elects to withdraw pursuant to this subsection, subject to the condition that the funds shall be used for the purposes described in this title.

(3) INCLUSIONS.—An expenditure plan under this subsection shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Tribe, in accordance with subsection (h).

(4) APPROVAL.—On receipt of an expenditure plan under this subsection, the Secretary shall approve the plan, if the Secretary determines that the plan—

(A) is reasonable; and

(B) is consistent with, and will be used for, the purposes of this title.

(5) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this subsection are used in accordance with this title.

(i) USES.—Amounts from the Trust Fund shall be used by the Tribe for the following purposes:

(1) The Administration and Energy Account shall be used for administration of the Tribal water rights and energy development projects under this title and the Compact.

(2) The OM&R Account shall be used to assist the Tribe in paying OM&R costs.

(3) The St. Mary Account shall be distributed pursuant to an expenditure plan approved under subsection (g), subject to the conditions that—

(A) during the period for which the amount is available and held by the Secretary, $500,000 shall be distributed to the Tribe annually as compensation for the deferral of the St. Mary water right; and

(B) any additional amounts deposited in the account may be withdrawn and used by the Tribe to pay OM&R costs or other expenses for 1 or more projects to benefit the Tribe, as approved by the Secretary, subject to the requirement that the Secretary shall not approve an expenditure plan under this paragraph unless the Tribe provides a resolution of the tribal council—

(i) approving the withdrawal of the funds from the account; and

(ii) acknowledging that the Secretary will not be able to distribute funds under subparagraph (A) indefinitely if the principal funds in the account are reduced.

(4) The Blackfeet Water, Storage, and Development Projects Account shall be used to carry out section 9013.

(j) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Tribe under subsection (f) or (g).

(k) NO PER CAPITA DISTRIBUTIONS.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Tribe.

(l) DEPOSIT OF FUNDS.—On request by the Tribe, the Secretary may deposit amounts from an account described in paragraph (1), (2), or (4) of subsection (b) to any other account the Secretary determines to be appropriate.

SEC. 9017. BLACKFEET WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account, to be known as the ''Blackfeet Water Settlement Implementation Fund'' (referred to in this section as the ''Implementation Fund''), to be managed and distributed by the Secretary, for use by the Secretary for carrying out this title.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The MR&I System, Irrigation, and Water Storage Account.

(2) The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account.

(3) The St. Mary/Milk Water Management and Activities Fund.

(c) DEPOSITS.—The Secretary shall deposit in the Implementation Fund—

(1) in the MR&I System, Irrigation, and Water Storage Account, the amount made available pursuant to section 9018(a)(2)(A);

(2) in the Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account, the amount made available pursuant to section 9018(a)(2)(B); and

(3) in the St. Mary/Milk Water Management and Activities Fund, the amount made available pursuant to section 9018(a)(2)(C).

(d) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Implementation Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (e).

(e) USES.—

(1) MR&I SYSTEM, IRRIGATION, AND WATER STORAGE ACCOUNT.—The MR&I System, Irrigation, and Water Storage Account shall be used to carry out sections 9011 and 9012.

(2) BLACKFEET IRRIGATION PROJECT DEFERRED MAINTENANCE AND FOUR HORNS DAM SAFETY IMPROVEMENTS ACCOUNT.—The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account shall be used to carry out section 9010.

(3) ST. MARY/MILK WATER MANAGEMENT AND ACTIVITIES ACCOUNT.—The St. Mary/Milk Water Management and Activities Account shall be used to carry out sections 9005 and 9007.

(f) MANAGEMENT.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

SEC. 9018. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(1) as adjusted on appropriation to reflect changes since April 2010 in the Consumer Price Index for All Urban Consumers West Urban 50,000 to 1,500,000 index for the amount appropriated—

(A) for deposit in the Administration and Energy Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(1), $28,900,000;

(B) for deposit in the OM&R Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(2), $27,760,000;

(C) for deposit in the St. Mary Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(3), $27,800,000;

(D) for deposit in the Blackfeet Water, Storage, and Development Projects Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(4), $91,000,000; and

(E) such sums not to exceed the amount of interest credited to the unexpended amounts of the Blackfeet Settlement Trust Fund; and

(2) as adjusted annually to reflect changes since April 2010 in the Bureau of Reclamation Construction Cost Trends Index applicable to the types of construction involved—

(A) for deposit in the MR&I System, Irrigation, and Water Storage Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(1), $163,500,000;

(B) for deposit in the Blackfeet Irrigation Project Deferred Maintenance, Four Horns Dam Safety, and Rehabilitation and Enhancement of the Four Horns Feeder Canal, Dam, and Reservoir Improvements Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(2), $54,900,000, of which—

(i) $40,900,000 shall be made available for activities and projects under section 9010(c); and

(ii) $14,000,000 shall be made available for activities and projects under section 9010(d)(2);

(C) for deposit in the St. Mary/Milk Water Management and Activities Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(3), $28,100,000, of which—

(i) $27,600,000 shall be allocated in accordance with section 9007(g); and

(ii) $500,000 shall be used to carry out section 9005; and

(D) such sums not to exceed the amount of interest credited to the unexpended amounts of the Blackfeet Water Settlement Implementation Fund.

(b) ADJUSTMENTS.—

(1) IN GENERAL.—The adjustment of the amounts authorized to be appropriated pursuant to subsection (a)(1) shall occur each time an amount is appropriated for an account and shall add to, or subtract from, as applicable, the total amount authorized.

(2) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

(3) TREATMENT.—The amount of an adjustment may be considered—

(A) to be authorized as of the date on which congressional action occurs; and

(B) in determining the amount authorized to be appropriated.

SEC. 9019. WATER RIGHTS IN LEWIS AND CLARK NATIONAL FOREST AND GLACIER NATIONAL PARK.

The instream flow water rights of the Tribe on land within the Lewis and Clark National Forest and Glacier National Park—

(1) are confirmed; and

(2) shall be as described in the document entitled ''Stipulation to Address Claims by and for the Benefit of the Blackfeet Indian Tribe to Water Rights in the Lewis & Clark National Forest and Glacier National Park'', and as finally decreed by the Montana Water Court, or, if the Montana Water Court is found to lack jurisdiction, by the United States district court with jurisdiction.

SEC. 9020. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY TRIBE AND UNITED STATES AS TRUSTEE FOR TRIBE.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), and the United States, acting as trustee for the Tribe and the members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Tribe, or the United States acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(2) WAIVER AND RELEASE OF CLAIMS BY UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the United States, acting as trustee for allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(3) WAIVER AND RELEASE OF CLAIMS BY TRIBE AGAINST UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) relating to—

(i) water rights within the State that the United States, acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this title;

(ii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State that first accrued at any time on or before the enforceability date;

(iii) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(iv) a failure to provide for operation or maintenance, or deferred maintenance, for the Blackfeet Irrigation Project or any other irrigation system or irrigation project on the Reservation;

(v) the litigation of claims relating to the water rights of the Tribe in the State; and

(vi) the negotiation, execution, or adoption of the Compact (including exhibits) or this title;

(B) reserved in subsections (b) through (d) of section 6 of the settlement for the case styled Blackfeet Tribe v. United States, No. 02–127L (Fed. Cl. 2012); and

(C) that first accrued at any time on or before the enforceability date—

(i) arising from the taking or acquisition of the land of the Tribe or resources for the construction of the features of the St. Mary Unit of the Milk River Project;

(ii) relating to the construction, operation, and maintenance of the St. Mary Unit of the Milk River Project, including Sherburne Dam, St. Mary Diversion Dam, St. Mary Canal and associated infrastructure, and the management of flows in Swiftcurrent Creek, including the diversion of Swiftcurrent Creek into Lower St. Mary Lake;

(iii) relating to the construction, operation, and management of Lower Two Medicine Dam and Reservoir and Four Horns Dam and Reservoir, including any claim relating to the failure to provide dam safety improvements for Four Horns Reservoir; or

(iv) relating to the allocation of waters of the Milk River and St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448).

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) WITHDRAWAL OF OBJECTIONS.—The Tribe shall withdraw all objections to the water rights claims filed by the United States for the benefit of the Milk River Project, except objections to those claims consolidated for adjudication within Basin 40J, within 14 days of the certification under subsection (f)(5) that the Tribal membership has approved the Compact and this title.

(1) Prior to withdrawal of the objections, the Tribe may seek leave of the Montana Water Court for a right to reinstate the objections in the event the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are not satisfied by the date of

expiration described in section 9023 of this title.

(2) If the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are satisfied, and any authority the Montana Water Court may have granted the Tribe to reinstate objections described in this section has not yet expired, the Tribe shall notify the Montana Water Court and the United States in writing that it will not exercise any such authority.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Tribe, acting on behalf of the Tribe and members of the Tribe, and the United States, acting as trustee for the Tribe and allottees, shall retain—

(1) all claims relating to—

(A) enforcement of, or claims accruing after the enforceability date relating to water rights recognized under, the Compact, any final decree, or this title;

(B) activities affecting the quality of water, including any claim under—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act''); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii); or

(C) damage, loss, or injury to land or natural resources that are not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights);

(2) all rights to use and protect water rights acquired after the date of enactment of this title; and

(3) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this title or the Compact.

(e) EFFECT OF COMPACT AND ACT.—Nothing in the Compact or this title—

(1) affects the ability of the United States, acting as a sovereign, to take any action authorized by law (including any law relating to health, safety, or the environment), including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act''); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(2) affects the ability of the United States to act as trustee for any other Indian tribe or allottee of any other Indian tribe;

(3) confers jurisdiction on any State court—

(A) to interpret Federal law regarding health, safety, or the environment;

(B) to determine the duties of the United States or any other party pursuant to a Federal law regarding health, safety, or the environment; or

(C) to conduct judicial review of a Federal agency action;

(4) waives any claim of a member of the Tribe in an individual capacity that does not derive from a right of the Tribe;

(5) revives any claim waived by the Tribe in the case styled Blackfeet Tribe v. United States, No. 02–127L (Fed. Cl. 2012); or

(6) revives any claim released by an allottee or a tribal member in the settlement for the case styled Cobell v. Salazar, No. 1:96CV01285–JR (D.D.C. 2012).

(f) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1)(A) the Montana Water Court has approved the Compact, and that decision has become final and nonappealable; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate United States district court has approved the Compact, and that decision has become final and nonappealable;

(2) all amounts authorized under section 9018(a) have been appropriated;

(3) the agreements required by sections 9006(c), 9007(f), and 9009(c) have been executed;

(4) the State has appropriated and paid into an interest-bearing escrow account any payments due as of the date of enactment of this title to the Tribe under the Compact, the Birch Creek Agreement, and this title;

(5) the members of the Tribe have voted to approve this title and the Compact by a majority of votes cast on the day of the vote, as certified by the Secretary and the Tribe;

(6) the Secretary has fulfilled the requirements of section 9009(a);

(7) the agreement or terms and conditions referred to in section 9005 are executed and final; and

(8) the waivers and releases described in subsection (a) have been executed by the Tribe and the Secretary.

(g) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled during the period beginning on the date of enactment of this title and ending on the date on which the amounts made available to carry out this title are transferred to the Secretary.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this title.

(h) EXPIRATION.—If all appropriations authorized by this title have not been made available to the Secretary by January 21, 2026, the waivers and releases described in this section shall—

(1) expire; and

(2) have no further force or effect.

(i) VOIDING OF WAIVERS.—If the waivers and releases described in this section are void under subsection (h)—

(1) the approval of the United States of the Compact under section 9004 shall no longer be effective;

(2) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this title, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized under this title shall be returned to the Federal Government, unless otherwise agreed to by the Tribe and the United States and approved by Congress; and

(3) except for Federal funds used to acquire or develop property that is returned to the Federal Government under paragraph (2), the United States shall be entitled to offset any Federal funds appropriated or made available to carry out the activities authorized under this title that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights in the State asserted by the Tribe or any user of the Tribal water rights or in any future settlement of the water rights of the Tribe or an allottee.

SEC. 9021. SATISFACTION OF CLAIMS.

(a) TRIBAL CLAIMS.—The benefits realized by the Tribe under this title shall be in complete replacement of, complete substitution for, and full satisfaction of all—

(1) claims of the Tribe against the United States waived and released pursuant to section 9020(a); and

(2) objections withdrawn pursuant to section 9020(c).

(b) ALLOTTEE CLAIMS.—The benefits realized by the allottees under this title shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released pursuant to section 9020(a)(2); and

(2) any claim of an allottee against the United States similar in nature to a claim described in section 9020(a)(2) that the allottee asserted or could have asserted.

SEC. 9022. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this title waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this title quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Tribe.

(c) LIMITATION ON CLAIMS FOR REIMBURSEMENT.—With respect to any Indian-owned land located within the Reservation—

(1) the United States shall not submit against that land any claim for reimbursement of the cost to the United States of carrying out this title or the Compact; and

(2) no assessment of that land shall be made regarding that cost.

(d) LIMITATION ON LIABILITY OF UNITED STATES.—

(1) IN GENERAL.—The United States has no obligation—

(A) to monitor, administer, or account for, in any manner, any funds provided to the Tribe by the State; or

(B) to review or approve any expenditure of those funds.

(2) INDEMNITY.—The Tribe shall indemnify the United States, and hold the United States harmless, with respect to all claims (including claims for takings or breach of trust) arising from the receipt or expenditure of amounts described in the subsection.

(e) EFFECT ON CURRENT LAW.—Nothing in this section affects any provision of law (including regulations) in effect on the day before the date of enactment of this title with respect to preenforcement review of any Federal environmental enforcement action.

(f) EFFECT ON RECLAMATION LAWS.—The activities carried out by the Commissioner of Reclamation under this title shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(g) IRRIGATION EFFICIENCY IN UPPER BIRCH CREEK DRAINAGE.—Any activity carried out by the Tribe in the Upper Birch Creek Drainage (as defined in article II.50 of the Compact) using funds made available to carry out this title shall achieve an irrigation efficiency of not less than 50 percent.

(h) BIRCH CREEK AGREEMENT APPROVAL.—The Birch Creek Agreement is approved to the extent that the Birch Creek Agreement requires approval under section 2116 of the Revised Statutes (25 U.S.C. 177).

(i) LIMITATION ON EFFECT.—Nothing in this title or the Compact—

(1) makes an allocation or apportionment of water between or among States; or

(2) addresses or implies whether, how, or to what extent the Tribal water rights, or any portion of the Tribal water rights, should be accounted for as part of, or otherwise charged against, an allocation or apportionment of water made to a State in an interstate allocation or apportionment.

SEC. 9023. EXPIRATION ON FAILURE TO MEET ENFORCEABILITY DATE.

If the Secretary fails to publish a statement of findings under section 9020(f) by not later than January 21, 2025, or such alternative later date as is agreed to by the Tribe and the Secretary, after reasonable notice to the State, as applicable—

(1) this title expires effective on the later of—

(A) January 22, 2025; and

(B) the day after such alternative later date as is agreed to by the Tribe and the Secretary;

(2) any action taken by the Secretary and any contract or agreement entered into pursuant to this title shall be void;

(3) any amounts made available under section 9018, together with any interest on those amounts, that remain unexpended shall immediately revert to the general fund of the Treasury, except for any funds made available under section 9016(e)(2) if the Montana Water Court denies the Tribe's request to reinstate the objections in section 9020(c); and

(4) the United States shall be entitled to offset against any claims asserted by the Tribe against the United States relating to water rights—

(A) any funds expended or withdrawn from the amounts made available pursuant to this title; and

(B) any funds made available to carry out the activities authorized by this title from other authorized sources, except for any funds provided under section 9016(e)(2) if the Montana Water court denies the Tribe's request to reinstate the objections in section 9020(c).

SEC. 9024. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title (including any obligation or activity under the Compact) if—

(1) adequate appropriations are not provided expressly by Congress to carry out the purposes of this title; or

(2) there are not enough monies available to carry out the purposes of this title in the Reclamation Water Settlements Fund established under section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)).

SA 5078. Mr. COONS (for himself and Mr. FLAKE) proposed an amendment to the bill H.R. 2494, to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Eliminate, Neutralize, and Disrupt Wildlife Trafficking 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. Definitions.

TITLE I—PURPOSES AND POLICY

Sec. 101. Purposes.
Sec. 102. Statement of United States policy.

TITLE II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

Sec. 201. Report.

TITLE III—FRAMEWORK FOR INTERAGENCY RESPONSE

Sec. 301. Presidential Task Force on Wildlife Trafficking.

TITLE IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

Sec. 401. Anti-poaching programs.
Sec. 402. Anti-trafficking programs.
Sec. 403. Engagement of United States diplomatic missions.
Sec. 404. Community conservation.

TITLE V—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

Sec. 501. Amendments to Fisherman's Protective Act of 1967.
Sec. 502. Wildlife trafficking violations as predicate offenses under money laundering statute.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) CO-CHAIRS OF THE TASK FORCE.—The term ''Co-Chairs of the Task Force'' means the Secretary of State, the Secretary of the Interior, and the Attorney General, as established pursuant to Executive Order 13648.

(3) COMMUNITY CONSERVATION.—The term ''community conservation'' means an approach to conservation that recognizes the rights of local people to manage, or benefit directly and indirectly from wildlife and other natural resources in a long-term biologically viable manner and includes—

(A) devolving management and governance to local communities to create positive conditions for resource use that takes into account current and future ecological requirements; and

(B) building the capacity of communities for conservation and natural resource management.

(4) COUNTRY OF CONCERN.—The term ''country of concern'' refers to a foreign country specially designated by the Secretary of State pursuant to subsection (b) of section 201 as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which the government has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(5) FOCUS COUNTRY.—The term ''focus country'' refers to a foreign country determined by the Secretary of State to be a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products.

(6) DEFENSE ARTICLE; DEFENSE SERVICE; SIGNIFICANT MILITARY EQUIPMENT; TRAINING.—The terms ''defense article'', ''defense service'', ''significant military equipment'', and ''training'' have the meanings given such terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(7) IMPLEMENTATION PLAN.—The term ''Implementation Plan'' means the Implementation Plan for the National Strategy for Combating Wildlife Trafficking released on February 11, 2015, a modification of that plan, or a successor plan.

(8) NATIONAL STRATEGY.—The term ''National Strategy'' means the National Strategy for Combating Wildlife Trafficking published on February 11, 2014, a modification of that strategy, or a successor strategy.

(9) NATIONAL WILDLIFE SERVICES.—The term ''national wildlife services'' refers to the ministries and government bodies designated to manage matters pertaining to wildlife management, including poaching or trafficking, in a focus country.

(10) SECURITY FORCE.—The term ''security force'' means a military, law enforcement, gendarmerie, park ranger, or any other security force with a responsibility for protecting wildlife and natural habitats.

(11) TASK FORCE.—The term ''Task Force'' means the Presidential Task Force on Wildlife Trafficking, as established by Executive Order 13648 (78 Fed. Reg. 40621) and modified by section 201.

(12) WILDLIFE TRAFFICKING.—The term ''wildlife trafficking'' refers to the poaching or other illegal taking of protected or managed species and the illegal trade in wildlife and their related parts and products.

TITLE I—PURPOSES AND POLICY

SEC. 101. PURPOSES.

The purposes of this Act are—

(1) to support a collaborative, interagency approach to address wildlife trafficking;

(2) to protect and conserve the remaining populations of wild elephants, rhinoceroses, and other species threatened by poaching and the illegal wildlife trade;

(3) to disrupt regional and global transnational organized criminal networks and to prevent the illegal wildlife trade from being used as a source of financing for criminal groups that undermine United States and global security interests;

(4) to prevent wildlife poaching and trafficking from being a means to make a living in focus countries;

(5) to support the efforts of, and collaborate with, individuals, communities, local organizations, and foreign governments to combat poaching and wildlife trafficking;

(6) to assist focus countries in implementation of national wildlife anti-trafficking and poaching laws; and

(7) to ensure that United States assistance to prevent and suppress illicit wildlife trafficking is carefully planned and coordinated, and that it is systematically and rationally prioritized on the basis of detailed analysis of the nature and severity of threats to wildlife and the willingness and ability of foreign partners to cooperate effectively toward these ends.

SEC. 102. STATEMENT OF UNITED STATES POLICY.

It is the policy of the United States—

(1) to take immediate actions to stop the illegal global trade in wildlife and wildlife products and associated transnational organized crime;

(2) to provide technical and other forms of assistance to help focus countries halt the poaching of elephants, rhinoceroses, and other imperiled species and end the illegal trade in wildlife and wildlife products, including by providing training and assistance in—

(A) wildlife protection and management of wildlife populations;

(B) anti-poaching and effective management of protected areas including community managed and privately-owned lands;

(C) local engagement of security forces in anti-poaching responsibilities, where appropriate;

(D) wildlife trafficking investigative techniques, including forensic tools;

(E) transparency and corruption issues;

(F) management, tracking, and inventory of confiscated wildlife contraband;

(G) demand reduction strategies in countries that lack the means and resources to conduct them; and

(H) bilateral and multilateral agreements and cooperation;

(3) to employ appropriate assets and resources of the United States Government in a coordinated manner to curtail poaching and disrupt and dismantle illegal wildlife trade networks and the financing of those networks in a manner appropriate for each focus country;

(4) to build upon the National Strategy and Implementation Plan to further combat wildlife trafficking in a holistic manner and guide the response of the United States Government to ensure progress in the fight against wildlife trafficking; and

(5) to recognize the ties of wildlife trafficking to broader forms of transnational organized criminal activities, including trafficking, and where applicable, to focus on those crimes in a coordinated, cross-cutting manner.

TITLE II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

SEC. 201. REPORT.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall submit to Congress a report that lists each country determined by the Secretary of State to be a focus country within the meaning of this Act.

(b) SPECIAL DESIGNATION.—In each report required under subsection (a), the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall identify each country of concern listed in the report the government of which has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(c) SUNSET.—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

TITLE III—FRAMEWORK FOR INTERAGENCY RESPONSE

SEC. 301. PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING.

(a) RESPONSIBILITIES.—In addition to the functions required by Executive Order 13648 (78 Fed. Reg. 40621), the Task Force shall be informed by the Secretary of State's annual report required under section 201 and considering all available information, ensure that relevant United States Government agencies—

(1) collaborate, to the greatest extent practicable, with the national wildlife services, or other relevant bodies of each focus country to prepare, not later than 90 days after the date of submission of the report required under section 201(a), a United States mission assessment of the threats to wildlife in that focus country and an assessment of the capacity of that country to address wildlife trafficking;

(2) collaborate, to the greatest extent practicable, with relevant ministries, national wildlife services, or other relevant bodies of each focus country to prepare, not later than 180 days after preparation of the assessment referred to in paragraph (1), a United States mission strategic plan that includes recommendations for addressing wildlife trafficking, taking into account any regional or national strategies for addressing wildlife trafficking in a focus country developed before the preparation of such assessment;

(3) coordinate efforts among United States Federal agencies and non-Federal partners, including missions, domestic and international organizations, the private sector, and other global partners, to implement the strategic plans required by paragraph (2) in each focus country;

(4) not less frequently than annually, consult and coordinate with stakeholders qualified to provide advice, assistance, and information regarding effective support for anti-poaching activities, coordination of regional law enforcement efforts, development of and support for effective legal enforcement mechanisms, and development of strategies to reduce illicit trade and reduce consumer demand for illegally traded wildlife and wildlife products, and other relevant topics under this Act; and

(5) coordinate or carry out other functions as are necessary to implement this Act.

(b) DUPLICATION AND EFFICIENCY.—The Task Force shall—

(1) ensure that the activities of the Federal agencies involved in carrying out efforts under this Act are coordinated and not duplicated; and

(2) encourage efficiencies and coordination among the efforts of Federal agencies and interagency initiatives ongoing as of the date of the enactment of this Act to address trafficking activities, including trafficking of wildlife, humans, weapons, and narcotics, illegal trade, transnational organized crime, or other illegal activities.

(c) CONSISTENCY WITH AGENCY RESPONSIBILITIES.—The Task Force shall carry out its responsibilities under this Act in a manner consistent with the authorities and responsibilities of agencies represented on the Task Force.

(d) TASK FORCE STRATEGIC REVIEW.—One year after the date of the enactment of this Act, and annually thereafter, the Task Force shall submit a strategic assessment of its work and provide a briefing to the appropriate congressional committees that shall include—

(1) a review and assessment of the Task Force's implementation of this Act, identifying successes, failures, and gaps in its work, or that of agencies represented on the Task Force, including detailed descriptions of—

(A) what approaches, initiatives, or programs have succeeded best in increasing the willingness and capacity of focus countries to suppress and prevent illegal wildlife trafficking, and what approaches, initiatives, or programs have not succeeded as well as hoped; and

(B) which foreign governments subject to subsections (a) and (b) of section 201 have proven to be the most successful partners in suppressing and preventing illegal wildlife trafficking, which focus countries have not proven to be so, and what factors contributed to these results in each country discussed;

(2) a description of each Task Force member agency's priorities and objectives for combating wildlife trafficking;

(3) an account of total United States funding each year since fiscal year 2014 for all government agencies and programs involved in countering poaching and wildlife trafficking;

(4) an account of total United States funding since fiscal year 2014 to support the activities of the Task Force, including administrative overhead costs and congressional reporting; and

(5) recommendations for how to improve United States and international efforts to suppress and prevent illegal wildlife trafficking in the future, based upon the Task Force's experience as of the time of the review.

(e) TERMINATION OF TASK FORCE.—The statutory authorization for the Task Force provided by this Act shall terminate 5 years after the date of the enactment of this Act or such earlier date that the President terminates the Task Force by rescinding, superseding, or otherwise modifying relevant portions of Executive Order 13648.

TITLE IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

SEC. 401. ANTI-POACHING PROGRAMS.

(a) WILDLIFE LAW ENFORCEMENT PROFESSIONAL TRAINING AND COORDINATION ACTIVITIES.—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and nongovernmental partners where appropriate, may provide assistance to focus countries to carry out the recommendations made in the strategic plan required by section 301(a)(2), among other goals, to improve the effectiveness of wildlife law enforcement in regions and countries that have demonstrated capacity, willingness, and need for assistance.

(b) SENSE OF CONGRESS REGARDING SECURITY ASSISTANCE TO COUNTER WILDLIFE TRAFFICKING AND POACHING IN AFRICA.—It is the sense of Congress that the United States should continue to provide defense articles (not including significant military equipment), defense services, and related training to appropriate security forces of countries of Africa for the purposes of countering wildlife trafficking and poaching.

SEC. 402. ANTI-TRAFFICKING PROGRAMS.

(a) INVESTIGATIVE CAPACITY BUILDING.—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and communities, regions, and governments in focus countries, may design and implement programs in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2) among other goals, with clear and measurable targets and indicators of success, to increase the capacity of wildlife law enforcement and customs and border security officers in focus countries.

(b) TRANSNATIONAL PROGRAMS.—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with other relevant United States agencies, nongovernmental partners, and international bodies, and in collaboration with communities, regions, and governments in focus countries, may design and implement programs, including support for Wildlife Enforcement Networks, in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2), among other goals, to better understand and combat the transnational trade in illegal wildlife.

SEC. 403. ENGAGEMENT OF UNITED STATES DIPLOMATIC MISSIONS.

As soon as practicable but not later than 2 years after the date of the enactment of this Act, each chief of mission to a focus country should begin to implement the recommendations contained in the strategic plan required under section 301(a)(2), among other goals, for the country.

SEC. 404. COMMUNITY CONSERVATION.

The Secretary of State, in collaboration with the United State Agency for International Development, heads of other relevant United States agencies, the private sector, nongovernmental organizations, and other development partners, may provide support in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2) as such recommendations relate to the development, scaling, and replication of community wildlife conservancies and community conservation programs in focus countries to assist

with rural stability and greater security for people and wildlife, empower and support communities to manage or benefit from their wildlife resources in a long-term biologically viable manner, and reduce the threat of poaching and trafficking, including through—

(1) promoting conservation-based enterprises and incentives, such as eco-tourism and stewardship-oriented agricultural production, that empower communities to manage wildlife, natural resources, and community ventures where appropriate, by ensuring they benefit from well-managed wildlife populations;

(2) helping create alternative livelihoods to poaching by mitigating wildlife trafficking, helping support rural stability, greater security for people and wildlife, responsible economic development, and economic incentives to conserve wildlife populations;

(3) engaging regional businesses and the private sector to develop goods and services to aid in anti-poaching and anti-trafficking measures;

(4) working with communities to develop secure and safe methods of sharing information with enforcement officials;

(5) providing technical assistance to support land use stewardship plans to improve the economic, environmental, and social outcomes in community-owned or -managed lands;

(6) supporting community anti-poaching efforts, including policing and informant networks;

(7) working with community and national governments to develop relevant policy and regulatory frameworks to enable and promote community conservation programs, including supporting law enforcement engagement with wildlife protection authorities to promote information-sharing; and

(8) working with national governments to ensure that communities have timely and effective support from national authorities to mitigate risks that communities may face when engaging in anti-poaching and anti-trafficking activities.

TITLE V—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

SEC. 501. AMENDMENTS TO FISHERMAN'S PROTECTIVE ACT OF 1967.

Section 8 of the Fisherman's Protective Act of 1967 (22 U.S.C. 1978) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''in consultation with the Secretary of State,'' after ''Secretary of Commerce'';

(B) in paragraph (2), by inserting ''in consultation with the Secretary of State,'' after ''Secretary of the Interior'';

(C) in paragraph (3), by inserting ''in consultation with the Secretary of State,'' after ''as appropriate,'';

(D) by redesigning paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following new paragraph:

''(4) The Secretary of Commerce and the Secretary of the Interior shall each report to Congress each certification to the President made by such Secretary under this subsection, within 15 days after making such certification.''; and

(2) in subsection (d), by inserting ''in consultation with the Secretary of State,'' after ''as the case may be,''.

SEC. 502. WILDLIFE TRAFFICKING VIOLATIONS AS PREDICATE OFFENSES UNDER MONEY LAUNDERING STATUTE.

Section 1956(c)(7) of title 18, United States Code, is amended—

(1) in subparagraph (E), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (F), by striking the semicolon and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(G) any act that is a criminal violation of subparagraph (A), (B), (C), (D), (E), or (F) of paragraph (1) of section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)(1)), section 2203 of the African Elephant Conservation Act (16 U.S.C. 4223), or section 7(a) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5305a(a)), if the endangered or threatened species of fish or wildlife, products, items, or substances involved in the violation and relevant conduct, as applicable, have a total value of more than $10,000;''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on September 15, 2016, at 10 a.m., in room SR–328A of the Russell Senate Office Building.

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

COMMITTEE ON ARMED SERVICES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 15, 2016, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 15, 2016, at 10 a.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ''Oversight of the Federal Communications Commission.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 15, 2016, at 9:45 a.m., to conduct a hearing entitled ''Afghanistan: U.S. Policy and International Commitments.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 15, 2016, at 2:15 p.m., to conduct a hearing entitled ''Reviewing the Civil Nuclear Agreement with Norway.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 15, 2016, at 10 a.m., to conduct a hearing entitled ''The State of Health Insurance Markets.''

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

COMMITTEE ON THE JUDICIARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 15, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on September 15, 2016, at 10:30 a.m., in room SR–428A of the Russell Senate Office Building to conduct a hearing entitled ''An Examination of the Federal Response and Resources for Louisiana Flood Victims.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 15, 2016, at 2 p.m., in room SH–219 of the Hart Senate Office Building.

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

EXECUTIVE SESSION

TREATY WITH KAZAKHSTAN ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

TREATY WITH ALGERIA ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

TREATY WITH JORDAN ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

Mrs. CAPITO. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaties on today's Executive Calendar en bloc: Nos. 13, 14, 15; I further ask unanimous consent that the treaties be considered as having passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification; that any committee conditions, declarations, or reservations be agreed to as applicable; that any statements be printed in the RECORD; further, that each treaty be voted on en bloc but considered voted on individually; that the motions to reconsider be laid upon the table; and that

the President be notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The treaties will be stated.

The senior assistant legislative clerk read as follows:

Treaty document No. 114–11, Treaty with Kazakhstan on Mutual Legal Assistance in Criminal Matters.

Treaty document No. 114–3, Treaty with Algeria on Mutual Legal Assistance in Criminal Matters.

Treaty document No. 114–4, Treaty with Jordan on Mutual Legal Assistance in Criminal Matters.

Mrs. CAPITO. Mr. President, I ask for a division vote on the resolutions of ratification en bloc.

The PRESIDING OFFICER. A division vote has been requested.

On treaty document No. 114–11, Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division vote, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification is as follows:

Resolved, (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.

The Senate advises and consents to the ratification of the Treaty Between the United States of America and the Republic of Kazakhstan on Mutual Legal Assistance in Criminal Matters, signed at Washington on February 20, 2015 (Treaty Doc. 114–11), subject to the declaration of section 2.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Treaty is self-executing.

The PRESIDING OFFICER. On treaty document No. 114–3, Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division vote, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification is as follows:

Resolved, (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.

The Senate advises and consents to the ratification of the Treaty Between the Government of the United States of America and the Government of the People's Republic of Algeria on Mutual Legal Assistance in Criminal Matters, signed at Washington on April 7, 2010 (Treaty Doc. 114–3), subject to the declaration of section 2.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Treaty is self-executing.

The PRESIDING OFFICER. On treaty document No. 114–4, Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division vote, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification is as follows:

Resolved, (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.

The Senate advises and consents to the ratification of the Treaty Between the Government of the United States of America and the Government of the Hashemite Kingdom of Jordan on Mutual Legal Assistance in Criminal Matters, signed at Washington on October 1, 2013 (Treaty Doc. 114–4), subject to the declaration of section 2.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Treaty is self-executing.

EXECUTIVE CALENDAR

Mrs. CAPITO. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 700 through 715 and all nominations on the Secretary's desk; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Timothy M. Ray

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Mark C. Nowland

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10 U.S.C., section 601:

To be lieutenant general

Maj. Gen. Jerry P. Martinez

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Paul M. Nakasone

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Aundre F. Piggee

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Charles A. Richard

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Philip G. Howe

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Charles L. Plummer

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Samuel A. Greaves

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Mark D. Kelly

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Joseph F. Jarrard

The following officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Laurel J. Hummel

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Gustave F. Perna

The following named officer for appointment as the Vice Chief of the National Guard Bureau and for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 10505 and 601:

To be lieutenant general

Lt. Gen. Daniel R. Hokanson

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. James G. Foggo, III

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the

grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. John W. Raymond

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1552 AIR FORCE nominations (1186) beginning NATHAN J. ABEL, and ending BAI LAN ZHU, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2016.

PN1555 AIR FORCE nominations (49) beginning EBON S. ALLEY, and ending KENDRA S. ZBIR, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2016.

PN1556 AIR FORCE nominations (153) beginning OLUJIMISOLA M. ADELANI, and ending KELLIE J. ZENTZ, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2016.

PN1630 AIR FORCE nominations (129) beginning STEVEN S. ALEXANDER, and ending STACEY SCOTT ZDANAVAGE, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1674 AIR FORCE nomination of Rebecca L. Powers, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1675 AIR FORCE nomination of William L. White, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1676 AIR FORCE nomination of Anthony B. Mulhare, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1677 AIR FORCE nominations (2) beginning ROBERT M. CLONTZ, II, and ending REBECCA K. KEMMET, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1707 AIR FORCE nomination of Paul K. Clark, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1709 AIR FORCE nomination of Anthony S. Robbins, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

IN THE ARMY

PN1631 ARMY nomination of Andrell J. Hardy, which was received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1632 ARMY nomination of Hector I. Martinezpineiro, which was received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1648 ARMY nominations (3) beginning CHATTIE N. LEVY, and ending LISA G. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1649 ARMY nominations (6) beginning ARTHUR J. BILENKER, and ending INEZ E. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1650 ARMY nominations (14) beginning JOHN J. BRADY, and ending ELIZABETH A. WERNS, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1651 ARMY nominations (11) beginning RICHARD J. BUTALLA, and ending MARK B. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1652 ARMY nominations (9) beginning CHRISTOPHER B. AASGAARD, and ending WILLIAM A. SOCRATES, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1653 ARMY nomination of Paul V. Rahm, which was received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1654 ARMY nominations (5) beginning MICHAEL A. DEAN, and ending MARK O. WORLEY, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1655 ARMY nominations (36) beginning JONNIE L. BAILEY, and ending ILONA L. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1656 ARMY nominations (11) beginning GORDON B. CHIU, and ending PAUL A. VIATOR, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1657 ARMY nominations (47) beginning SCOTT B. ARMEN, and ending JON S. YAMAGUCHI, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1658 ARMY nominations (13) beginning THAD J. COLLARD, and ending MICHAEL L. YOST, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1659 ARMY nominations (2) beginning ANN M.B. HALL, and ending DAVID W. ROSE, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1660 ARMY nominations (2) beginning GARRY E. ONEAL, and ending CRISTOPHER A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1678 ARMY nominations (104) beginning FREDDY L. ADAMS, II, and ending D012362, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1679 ARMY nominations (147) beginning ALISSA R. ACKLEY, and ending D003185, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1680 ARMY nominations (190) beginning GEOFFREY R. ADAMS, and ending D005579, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1681 ARMY nominations (27) beginning BRIAN BICKEL, and ending MELISSA F. TUCKER, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1682 ARMY nominations (164) beginning KYLE D. AEMISEGGER, and ending SARAH M. ZATE, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1683 ARMY nomination of John E. Shemanski, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1684 ARMY nominations (21) beginning CHRISTOPHER D. BAYSA, and ending SARAH A. WILLIAMS BROWN, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1685 ARMY nominations (34) beginning ADRIENNE B. ARI, and ending CHARLES D. ZIMMERMAN, JR., which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1686 ARMY nominations (6) beginning NORMAN W. GILL, III, and ending MICHAEL A. ROBERTSON, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1687 ARMY nominations (7) beginning DERRON A. ALVES, and ending CHAD A. WEDDELL, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1688 ARMY nomination of Chantil A. Alexander, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1690 ARMY nomination of Yevgeny S. Vindman, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1691 ARMY nomination of David G. Ott, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1693 ARMY nomination of Geoffrey J. Cole, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1694 ARMY nomination of Jeffrey D. McCoy, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1695 ARMY nominations (74) beginning JOSEPH T. ALWAN, and ending NICHOLAS D. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1696 ARMY nominations (300) beginning DUSTIN M. ALBERT, and ending JENNIFER E. ZUCCARELLI, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1697 ARMY nominations (36) beginning BUSTER D. AKERS, JR., and ending MICHAEL T. ZELL, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1698 ARMY nomination of Richard L. Weaver, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1710 ARMY nomination of Gail E. S. Yoshitani, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1714 ARMY nomination of Richard A. Dorchak, Jr., which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1715 ARMY nomination of Aristidis Katerelos, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1716 ARMY nomination of Scott C. Moran, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1717 ARMY nomination of Mona M. McFadden, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1718 ARMY nominations (11) beginning NICOLE N. CLARK, and ending SUSAN R. SINGALEWITCH, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1719 ARMY nomination of Clayton T. Herriford, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1720 ARMY nominations (18) beginning JAMES R. BOULWARE, and ending MATTHEW S. WYSOCKI, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1721 ARMY nomination of David E. Foster, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1722 ARMY nomination of Justin J. Orton, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1723 ARMY nomination of Tina R. Hartley, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1724 ARMY nomination of Melaine A. Williams, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1725 ARMY nomination of Anthony T. Sampson, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

IN THE NAVY

PN1634 NAVY nominations (125) beginning KENRIC T. ABAN, and ending ERIC H. YEUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1635 NAVY nominations (61) beginning BRENT N. ADAMS, and ending EMILY L. ZYWICKE, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1636 NAVY nominations (24) beginning TERESITA ALSTON, and ending ERIN K. ZIZAK, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1637 NAVY nominations (29) beginning DYLAN T. BURCH, and ending LUKE A. WHITTEMORE, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1638 NAVY nominations (65) beginning BROOKE M. BASFORD, and ending MALISSA D. WICKERSHAM, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1639 NAVY nominations (53) beginning RYAN P. ANDERSON, and ending SCOTT A. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1640 NAVY nominations (31) beginning JENNIFER D. BOWDEN, and ending ROBERT B. WILLS which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1641 NAVY nominations (36) beginning BRADLEY M. BAER, and ending GREGORY J. WOODS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1699 NAVY nomination of Richard M. Camarena, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1701 NAVY nominations (39) beginning JULIO A. ALARCON, and ending JODI M. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1702 NAVY nominations (3) beginning ROLANDA A. FINDLAY, and ending DAPHNE P. MORRISONPONCE, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1703 NAVY nomination of Russell A. Maynard, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1726 NAVY nomination of William J. Kaiser, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1727 NAVY nominations (246) beginning NICOLE A. AGUIRRE, and ending AMY F. ZUCHARO, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1728 NAVY nominations (81) beginning ALICE A. T. ALCORN, and ending MALKA ZLPPERSTEIN, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1729 NAVY nominations (119) beginning JULIE M. C. ANDERSON, and ending BRADLEY S. WELLS, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1730 NAVY nominations (53) beginning BENJAMIN D. ADAMS, and ending MICHAEL F. WHITICAN, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1731 NAVY nominations (145) beginning STEPHEN K. AFFUL, and ending ALESSANDRA E. ZIEGLER, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1732 NAVY nominations (86) beginning SCOTT E. ADAMS, and ending CHARMAINE R. YAP, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1733 NAVY nominations (35) beginning RAYMOND B. ADKINS, and ending GALE B WHITE, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1734 NAVY nominations (55) beginning PAUL I. AHN, and ending SHANNON L. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1735 NAVY nominations (2) beginning DENNIS L. LANG, JR., and ending YASMIRA LEFFAKIS, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1736 NAVY nomination of Karen J. Sankesritland, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1737 NAVY nominations (3) beginning MARK F. BIBEAU, and ending JASON A. LAURION, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1738 NAVY nomination of Randall L. McAtee, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1739 NAVY nomination of John F. Capacchione, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1740 NAVY nomination of Stuart T. Kirkby, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1741 NAVY nomination of Carrie M. Mercier,which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

TOM STAGG FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mrs. CAPITO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 471, S. 2754.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2754) to designate the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, as the ''Tom Stagg Federal Building and United States Courthouse.''

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works with amendments, as follows:

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

S. 2754

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

SECTION 1. TOM STAGG [FEDERAL BUILDING AND UNITED STATES COURTHOUSE] *UNITED STATES COURT HOUSE.*

(a) FINDINGS.—Congress finds that—

(1) the Honorable Thomas Eaton Stagg, Jr., served as judge of the United States District Court for the Western District of Louisiana from 1974 until his death in 2015;

(2) Judge Stagg served as Chief Judge of the United States District Court for the Western District of Louisiana from 1984 through 1992;

(3) Judge Stagg served as Senior Judge of the United States District Court for the Western District of Louisiana from 1992 through 2015;

(4) Judge Stagg exemplified all that is respectable and dignified in the judiciary and was a mentor and role model for all attorneys within and beyond the Western District of Louisiana; and

(5) the naming of the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, after Judge Stagg would honor his name and the legacy he left to all citizens of the Western District of Louisiana.

(b) DESIGNATION.—The Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, shall be known and designated as the ''Tom Stagg [Federal Building and United States Courthouse] *United States Court House*''.

(c) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (b) shall be deemed to be a reference to the ''Tom Stagg [Federal Building and United States Courthouse] *United States Court House*''.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendments were agreed to.

The bill (S. 2754), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2754

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

SECTION 1. TOM STAGG UNITED STATES COURT HOUSE.

(a) FINDINGS.—Congress finds that—

(1) the Honorable Thomas Eaton Stagg, Jr., served as judge of the United States District Court for the Western District of Louisiana from 1974 until his death in 2015;

(2) Judge Stagg served as Chief Judge of the United States District Court for the Western District of Louisiana from 1984 through 1992;

(3) Judge Stagg served as Senior Judge of the United States District Court for the Western District of Louisiana from 1992 through 2015;

(4) Judge Stagg exemplified all that is respectable and dignified in the judiciary and was a mentor and role model for all attorneys within and beyond the Western District of Louisiana; and

(5) the naming of the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, after Judge Stagg would honor his name and the legacy he left to all citizens of the Western District of Louisiana.

(b) DESIGNATION.—The Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, shall be known and designated as the ''Tom Stagg United States Court House''.

(c) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (b) shall be deemed to be a reference to the ''Tom Stagg United States Court House''.

NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK

Mrs. CAPITO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 565, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 565) designating the week beginning September 12, 2016, as ''National Hispanic-Serving Institutions Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mrs. CAPITO. Mr. President, I know of no further debate on the resolution.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 565) was agreed to.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

RESOLUTIONS SUBMITTED TODAY

Mrs. CAPITO. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 566, S. Res. 567, S. Res. 568, and S. Res. 569.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S. 3348

Mrs. CAPITO. Mr. President, I understand that S. 3348, introduced earlier today by Senator WYDEN, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 3348) to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

Mrs. CAPITO. Mr. President, I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR MONDAY, SEPTEMBER 19, 2016

Mrs. CAPITO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, September 19; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 5325.

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

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 19, 2016, AT 3 P.M.

Mrs. CAPITO. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:28 p.m., adjourned until Monday, September 19, 2016, at 3 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 15, 2016:

DEPARTMENT OF DEFENSE

SUSAN S. GIBSON, OF VIRGINIA, TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. TIMOTHY M. RAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. MARK C. NOWLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JERRY P. MARTINEZ

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PAUL M. NAKASONE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. AUNDRE F. PIGGEE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. CHARLES A. RICHARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. PHILIP G. HOWE

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. CHARLES L. PLUMMER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. SAMUEL A. GREAVES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK D. KELLY

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOSEPH F. JARRARD

THE FOLLOWING OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. LAUREL J. HUMMEL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. GUSTAVE F. PERNA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHIEF OF THE NATIONAL GUARD BUREAU AND FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 10505 AND 601:

To be lieutenant general

LT. GEN. DANIEL R. HOKANSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED

WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JAMES G. FOGGO III

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JOHN W. RAYMOND

AIR FORCE NOMINATIONS BEGINNING WITH NATHAN J. ABEL AND ENDING WITH BAI LAN ZHU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH EBON S. ALLEY AND ENDING WITH KENDRA S. ZBIR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH OLUJIMISOLA M. ADELANI AND ENDING WITH KELLIE J. ZENTZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH STEVEN S. ALEXANDER AND ENDING WITH STACEY SCOTT ZDANAVAGE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

AIR FORCE NOMINATION OF REBECCA L. POWERS, TO BE MAJOR.

AIR FORCE NOMINATION OF WILLIAM L. WHITE, TO BE MAJOR.

AIR FORCE NOMINATION OF ANTHONY B. MULHARE, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH ROBERT M. CLONTZ II AND ENDING WITH REBECCA K. KEMMET, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

AIR FORCE NOMINATION OF PAUL K. CLARK, TO BE MAJOR.

AIR FORCE NOMINATION OF ANTHONY S. ROBBINS, TO BE LIEUTENANT COLONEL.

IN THE ARMY

ARMY NOMINATION OF ANDRELL J. HARDY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF HECTOR I. MARTINEZPINEIRO, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH CHATTIE N. LEVY AND ENDING WITH LISA G. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH ARTHUR J. BILENKER AND ENDING WITH INEZ E. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH JOHN J. BRADY AND ENDING WITH ELIZABETH A. WERNS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH RICHARD J. BUTALLA AND ENDING WITH MARK B. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER B. AASGAARD AND ENDING WITH WILLIAM A. SOCRATES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATION OF PAUL V. RAHM, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH MICHAEL A. DEAN AND ENDING WITH MARK O. WORLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH JONNIE L. BAILEY AND ENDING WITH ILONA L. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH GORDON B. CHIU AND ENDING WITH PAUL A. VIATOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH SCOTT B. ARMEN AND ENDING WITH JON S. YAMAGUCHI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH THAD J. COLLARD AND ENDING WITH MICHAEL L. YOST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH ANN M. B. HALL AND ENDING WITH DAVID W. ROSE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH GARRY E. ONEAL AND ENDING WITH CRISTOPHER A. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH FREDDY L. ADAMS II AND ENDING WITH D012362, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH ALISSA R. ACKLEY AND ENDING WITH D003185, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH GEOFFREY R. ADAMS AND ENDING WITH D005579, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH BRIAN BICKEL AND ENDING WITH MELISSA F. TUCKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH KYLE D. AEMISEGGER AND ENDING WITH SARAH M. ZATE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATION OF JOHN E. SHEMANSKI, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER D. BAYSA AND ENDING WITH SARAH A. WILLIAMS BROWN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH ADRIENNE B. ARI AND ENDING WITH CHARLES D. ZIMMERMAN, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH NORMAN W. GILL III AND ENDING WITH MICHAEL A. ROBERTSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH DERRON A. ALVES AND ENDING WITH CHAD A. WEDDELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATION OF CHANTIL A. ALEXANDER, TO BE MAJOR.

ARMY NOMINATION OF YEVGENY S. VINDMAN, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF DAVID G. OTT, TO BE COLONEL.

ARMY NOMINATION OF GEOFFREY J. COLE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JEFFREY D. MCCOY, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH JOSEPH T. ALWAN AND ENDING WITH NICHOLAS D. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH DUSTIN M. ALBERT AND ENDING WITH JENNIFER E. ZUCCARELLI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH BUSTER D. AKERS, JR. AND ENDING WITH MICHAEL T. ZELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATION OF RICHARD L. WEAVER, TO BE COLONEL.

ARMY NOMINATION OF GAIL E. S. YOSHITANI, TO BE COLONEL.

ARMY NOMINATION OF RICHARD A. DORCHAK, JR., TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF ARISTIDIS KATERELOS, TO BE MAJOR.

ARMY NOMINATION OF SCOTT C. MORAN, TO BE COLONEL.

ARMY NOMINATION OF MONA M. MCFADDEN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH NICOLE N. CLARK AND ENDING WITH SUSAN R. SINGALEWITCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

ARMY NOMINATION OF CLAYTON T. HERRIFORD, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH JAMES R. BOULWARE AND ENDING WITH MATTHEW S. WYSOCKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

ARMY NOMINATION OF DAVID E. FOSTER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JUSTIN J. ORTON, TO BE MAJOR.

ARMY NOMINATION OF TINA R. HARTLEY, TO BE COLONEL.

ARMY NOMINATION OF MELAINE A. WILLIAMS, TO BE COLONEL.

ARMY NOMINATION OF ANTHONY T. SAMPSON, TO BE COLONEL.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH KENRIC T. ABAN AND ENDING WITH ERIC H. YEUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH BRENT N. ADAMS AND ENDING WITH EMILY L. ZYWICKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH TERESITA ALSTON AND ENDING WITH ERIN K. ZIZAK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH DYLAN T. BURCH AND ENDING WITH LUKE A. WHITTEMORE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH BROOKE M. BASFORD AND ENDING WITH MALISSA D. WICKERSHAM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH RYAN P. ANDERSON AND ENDING WITH SCOTT A. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH JENNIFER D. BOWDEN AND ENDING WITH ROBERT B. WILLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH BRADLEY M. BAER AND ENDING WITH GREGORY J. WOODS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATION OF RICHARD M. CAMARENA, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JULIO A. ALARCON AND ENDING WITH JODI M. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

NAVY NOMINATIONS BEGINNING WITH ROLANDA A. FINDLAY AND ENDING WITH DAPHNE P. MORRISONPONCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

NAVY NOMINATION OF RUSSELL A. MAYNARD, TO BE CAPTAIN.

NAVY NOMINATION OF WILLIAM J. KAISER, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH NICOLE A. AGUIRRE AND ENDING WITH AMY F. ZUCHARO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH ALICE A. T. ALCORN AND ENDING WITH MALKA ZIPPERSTEIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH JULIE M. C. ANDERSON AND ENDING WITH BRADLEY S. WELLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH BENJAMIN D. ADAMS AND ENDING WITH MICHAEL F. WHITICAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH STEPHEN K. AFFUL AND ENDING WITH ALESSANDRA E. ZIEGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH SCOTT E. ADAMS AND ENDING WITH CHARMAINE R. YAP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH RAYMOND B. ADKINS AND ENDING WITH GALE B. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH PAUL I. AHN AND ENDING WITH SHANNON L. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH DENNIS L. LANG, JR. AND ENDING WITH YASMIRA LEFFAKIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATION OF KAREN J. SANKESRITLAND, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH MARK F. BIBEAU AND ENDING WITH JASON A. LAURION, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATION OF RANDALL L. MCATEE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF JOHN F. CAPACCHIONE, TO BE CAPTAIN.

NAVY NOMINATION OF STUART T. KIRKBY, TO BE COMMANDER.

NAVY NOMINATION OF CARRIE M. MERCIER, TO BE LIEUTENANT COMMANDER.