

117TH CONGRESS
1ST SESSION

H. R. 4729

To amend the Water Resources Reform and Development Act of 2014 to allow the Administrator of the Environmental Protection Agency, the Secretary of the Department of the Interior and other agencies to provide grants, assistance, studies, Federal coordination, and essential restoration and protection of the Mississippi River Corridor for the purpose of sustaining critical environmental services and the major U.S. economies that depend on them and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2021

Mr. THOMPSON of Mississippi introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Water Resources Reform and Development Act of 2014 to allow the Administrator of the Environmental Protection Agency, the Secretary of the Department of the Interior and other agencies to provide grants, assistance, studies, Federal coordination, and essential restoration and protection of the Mississippi River Corridor for the purpose of sustaining critical environmental services and the major U.S. economies that depend on them and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Andrew J. Young Safe-
3 guarding the Mississippi River Together Act” or the “An-
4 drew J. Young SMRT Act” or “Andy’s Mississippi River
5 Bill” or “Andy’s Bill”.

6 **SEC. 2. ESTABLISHING A COMPREHENSIVE MISSISSIPPI**
7 **RIVER PROGRAM TO PROTECT AND SUSTAIN**
8 **THE MISSISSIPPI RIVER MAIN STEM.**

9 Title IV of the Water Resources Reform and Develop-
10 ment Act of 2014 (128 Stat. 1308; Public Law 113–121;
11 33 U.S.C. 605a) is amended, after section 4002, by insert-
12 ing at the following:

13 **“SEC. 4002A. NATIONAL MISSISSIPPI RIVER PROGRAM.**

14 “(a) GENERAL AUTHORITY.—

15 “(1) IN GENERAL.—The Administrator of the
16 Environmental Protection Agency (EPA) in close co-
17 ordination and cooperation with the Secretary of the
18 Department of Interior (Interior), and in consulta-
19 tion with the Department of Transportation, the De-
20 partment of Agriculture, and the U.S. Army Corps
21 of Engineers may enter into agreements with an eli-
22 gible State or division of local government to develop
23 a National Mississippi River Program Office, provide
24 grants, assistance, studies, coordination, and essen-
25 tial restoration and protection of the Mississippi
26 River Corridor for the purposes of—

1 “(A) sustaining essential environmental
2 services;

3 “(B) maintaining the ecological integrity,
4 health, and biodiversity of Federal land as well
5 as lands managed under Federal programs;

6 “(C) protecting critical national infrastruc-
7 ture, habitat, fish and wildlife resources; and

8 “(D) supporting the major US economies
9 that depend on the Mississippi River.

10 “(2) DISPOSITION.—

11 “(A) FINDINGS.—The Administrator in
12 close coordination with the Secretary of Interior
13 may carry out any project identified pursuant
14 to this act in accordance with the priorities set-
15 forth in the findings identified by Congress as
16 the following:

17 “(i) In 1986, Congress designated the
18 Mississippi River System as both a nation-
19 ally significant ecosystem and navigation
20 system—the only inland river system to re-
21 ceive such a designation.

22 “(ii) The Mississippi River moves 47
23 percent of the nation’s inland waterway
24 commerce totaling approximately 500 mil-
25 lion tons of cargo each year making pos-

1 sible America’s only trade surplus in agri-
2 cultural commodities.

3 “(iii) The Mississippi River’s fresh-
4 water economy generates nearly \$500 bil-
5 lion in annual revenue directly employing
6 over 1.5 million people throughout the cor-
7 ridor providing drinking water supply to
8 more than 20 million people in 50 cities.

9 “(iv) One in twelve people on Earth
10 ingest commodities grown within the Mis-
11 sissippi River Basin.

12 “(v) The cities along the Mississippi
13 River have a combined gross municipal
14 product of nearly half a trillion U.S. dol-
15 lars generated from major economic sec-
16 tors including manufacturing, tourism, ag-
17 riculture, energy production, commercial
18 navigation, mineral extraction, commercial
19 harvest of natural resources, biotechnology,
20 and telecommunication services.

21 “(vi) The Mississippi River has the
22 largest global trade footprint of any inland
23 waterway in the western hemisphere giving
24 it a significant stake in maintaining access

1 to global commodity markets for the
2 United States.

3 “(vii) Waterways and ports in the
4 Mississippi River ten-State corridor move
5 \$164.6 billion in agricultural products to
6 U.S. and foreign markets. 55 to 70 percent
7 of all U.S. exported corn, soy, and wheat
8 as well as 60 percent of America’s corn
9 and soybean exports (40 percent of the na-
10 tion’s total agricultural output) move on
11 the Mississippi River.

12 “(viii) The Corridor has sustained
13 over \$50 billion in natural disaster impacts
14 within the Mississippi River Valley since
15 2011 (\$200 billion since 2005). On aver-
16 age over the last five years, disasters are
17 costing the Mississippi River economy as a
18 whole close to 3 percent annually.

19 “(ix) The Mississippi River Corridor
20 has sustained over \$50 billion in natural
21 disaster impacts within the Mississippi
22 River Valley since 2011 (\$210 billion since
23 2005). On average over the last five years,
24 disasters are costing the Mississippi River

1 economy as a whole close to 3 percent an-
2 nually.

3 “(x) Congress finds that recent disas-
4 ters only exacerbate issues of equity, ac-
5 cess, poverty, and disadvantage already
6 uniquely acute through portions of the
7 Mississippi River Corridor above and be-
8 yond other regions of the United States.
9 Rural cities are more likely to be disadvan-
10 taged. Disadvantage is clustered and driv-
11 en by historical context that requires overt
12 and purposeful solutions. Disparities in the
13 Mississippi River Corridor carry significant
14 economic outcomes in terms of health, lon-
15 gevity, quality of life, and generational
16 prosperity.

17 “(xi) Natural infrastructure can play
18 a heightened role in cleaning and regu-
19 lating water. Nature can move and manage
20 more water more efficiently, to more ben-
21 efit than built infrastructure; across the
22 nation, inland wetlands provide an esti-
23 mated \$237 billion in water flow regulation
24 services annually.

1 “(B) IN GENERAL.—The Administrator in
2 close coordination with the Secretary of Interior
3 may carry out any project identified pursuant
4 to paragraph (1) through subsection (e) in ac-
5 cordance with the criteria for projects carried
6 out under one of the following authorities:

7 “(i) Section 206 of the Water Re-
8 sources Development Act of 1996 (33
9 U.S.C. 2330).

10 “(ii) 33 U.S.C. 2201 et seq. Water
11 Resources Development Act of 1990.

12 “(iii) Section 1135 of the Water Re-
13 sources Development Act of 1986 (33
14 U.S.C. 2309a).

15 “(iv) Section 107 of the River and
16 Harbor Act of 1960 (33 U.S.C. 577).

17 “(v) Section 104(a) of the River and
18 Harbor Act of 1958 (33 U.S.C. 610(a)).

19 “(vi) Public Law 100–460; 42 U.S.C.
20 3121 note.

21 “(C) FEDERAL LEADERSHIP COM-
22 MITTEE.—In order to begin a new era of shared
23 Federal leadership with respect to the protec-
24 tion and restoration of the Mississippi River, a
25 Federal Leadership Committee (Committee) for

1 the Mississippi River shall be established under
2 this section to oversee the development and co-
3 ordination of programs and activities, including
4 data management and reporting, of agencies
5 participating in protection and restoration of
6 the Mississippi River through the work of the
7 National Mississippi River Program Office.

8 “(i) The Committee shall advise the
9 development of strategies and program
10 plans for the watershed and ecosystem of
11 the Mississippi River and their implemen-
12 tation at a broad level as investigated, con-
13 structed, and implemented in detail by the
14 National Mississippi River Program Office.

15 “(ii) The Committee shall be co-
16 chaired by the Administrator of the EPA
17 and the Secretary of the Interior or the
18 Director of the U.S. Geological Survey
19 (USGS), and vice chaired by the President
20 of the Mississippi River Commission
21 (MRC), or the President’s designee, and
22 include senior representatives of the De-
23 partment of Transportation, the Depart-
24 ment of Agriculture, the U.S. Army Corps
25 of Engineers, and such other agencies as

1 determined by the Committee including the
2 Chief of the Natural Resources Conserva-
3 tion Service and the Federal Emergency
4 Management Agency. The Committee shall
5 also include one member of the U.S. House
6 of Representatives and the U.S. Senate
7 who are Co-Chairs of the Mississippi River
8 Caucus in their respective chambers, one
9 additional member of the Congressional
10 Black Caucus from a Mississippi River
11 State (if CBC member is not available for
12 a Mississippi River State, than a CBC
13 member shall be chosen from a State with-
14 in the Mississippi River Basin), one gov-
15 ernor from a Mississippi River State and
16 one of the Mayoral Co-Chairs of the Mis-
17 sissippi River Cities & Towns Initiative
18 (MRCTI). Representatives serving on the
19 Committee shall be officers of the United
20 States with the exception of one governor
21 and one mayor as afore mentioned.

22 “(iii) Within 9 months of enactment
23 of this Act, the Committee shall prepare
24 and publish a broad strategy for coordi-
25 nated implementation of existing programs

1 and projects to guide efforts to protect and
2 restore the Mississippi River Main Stem
3 Corridor for the purposes of—

4 “(I) reducing exposure to and
5 impacts from disasters to critical na-
6 tional infrastructure and vulnerable
7 and economically disadvantaged popu-
8 lations;

9 “(II) protecting sensitive and
10 complex ecosystems, wildlife, habitat,
11 and natural resources; and

12 “(III) sustaining and augmenting
13 environmental services vital to the
14 global commodity supply chain includ-
15 ing reliable and stable flow levels, soil
16 health, reduced erosion, sedimenta-
17 tion, and nutrient loading.

18 “(iv) The Committee’s broad strategy
19 shall inform and create the basis for devel-
20 opment of a Comprehensive Mississippi
21 River Restoration Plan that will be assem-
22 bled by the National Mississippi River Pro-
23 gram Office.

24 “(b) ESTABLISHING A NATIONAL MISSISSIPPI RIVER
25 PROGRAM OFFICE.—

1 “(1) AUTHORITY.—The Administrator in close
2 coordination with the Secretary of Interior shall
3 plan, develop, and implement a central coordinating
4 and organizing apparatus for the purposes of car-
5 rying out this Section. The Administrator in agree-
6 ment and allowance with the Secretary of Interior
7 shall carryout this section through close consultation
8 with the Federal Leadership Committee of the Mis-
9 sissippi River as established in subsection (a)(2)(C).

10 “(2) PURPOSE.—The National Mississippi
11 River Program Office shall be established to con-
12 struct a Comprehensive Mississippi River Restora-
13 tion Plan outlined by the Federal Leadership Com-
14 mittee through the Committee’s broad strategy re-
15 port as carried out by subsection (a)(2)(C); organize
16 and manage the restoration, deployment, and
17 sustainment of natural infrastructure at a massive
18 scale throughout the Mississippi River Corridor in
19 order to—

20 “(A) protect critical national infrastruc-
21 ture;

22 “(B) safeguard near-water communities;

23 “(C) reestablish the biodiversity of the
24 North American mid-continent region;

1 “(D) increase the resilience and overall in-
2 tegrity of the environmental and hydrological
3 services within the Mississippi River Corridor
4 that make possible major economic activities
5 such as manufacturing, tourism, outdoor recre-
6 ation, agriculture, navigation, and disaster se-
7 curity; and

8 “(E) make more sustainable the critical
9 economies that depend on the environmental
10 services of the Mississippi River including but
11 not limited to—

12 “(i) manufacturing—including drink-
13 ing water production;

14 “(ii) tourism;

15 “(iii) outdoor recreation;

16 “(iv) agriculture;

17 “(v) navigation—integrity of the glob-
18 al commodity supply chain.

19 “(3) ORGANIZATION.—The National Mississippi
20 River Program Office shall be managed by the Envi-
21 ronmental Protection Agency through active and on-
22 going advice and concurrence from the U.S. Depart-
23 ment of Interior and be funded through the appro-
24 priations authorized under this Act obligated
25 through a joint agreement between the U.S. EPA

1 and the U.S. Department of Interior annual budgets
2 respectively where applicable funds shall be allocated
3 to Interior to carry-out scientific support of the Pro-
4 gram Office and for other cooperative activities with
5 the EPA in managing mandates included in this
6 Act.

7 “(A) The National Mississippi River Pro-
8 gram Office (Program Office) shall be orga-
9 nized into three broad divisions with appro-
10 priate expertise and staff assigned to each divi-
11 sion including but not necessarily limited to—

12 “(i) Infrastructure Repair, Resilience
13 and Adaptation (IRRA);

14 “(ii) Ecological Restoration and Envi-
15 ronmental Service Integrity (ERESI); and

16 “(iii) Data Analysis and Subject Mat-
17 ter Investigations Directorate (DASMID).

18 “(B) The Program Office shall be led by a
19 Chief Executive Officer with appropriate deputy
20 officers as needed; and each Program Office di-
21 vision shall have a director appointed in close
22 consultation with the Environmental Protection
23 Agency, U.S. Department of Transportation,
24 and the U.S. Army Corps of Engineers.

1 “(4) PRIORITIZATION.—The Administrator in
2 close coordination with the Secretary of Interior
3 shall prioritize the activities of the Program Office
4 in participating States for projects that—

5 “(A) deploy, restore, expand, and/or aug-
6 ment natural infrastructure assets such as wet-
7 lands, marshes, forests, streams, natural
8 catchment basins, freshwater estuaries, and ri-
9 parian areas;

10 “(B) restore and/or increase the biodiver-
11 sity and habitat of wildlife throughout the Mis-
12 sissippi River Corridor;

13 “(C) increase the disaster resilience of en-
14 vironmental services, critical national infra-
15 structure, near-water communities, and the
16 major economies dependent on the Mississippi
17 River Corridor;

18 “(D) seek to monitor, study, understand,
19 and expand knowledge of how the environ-
20 mental assets of the Mississippi River Corridor
21 function, support economic development, protect
22 population centers, and sustain impacts from
23 climate changes, nutrient loading, human-
24 caused toxification, major storm events both in
25 tear-term and long-term scales;

1 “(E) improve the water quality of the main
2 stem Mississippi River including a decrease in
3 errand nutrient load; and

4 “(F) ensure communities disproportion-
5 ately vulnerable to disaster impacts, abject pov-
6 erty, and historic lack of access including Na-
7 tive American Tribes and much of the Mis-
8 sissippi River Delta are given priority consider-
9 ation and benefit of the services, resources, and
10 capacity provided through this Act; and such
11 consideration be made systemic throughout all
12 operations and divisions of the National Mis-
13 sissippi River Program Office.

14 “(5) PROCEDURE.—In carrying out subsection
15 (b), the Administrator in close coordination with the
16 Secretary of Interior shall engage in the following
17 procedure to locate and develop the Program Office.

18 “(A) One hundred and twenty days after
19 enactment of this Act, the Administrator shall
20 establish a narrowly tailored temporary version
21 of the Program Office in order to immediately
22 assist and coordinate the early activities of the
23 Administrator and the Federal Leadership
24 Committee prescribed by subsection (d) until a

1 more permanent version may be developed in
2 the Mississippi River region.

3 “(B) The temporary Program Office shall
4 continue to operate, develop, and expand as
5 needed in the location specified by the Adminis-
6 trator while a more permanent regional location
7 is established.

8 “(C) Six months after enactment of this
9 Act, the Administrator shall invite proposals
10 from the ten States bordering the Main Stem
11 Mississippi River describing how each State
12 would be best suited to host the Program Of-
13 fice.

14 “(D) The Administrator shall request de-
15 tails from each eligible State on what resources
16 that State can provide to the development of
17 the Program Office and how that State hosting
18 the Program Office is in the best interest of
19 carrying out the intent of this Act. Eligible
20 States shall also include the following details:

21 “(i) State match of funding available
22 to develop the Program Office up to the
23 first five years of its operation.

24 “(ii) How the Mississippi River fits
25 into that State’s plan(s) for the following:

1 “(I) Sustainable economic devel-
2 opment.

3 “(II) Disaster resilience and miti-
4 gation.

5 “(III) Water quality monitoring
6 strategy.

7 “(IV) Drought resilience.

8 “(V) Climate change reduction
9 and adaptation.

10 “(VI) Natural resource protec-
11 tion and conservation.

12 “(VII) Habitat restoration and
13 preservation.

14 “(VIII) Nutrient reduction strat-
15 egy.

16 “(IX) Infrastructure renewal and
17 replacement.

18 “(X) Land use and development
19 in and around flood plain and back-
20 water areas.

21 “(iii) Partnerships with the non-profit
22 and private sectors that can assist the
23 State, EPA, and Department of Interior in
24 developing the Program Office and car-
25 rying out its mandate under this Act.

1 “(E) MULTI-STATE PROPOSALS.—Because
2 the Mississippi River is a border for eight out
3 of the ten eligible States, eligible States may
4 partner in answering the Administrator’s re-
5 quest under the following provisions:

6 “(i) There shall be no limit to the
7 number of States partnering in reply to
8 this subsection.

9 “(ii) The physical location of the Pro-
10 gram Office may reside in two or more
11 States but sites must be positioned no
12 more than two (2.0) lateral miles apart un-
13 less a majority of the space between sites
14 is river and/or unoccupied floodplain, than
15 the maximum distance shall be no more
16 than five-and-a-half (5.5) lateral miles be-
17 tween any two sites of the office.

18 “(iii) State jurisdiction and matching
19 funds must be coordinated and an ultimate
20 State authority over the office coordinating
21 resources and communication must be es-
22 tablished in the proposal. A special services
23 vehicle or other multi-State body may be
24 assembled to provide this authority for the
25 Administrator.

1 “(F) PRIORITY.—The Administrator shall
2 submit all State proposals to the Federal Lead-
3 ership Committee to evaluate State proposals to
4 host the Program Office using the following pri-
5 orities in decreasing order of importance:

6 “(i) Mississippi River inclusion and
7 jurisdiction in the State plans delineated in
8 subsection (b)(5)(B)(ii).

9 “(ii) The inclusion of additional sus-
10 tainability capacities including but not lim-
11 ited to affirmative answers to the following
12 inquiries:

13 “(I) Is the proposed site(s) lo-
14 cated within or directly accessible to a
15 Mississippi River City’s downtown
16 area, or contained within city limits in
17 whole or in part?

18 “(II) Is the proposed facility or
19 facilities for the Program Office a
20 ‘green building’ that is LEED cer-
21 tified at ‘gold’ level or above?

22 “(III) Does the State proposal
23 and site situation take into account
24 adjacent or nearby Federal property?

1 “(IV) Is the proposed location
2 adjacent to or near areas that can be
3 used as demonstration sites for var-
4 ious Mississippi River Program activi-
5 ties involving resilience, adaptation,
6 conservation, restoration, and/or nat-
7 ural infrastructure applications?

8 “(V) Does the State proposal
9 stress priorities around low impact de-
10 velopment strategies such as restora-
11 tion of gray or brownfield sites, em-
12 phasis of alternative forms of trans-
13 portation, proposed site is outside
14 floodplain?

15 “(iii) A plan to work with Federal
16 partners ensuring objectives of diversity,
17 equity, and inclusion are achieved; specifi-
18 cally, plans to employ local and regional
19 residents from historically disadvantaged
20 groups, plans to support local businesses
21 near the program office site, plans to cre-
22 ate permeable spaces between the Federal
23 facility and the community it occupies, and
24 plans to provide ongoing and cumulative
25 learning opportunities so residents of re-

1 gional disadvantaged communities may
2 contribute meaningfully to the program of-
3 fice.

4 “(iv) Multi-State proposal.

5 “(v) Partnerships especially with envi-
6 ronmental justice organizations, histori-
7 cally Black colleges and universities, as
8 well as minority opportunity and prosperity
9 organizations.

10 “(G) States shall be given 6 months from
11 publication of the request for proposals to sub-
12 mit a reply to the Administrator. In the event
13 that no eligible State submits a reply timely
14 under this section, then the Administrator shall
15 select a State and site unilaterally using appli-
16 cable portions of the above procedure.

17 “(H) The Program Office established 120
18 days after enactment of this Act shall continue
19 to operate and develop where designated by the
20 Administrator until such time a new office may
21 be established within the Mississippi River Cor-
22 ridor.

23 “(6) OVERSIGHT.—In conducting oversight with
24 respect to managing the Program Office established
25 under this section, the Administrator—

1 “(A) shall—

2 “(i) periodically audit the funds and
3 activities in accordance with procedures es-
4 tablished by the Comptroller General of
5 the United States; and

6 “(ii) not less frequently than once
7 every two (2) years, review the projects
8 and activities of the Program Office to de-
9 termine its effectiveness in carrying out
10 this Act; and

11 “(B) may, at any time—

12 “(i) make recommendations to the
13 Program Office division directors and host
14 State with respect to the administration of
15 the Program Office; or

16 “(ii) require specific changes with re-
17 spect to the Program Office in order to im-
18 prove the effectiveness of activities estab-
19 lished under this Act.

20 “(7) Any specific changes the Administrator
21 deems a requirement must be coordinated and ad-
22 vised by the Department of Interior, U.S. Depart-
23 ment of Transportation, and the U.S. Army Corps
24 of Engineers where the subject matter duly falls
25 under that agencies authority and/or expertise.

1 “(c) IN GENERAL.—There shall be established a suite
2 of grants and ongoing projects through this section to sus-
3 tain the Mississippi River Corridor and carryout the intent
4 created under this Act.

5 “(d) COMPREHENSIVE MISSISSIPPI RIVER RESTORA-
6 TION PLAN.—Not later than two and a half (2.5) years
7 after enactment of this Act, the Program Office in coordi-
8 nation with the Federal Leadership Committee shall de-
9 velop a comprehensive Mississippi River restoration plan
10 (Plan) to guide implementation of several projects under
11 this subsection and subsection (c).

12 “(1) COORDINATION.—The restoration plan de-
13 scribed in paragraph (d) shall, to the maximum ex-
14 tent practicable, consider and avoid duplication of
15 any ongoing or planned actions of other Federal,
16 State, and local agencies and nongovernmental orga-
17 nizations but instead seek to support, compliment,
18 improve, and where appropriate absorb other efforts
19 with specific reference to the Navigation and Eco-
20 system Sustainability Program (NESP), the Upper
21 Mississippi River Restoration Program (UMRR), the
22 Mississippi River and Tributaries Program (MR&T),
23 the Wetland Reserve Program, the Resilience Re-
24 volving Loan Fund or STORM Act, and the private
25 carbon reforestation program(s).

1 “(2) STRATEGIC INTERSTATE COORDINATION.—
2 Recognizing the Mississippi River acts as a border
3 along eight of the ten State-corridor, to the max-
4 imum extent possible, projects under this subsection
5 shall be carried-out through interstate cooperation
6 and coordination with States, localities, and organi-
7 zations partnering on both sides of the Mississippi
8 River in carrying-out all activities permitted through
9 this subsection.

10 “(3) PRIORITIZATION.—The restoration plan
11 described in subsection (d) shall give priority to
12 projects eligible under subsections (c) and (d) that
13 will also improve water quality or quantity or use
14 natural hydrological features and systems as well as
15 non-structural solutions toward the following bene-
16 fits:

17 “(A) sediment, erosion, and errand nutri-
18 ent control;

19 “(B) protection of eroding shorelines;

20 “(C) ecosystem restoration, including res-
21 toration of submerged aquatic vegetation for
22 the primary purpose of disaster resilience and
23 environmental service restoration and aug-
24 mentation;

1 “(D) protection of essential public works,
2 critical national infrastructure, and the major
3 economies that depend on the River;

4 “(E) restore the biodiversity of the Mis-
5 sissippi River Corridor;

6 “(F) sustain wildlife, habitat, and natural
7 resource integrity;

8 “(G) set-back and reconfiguration of levees
9 and floodwalls as well as pursuance of non-
10 structural solutions;

11 “(H) increase and improvement of water
12 quality monitoring capacity;

13 “(I) beneficial uses of dredged material;

14 “(J) protection of near-water communities
15 especially those in historically disadvantaged
16 neighborhoods and regions such as the delta;
17 and

18 “(K) other related projects that may en-
19 hance the living resources of the Mississippi
20 River Corridor.

21 “(4) PROCEDURE.—Once completed the Pro-
22 gram Office shall submit the Plan to the Federal
23 Leadership Committee, EPA Administrator, and the
24 Secretary of the Department of Interior to be re-
25 leased for public comment. The public comment pe-

1 riod shall last no more than ninety (90) days in line
2 with standard Department of Interior policies and
3 procedures. Once the public comment period has
4 elapsed, the Plan will enter final review and ap-
5 proval. No later than thirty days (30) after the pub-
6 lic comment period has completed the Plan shall be
7 placed into its final form and published. Once the
8 Plan is approved, it shall be given to the Program
9 Office to carry-out in accordance with the aims and
10 priorities of this Act under the recommended
11 timeline set-forth in the Plan itself for both imple-
12 mentation and scheduled updates with advice and
13 coordination from the Federal Leadership Com-
14 mittee.

15 “(e) PROJECTS.—The Program Office shall establish,
16 to the maximum extent possible, projects under this sec-
17 tion throughout the Mississippi River Corridor that imple-
18 ment the Comprehensive Mississippi River Restoration
19 Plan as well as projects that proceed apart and outside
20 the Plan but meet the priorities and aims laid-out in sub-
21 sections (a)(1) and (b)(4) of this section.

22 “(1) PROJECTS ON FEDERAL LAND.—A project
23 carried out pursuant to the Plan described in sub-
24 section (d) that is located on Federal land shall be
25 carried out at the expense of the Federal agency

1 that owns the land on which the project will be a
2 carried out.

3 “(2) NON-FEDERAL CONTRIBUTIONS.—A Fed-
4 eral agency carrying out a project described in sub-
5 section (c) may accept contributions of funds from
6 non-Federal entities to carry out that project.

7 “(3) PROJECTS WITHIN THE COMPREHENSIVE
8 MISSISSIPPI RIVER CORRIDOR RESTORATION PLAN.—
9 The Program Office shall identify and carry-out
10 projects that implement and satisfy the aims of the
11 Plan in such a manner that involves States, local
12 governments, institutions of higher learning, non-
13 profit organizations, and private sector stakeholders
14 through the holding of annual or biannual (two in-
15 stances a year) regional conferences. These con-
16 ferences may be held in conjunction with other ger-
17 mane gatherings within the region such as those
18 conducted by the U.S. Army Corps of Engineers, the
19 UMRBA, or the MRCTI.

20 “(A) During these conferences, the Pro-
21 gram Office shall share planned project designs
22 and priority geographic sites of repetitive loss
23 where a severe compelling human need exists.
24 The Program Office shall elicit from partici-
25 pants official testimony on how to structure,

1 prioritize, and implement projects in an effi-
2 cient and timely manner.

3 “(B) The Program Office shall begin at
4 least one new project a year for the first five
5 years from the publishing of the Comprehensive
6 Mississippi River Restoration Plan that works
7 to implement the Plan as approved by the Com-
8 mittee.

9 “(4) PROJECTS OUTSIDE THE COMPREHENSIVE
10 MISSISSIPPI RIVER CORRIDOR RESTORATION PLAN.—

11 “(A) Congress recognizes there will be an
12 on-going need for projects that cannot be
13 planned for, may arise out of emergency cir-
14 cumstances or developments, and/or may meet
15 compelling needs congruent to this Act, but are
16 best carried-out under the auspices of other or-
17 gans of government or the private sector in part
18 or entirely.

19 “(B) GRANTS.—In providing grants under
20 this subsection, the Program Office shall con-
21 duct a transparent and competitive regional so-
22 licitation process to select eligible projects to re-
23 ceive grants under this subsection. This Act
24 shall provide for extra-provisional projects
25 through the following schedule of grants to

1 States, local governments and non-profit orga-
2 nizations whom have a State or local govern-
3 ment partner—

4 “(i) INFRASTRUCTURE REPAIR, RESIL-
5 IENCE AND ADAPTATION GRANT.—Communi-
6 ties who have vital built and/or natural
7 infrastructure assets that require repair,
8 restoration, and/or replacement due to re-
9 petitive loss events may apply to the Pro-
10 gram Office for this grant.

11 “(I) PURPOSE.—The purpose of
12 the grant is to provide funds for resil-
13 ience improvements through—

14 “(aa) competitive planning
15 grants to enable communities to
16 assess vulnerabilities to current
17 and future weather events and
18 natural disasters and changing
19 conditions, including drought,
20 and plan infrastructure improve-
21 ments and emergency response
22 strategies to address those
23 vulnerabilities so that infrastruc-
24 ture can be built back more resil-
25 ient and sustainable;

1 “(bb) competitive resilience
2 improvement grants to protect
3 infrastructure assets by making
4 the assets more resilient to cur-
5 rent and future weather events
6 and natural disasters, such as se-
7 vere storms, flooding, drought,
8 levee and dam failures, wildfire,
9 extreme weather, including ex-
10 treme temperature, and earth-
11 quakes;

12 “(cc) natural infrastructure
13 including regenerative agricul-
14 tural lands designed to provide
15 co-benefits such as natural flood
16 storage that protect and enhance
17 built assets while improving eco-
18 system conditions, including cul-
19 verts that ensure adequate flows
20 in rivers and estuarine systems;

21 “(dd) using build-back-bet-
22 ter practices, this grant may used
23 toward the acquisition of better
24 or best technology as well as the
25 installation and deployment of

1 new infrastructure assets to im-
2 prove older ones or their entire
3 systems. This subsection also al-
4 lows for the acquisition of prop-
5 erty to expand natural infrastruc-
6 ture assets allowing them to per-
7 form at higher capacity providing
8 protection for more severe events
9 over a larger service area. Expan-
10 sion of natural infrastructure for
11 the purposes of this subsection
12 may include the removal outdated
13 built infrastructure such as dams
14 that pose risk; and

15 “(ee) this grant is also de-
16 signed to address both minority
17 and disadvantaged community in-
18 clusion, access, and equity. Appli-
19 cants under this subsection
20 should provide structural guaran-
21 tees that minority communities
22 will be made part of the decision
23 process through which grant
24 funds are obligated and expended
25 toward infrastructure.

1 “(II) ELIGIBILITY.—Project area
2 must reside within a State or federally
3 designated disaster area within the
4 last 5 years of the time of application;
5 Infrastructure asset or assets must
6 have sustained a minimum of 30 per-
7 cent loss from at least one of the dis-
8 aster events stipulated in this sub-
9 section; in the event that an infra-
10 structure system is the subject of the
11 application than this subsection ap-
12 plies to the entire system in question.

13 “(III) DISTRIBUTION.—Grant
14 awards under subsection (e)(4)(B)(i)
15 are direct allocations to States or local
16 governments. Non-profit organizations
17 may apply for grants under this sub-
18 section if their application includes a
19 State or local government partner. All
20 funds will be distributed directly to
21 State or local governments who may
22 then suballocate to non-profit part-
23 ners. Sixty percent of all grants under
24 this subsection must be allocated di-
25 rectly to local governments.

1 “(IV) COST SHARE.—The Fed-
2 eral share of the cost of a project car-
3 ried out using funds made available
4 under paragraph (i) shall not exceed
5 80 percent of the total project cost. A
6 locality may use Federal funds other
7 than Federal funds made available
8 under this subsection to meet the non-
9 Federal cost share requirement for a
10 project under this subsection.

11 “(ii) SUSTAINABLE ECONOMIC DEVEL-
12 OPMENT GRANT.—Communities and re-
13 gions that have sustained significant repet-
14 itive loss over the past ten years from the
15 date of application for this grant may seek
16 relief through the Program Office pursuant
17 to this subsection.

18 “(I) PURPOSE.—The purpose of
19 the grant is to provide funds for eco-
20 nomic revitalization through—

21 “(aa) competitive economic
22 planning grants to enable com-
23 munities and regions to shift
24 and/or expand their economies
25 from environmentally costly in-

1 industrial to clean manufacturing,
2 service, global commodity supply
3 chain movement and/or tourism
4 as well as other low-impact eco-
5 nomic development; and

6 “(bb) competitive economic
7 improvement grants that include
8 strategies to make a region’s
9 economies more resilient and
10 adaptive to increased and more
11 persistent disaster events as well
12 as shocks due to degradation of
13 essential environmental services;

14 “(cc) the off-loading of
15 major infrastructure assets from
16 local governments to special serv-
17 ice vehicles or private sector enti-
18 ties in such a way that ensures
19 continued environmental health,
20 natural resource protection, and
21 ecological health of the region;

22 “(II) ELIGIBILITY.—Applying lo-
23 cality must have sustained an eco-
24 nomic loss of at least 30 percent over

1 the last ten years at the time of appli-
2 cation to this grant.

3 “(III) DISTRIBUTION.—Grant
4 awards under subsection (e)(4)(B)(i)
5 are direct allocations to States or local
6 governments. Non-profit organizations
7 may apply for grants under this sub-
8 section if their application includes a
9 State or local government partner. All
10 funds will be distributed directly to
11 State or local governments who may
12 then suballocate to non-profit part-
13 ners. All grants under this subsection
14 must be allocated directly to local gov-
15 ernments.

16 “(IV) COST SHARE.—The Fed-
17 eral share of the cost of a project car-
18 ried out using funds made available
19 under paragraph (ii) shall not exceed
20 50 percent of the total project cost. A
21 locality may use Federal funds other
22 than Federal funds made available
23 under this subsection to meet the non-
24 Federal cost share requirement for a
25 project under this subsection.

1 “(V) STRUCTURE.—A community
2 seeking relief under this subsection
3 must demonstrate a restructuring of
4 their economy through a pivot from a
5 ‘funding’ model to a ‘financing’ model
6 by providing the following structure to
7 their application.

8 “(aa) Communities shall
9 provide a strategic financing plan
10 for their economy assessing their
11 development needs demonstrating
12 allocation of capital prioritized to
13 fit those needs.

14 “(bb) Localities must strate-
15 gically mobilize private capital by
16 aligning the allocation processes
17 to their development goals and
18 gaps of their current economy in
19 many sectors including, but not
20 limited to infrastructure, health,
21 education, and energy; this re-
22 quires a critical collaboration ef-
23 fort.

24 “(cc) Local governments
25 must demonstrate a priority for

1 minority inclusion, access, and
2 equity in applying for funds
3 made available under subsection
4 (e)(4)(B)(ii) and provide struc-
5 tural guarantees that minority
6 communities will be made part of
7 the decision process through
8 grant funds are obligated and ex-
9 pended.

10 “(iii) STATE SEDIMENTATION, ER-
11 RAND NUTRIENT & REGENERATIVE AGRI-
12 CULTURE ASSISTANCE GRANT
13 (SSENRAAG).—States that wish to pursue
14 their nutrient reduction strategies more
15 aggressively and have determined a com-
16 pelling need to do so in compliment to and
17 beyond what is called for through the Com-
18 prehensive Mississippi River Restoration
19 Plan may apply to the Program Office for
20 assistance.

21 “(I) PURPOSE.—The purpose of
22 the grant is to provide funds for
23 States to achieve their nutrient reduc-
24 tion strategies through a truncated
25 timeline with greater activity and ur-

1 agency due to an emergency event such
2 as a disaster, crisis, or unique oppor-
3 tunity/discovery through—

4 “(aa) competitive planning
5 grants to enable States to achieve
6 their enacted goals and timelines
7 for reductions in phosphorus and
8 nitrogen at a more impactful
9 level and at a faster pace;

10 “(bb) competitive water
11 quality improvement grants to
12 protect the States’ fresh water
13 resources that flow into the Mis-
14 sissippi River;

15 “(cc) innovative approach
16 grants that implement new ways
17 of achieving nutrient reduction
18 goals such as, but not limited to
19 nutrient trading regimes, estab-
20 lishment of investment funds to
21 assist in the capitalization of best
22 technology acquisition for water
23 treatment facilities, deployment
24 of on-field regenerative agri-
25 culture practices, and/or the cap-

1 italization of a new market credit
2 to incentivize the production and
3 sales of cover crops; and

4 “(dd) minority and dis-
5 advantaged farmers shall to re-
6 ceive priority consideration under
7 this subsection where certain ag-
8 ricultural communities of color
9 were purposefully positioned in
10 places of significant disaster im-
11 pact.

12 “(II) ELIGIBILITY.—Only partici-
13 pating States may apply for this as-
14 sistance and must do so in direct co-
15 ordination with local governments that
16 are included in the proposed service
17 area of the grant.

18 “(III) DISTRIBUTION.—Grant
19 awards under subsection (e)(4)(B)(iii)
20 are direct allocations to States with a
21 minimum set-aside allocation for local
22 governments included in the service
23 area of the grant of not less than 20
24 percent.

1 “(IV) COST SHARE.—The Fed-
2 eral share of the cost of a project car-
3 ried out using funds made available
4 under paragraph (i) shall not exceed
5 80 percent of the total project cost. A
6 State may use Federal funds other
7 than Federal funds made available
8 under this subsection to meet the non-
9 Federal cost share requirement for a
10 project under this subsection.

11 “(5) ALLOCATION, ADMINISTRATION OF
12 FUNDS.—Funds distributed under subsection (e)
13 must be used by States, local governments, and their
14 partners for the purposes designated in subsection
15 (d)(4)(B) with the stipulations and limitations con-
16 tained in subsection (g) and subsection (h).

17 “(A) ALLOWANCES FOR SMALL COMMU-
18 NITIES.—Those communities directly adjacent
19 to the Mississippi River Main Stem with popu-
20 lations below 10,000 shall be given administra-
21 tive allowances in submitting their applica-
22 tion(s) for assistance under this Act such that
23 the Program Office shall offer technical assist-
24 ance and guidance to communities implicated in
25 this subsection in submitting a credible applica-

1 tion. Minority and historically disadvantaged
2 communities shall be given additional priority
3 through this subsection especially those facing
4 disproportionate impacts from environmental
5 injustices committed by industrial processes.

6 “(B) SMALL COMMUNITY SET-ASIDE.—The
7 Program Office shall set aside 5 percent of all
8 available grant funds under subsection (e) for
9 the sole purpose of awarding grants to small
10 community applicants that fit the description
11 stipulated in subsection (e)(5)(A).

12 “(f) IN GENERAL.—In order to support the Com-
13 prehensive Mississippi River Restoration Plan and for
14 other purposes, there shall be established a series of ongo-
15 ing studies and investigations through this section to sus-
16 tain the Mississippi River Corridor and carryout the intent
17 created under this Act.

18 “(1) MISSISSIPPI RIVER CORRIDOR ECONOMIC
19 PROFILE.—Once every 5 years after enactment of
20 this Act, the Program Office shall complete an up-
21 dated economic profile (profile) of the Mississippi
22 River Corridor.

23 “(A) PURPOSE.—This study is to develop
24 a profile of the regional economic activity de-

1 pendent upon the Mississippi Corridor from the
2 headwaters region to the Gulf of Mexico.

3 “(B) FORM.—This report shall be an anal-
4 ysis of present economic activity including a
5 treatment of recent economic trends. The ulti-
6 mate objective of this report is to enhance un-
7 derstanding among government agencies, legis-
8 lative bodies, private organizations, and indi-
9 vidual citizens of the relative significance of key
10 economic sectors in the Mississippi River Cor-
11 ridor, providing an information source for fu-
12 ture river management decisions and an eco-
13 nomic guiding document for the Comprehensive
14 Mississippi River Restoration Plan.

15 “(i) The profile described in this sub-
16 section shall use the Lower Mississippi
17 River Economic Profile developed by the
18 Lower Mississippi River Conservation
19 Committee (LMRCC) as a template includ-
20 ing the economic sectors and degree of
21 analysis mustered for the LMRCC docu-
22 ment.

23 “(ii) The Program Office shall have
24 the latitude to alter the LMRCC template
25 as it sees fit in updating the profile includ-

1 ing the addition and subtraction of major
2 economic categories as well as geographic
3 scope.

4 “(iii) The Program Office shall in-
5 clude a new category to track the economic
6 impacts of the Comprehensive Mississippi
7 River Restoration Plan and the subsequent
8 project grants implemented through sub-
9 section (e) as they are implemented
10 throughout the corridor. The Program Of-
11 fice shall decide the most appropriate time
12 to institute this category.

13 “(iv) The Program Office shall pursue
14 to the maximum extent possible an eco-
15 nomic analysis of the environmental serv-
16 ices and ecosystem valuation of the Mis-
17 sissippi River Corridor creating a compare-
18 and-contrast analysis of those areas insti-
19 tuting sustainable design and resilience
20 projects and those that do not with par-
21 ticular emphasis on climate mitigation
22 strategies and deployment, restoration, ex-
23 pansion of natural infrastructure.

24 “(C) PROCEDURE.—The Data Analysis
25 and Subject Matter Investigations Directorate

1 (DASMID) within the Program Office shall
2 lead and manage the development, review, and
3 release of the Profile. The DASMID shall deter-
4 mine the appropriate timeline to carry-out this
5 procedure and shall—

6 “(i) present the profile in draft form
7 to the Federal Leadership Committee for
8 advice and review leading up to the five-
9 year increment of updated publication of
10 the Profile;

11 “(ii) create a reasonable opportunity
12 for States, local governments, organiza-
13 tions, and institutions of higher learning to
14 officially submit review and comment on
15 drafts or final publication of the Profile;

16 “(iii) determine the most effective
17 manner in which to organize the Profile
18 within the priority of providing break-out
19 economic analysis for each State so the
20 profile can be of maximum utility to Con-
21 gress in setting policy for the nation’s re-
22 sources and waterways.

23 “(2) WATERSHED MONITORING NETWORK.—

24 Using the USGS-developed MRCTI Mississippi
25 River disaster information portal as an example and

1 working directly with the U.S. Geological Survey
2 Water Resources Program and the Natural Re-
3 sources Conservation Service, the Program Office
4 shall establish a water quality and flow monitoring
5 network for the Mississippi River Corridor for the
6 purposes of quantifying and evaluating the sources,
7 transport, and trends of sediment, nutrients, as well
8 as to determine the effectiveness of nutrient reduc-
9 tion practices corridor-wide, and for other water
10 quality parameters such as river color(s) obtained
11 from NASA images. In developing the monitoring
12 network described in this subsection shall—

13 “(A) be advised and consulted by inter-
14 state water quality monitoring strategies for
15 nutrient, sediment, and other water quality pa-
16 rameters where they exist as well as Mississippi
17 River States’ monitoring of the implementation
18 and performance of best management practices
19 for reducing nutrient and sediment loading
20 from nonpoint sources where such best prac-
21 tices can be determined from the 31 States of
22 the Mississippi River Basin; and

23 “(B) expand from the Mississippi River
24 Corridor to the entire Mississippi River Basin
25 over time as resources and capacity allows in

1 order to capture the major tributaries and their
2 contribution of impacts to the Mississippi River
3 Main Stem.

4 “(3) DISASTER RESILIENCE AND ENVIRON-
5 MENTAL SERVICES VALUATION.—Working in close
6 coordination and collaboration with the U.S. Army
7 Corps of Engineers Mississippi Valley Division (Divi-
8 sion), the Program Office shall provide data, re-
9 search and investigation that offers valuation and
10 economic impact of all the Division’s ecosystem res-
11 toration work in terms of disaster resilience and en-
12 hanced environmental services and such activity de-
13 scribed in this subsection shall be made part of the
14 Corps’ official project cost-benefit-analysis for all
15 ecosystem restoration projects. Particular attention
16 of the valuation shall be allocated to track and
17 measure impacts and solutions for minority and his-
18 torically disadvantaged communities throughout the
19 study in such a manner as to determine how these
20 vulnerable communities may garner more urgent and
21 systemic benefits from ecosystem restoration and en-
22 hanced environmental services deployment.

23 “(4) TRUST FUND FEASIBILITY STUDY.—In
24 close cooperation with the White House Office of
25 Management and Budget, the Program Office shall

1 conduct a study to determine the feasibility of estab-
2 lishing a multi-user-fee-supported trust fund for the
3 Mississippi River’s ecological sustainability and built
4 infrastructure integrity and repair. The study shall
5 be reported to Congress three years after enactment
6 of this Act. It is envisioned this Trust Fund would
7 ensure the continued funding of Mississippi River
8 Corridor environmental services that support the
9 global commodity supply chain, navigation, manufac-
10 turing, drinking water supply, disaster resilience,
11 and outdoor tourism and recreation.

12 “(A) PURPOSE.—The Feasibility Study
13 shall determine if a multi-user-fee-structure
14 could be established for an impactful majority
15 of private and public sector entities using the
16 Mississippi River including but not limited to:

17 “(i) Agricultural commodity pro-
18 ducers, distributors, and manufacturers.

19 “(ii) Navigation industry members.

20 “(iii) Outdoor recreation and tourism
21 industry members.

22 “(iv) Food and beverage manufactur-
23 ers.

24 “(v) Private entities using one hun-
25 dred thousand or more gallons per day of

1 Mississippi River surface water including
2 public and quasi-government utilities.

3 “(vi) State governments that border
4 the main stem Mississippi River from
5 headwaters to the Gulf of Mexico.

6 “(B) FORM.—The study mandated in this
7 subsection shall be structured to pursue the
8 pervasive use of the Mississippi River and how
9 the myriad of end-user interests may be accu-
10 mulated and organized into a system through
11 which the Mississippi River as one of the Na-
12 tion’s most treasured and relied upon resources
13 as well as all the activities of the Program Of-
14 fice are sustained into the future with less and
15 less dependency on annual Federal appropria-
16 tions.

17 “(C) PROCEDURE.—The Program Office,
18 upon completion of the study, shall co-present
19 with the White House Office of Management
20 and Budget, findings to the Federal Leadership
21 Committee for advice and review before final
22 publication and submission to Congress.

23 “(g) DEFINITIONS.—For purposes of this section:

24 “(1) MISSISSIPPI RIVER CORRIDOR.—The term
25 ‘Mississippi River Corridor’ shall mean the 246-

1 county region along the Mississippi River Main Stem
2 as delineated in the 2016 U.S. Fish and Wildlife
3 Service Upper Mississippi River Economic Profile
4 and the 2014 Lower Mississippi River Conservation
5 Committee Lower Mississippi River Economic Pro-
6 file.

7 “(2) MISSISSIPPI RIVER STATE.—The term
8 ‘Mississippi River State’ shall mean any of the ten
9 States that touch the main stem Mississippi River
10 which includes from north to south Minnesota, Wis-
11 consin, Iowa, Illinois, Missouri, Arkansas, Kentucky,
12 Tennessee, Mississippi, and Louisiana.

13 “(3) MISSISSIPPI RIVER MAIN STEM.—The term
14 ‘Mississippi River Main Stem’ shall mean the pri-
15 mary water channel that comprises the geographic
16 norm of the Mississippi River flowing north to south
17 from Lake Itasca to the Gulf of Mexico.

18 “(4) MISSISSIPPI RIVER BASIN.—The term
19 ‘Mississippi River Basin’ shall mean the vast region
20 of North America encompassing 31 States and two
21 Canadian Provinces that drain in whole or in part
22 into the Mississippi River Main Stem and subse-
23 quently into the Gulf of Mexico.

1 “(5) ELIGIBLE STATE.—The term ‘eligible
2 State’ shall mean the same as ‘Mississippi River
3 State’ for purposes of this Act.

4 “(6) PARTICIPATING STATE.—The term ‘Partic-
5 ipating State’ shall mean any State within the
6 Mississippi River Basin that has been licensed to
7 enter into agreements under the provisions of this
8 Act;

9 “(7) LOCAL GOVERNMENT.—The term ‘Local
10 Government’ shall mean a subdivision of government
11 within the United States that is either a county or
12 mayor-led municipality as recognized under the laws
13 of the State such a locality resides.

14 “(8) CRITICAL NATIONAL INFRASTRUCTURE.—
15 The term ‘Critical National Infrastructure’ shall
16 mean built assets that make possible or contribute
17 to interstate commerce, energy production, drinking
18 water supply, the global commodity supply chain,
19 downtown city centers or cores of counties or mayor-
20 led municipalities.

21 “(9) MAJOR ECONOMIES.—The term ‘Major
22 Economies’ shall mean the top ten economic sectors
23 in terms of revenue generated and jobs supported as
24 averaged over the five-year period under study for

1 an update to the Mississippi River Economic Profile
2 as described in subsection (f)(1).

3 “(10) EXTRA-PROVISIONAL PROJECTS.—The
4 term ‘Extra-Provisional Projects’ shall mean those
5 projects not called for within the Comprehensive
6 Mississippi River Restoration Plan as described in
7 subsection (e)(4)(B).

8 “(11) DISADVANTAGED COMMUNITY.—The
9 term ‘Disadvantaged Community’ shall mean those
10 jurisdictions where not less than 15 percent of the
11 population lives below the poverty line upon enact-
12 ment of this Act and/or has met this threshold for
13 at least half of the jurisdiction’s existence.

14 “(h) PROGRAM ADMINISTRATION.—The Mississippi
15 River Program shall be administered under the following
16 provisions:

17 “(1) AUDIT AND REPORT.—

18 “(A) AUDIT REQUIREMENT.—Not less fre-
19 quently than every two years, each participating
20 State shall conduct an audit of the grant funds
21 and/or resources distributed to that State
22 through provisions and relief offered under this
23 Act.

24 “(B) REPORT.—Each participating State
25 shall submit to the Program Office a biennial

1 report regarding the activities of the State
2 under this section during the period covered by
3 the report, including—

4 “(i) the result of any audit conducted
5 by the State under subparagraph (A); and

6 “(ii) a review of the effectiveness of
7 the grant funds allocated to the State with
8 respect to—

9 “(I) the intended use of grant(s)
10 allocated within the State; and

11 “(II) meeting the objectives de-
12 scribed in subsection (e)(4).

13 “(2) REGULATIONS.—The Program Office shall
14 promulgate such guidance or regulations as may be
15 necessary to carry out this section, including guid-
16 ance or regulations that—

17 “(A) ensure that each participating State
18 to which funds are allocated under subsections
19 (b), (d), and (f) uses the funds as efficiently as
20 possible;

21 “(B) reduce, to the maximum extent prac-
22 ticable, waste, fraud, and abuse with respect to
23 the implementation of this Act;

24 “(C) ensure that subsection (e) is adhered
25 in terms of projects awarded; and

1 “(D) require any party that receives funds
2 directly or indirectly under this Act, including a
3 participating State and a recipient of amounts
4 from a grant, to use procedures with respect to
5 the management of the funds that conform to
6 generally accepted accounting standards.

7 “(3) NONCOMPLIANCE.—Except as otherwise
8 provided, if a participating State local government,
9 or partner does not comply with subsection (e)(5),
10 with respect to a grant, the Administrator shall re-
11 allocate the grant in accordance with this subsection.
12 Reallocation of grant funds shall begin with a return
13 of unspent grant funds due to noncompliance to the
14 Program Office accompanied by an audit and report
15 as directed in subsection (h)(1).

16 “(4) EXCEPTION.—The Program Office may
17 not reallocate any funds under subparagraph (A) to
18 a participating State that triggered subsection (3)
19 with respect to a grant made during the same fiscal
20 year in which the funds to be reallocated were origi-
21 nally made available.

22 “(5) ALLOCATION OF REMAINING FUNDS.—
23 After allocating amounts made available to carry out
24 this section for a fiscal year in accordance with
25 paragraph (3), the Administrator shall allocate any

1 remaining amounts in the form of grants to the
2 mayor-led municipality directly adjacent to the Mis-
3 sissippi River Main Stem with the smallest popu-
4 lation in each of the ten eligible States.

5 “(6) RESERVATION OF FUNDS.—The Program
6 Office shall reserve not more than 1.5 percent of the
7 amount made available to carry out subsection (e) in
8 a fiscal year—

9 “(A) for administrative costs incurred in
10 carrying out this section;

11 “(B) to provide technical assistance to re-
12 cipients of grants under this subsection (e); and

13 “(C) to enter into grant agreements with
14 States, with the grant funds to be distributed—

15 “(i) according to criteria established
16 by the Program Office; and

17 “(ii) for a purpose described in sub-
18 section (f).

19 “(7) USE OF FUNDS.—Amounts deposited in a
20 State through this Act, shall be used—

21 “(A) consistent with subsections (e) and
22 (f), to provide financial assistance for an eligi-
23 ble State, local government, and non-profit or-
24 ganization partner;

1 “(B) as a source of revenue and security
2 for activities designated under this Act, the pro-
3 ceeds of which shall be placed toward perform-
4 ance as stated in an applicable grant agree-
5 ment; or

6 “(C) for the sale of bonds as security for
7 payment of the principal and interest on rev-
8 enue or general obligation bonds issued by the
9 participating State to provide matching funds
10 under subsection (e), if the proceeds from the
11 sale of the bonds are deposited with the partici-
12 pating State.

13 “(8) PUBLICATION.—Each participating State
14 shall publish and periodically update a list of all
15 projects receiving funding under this Act, which
16 shall include—

17 “(A) the location of each project;

18 “(B) the type and amount of assistance
19 provided for each project; and

20 “(C) the expected funding schedule and
21 date of completion of each project.

22 “(i) ADMINISTRATIVE AND TECHNICAL COSTS.—For
23 each fiscal year, a participating State may use the amount
24 described in subparagraph (6) to—

1 “(1) pay the reasonable costs of administration
2 of the programs under this section, including the re-
3 covery of reasonable costs incurred in establishing a
4 project(s) funded through this Act;

5 “(2) provide appropriate oversight of projects
6 authorized under this Act; and

7 “(3) provide technical assistance and outreach
8 to recipients in the State of amounts under this sec-
9 tion, including with respect to updating hazard miti-
10 gation plans and participating in the Community
11 Rating System, in an amount that is not more than
12 5 percent of the funds made available to the State
13 under this section.

14 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated \$500,000,000 for each
16 fiscal year beginning in 2022 and ending in 2027 toward
17 the carrying out of this Act with the possibility of further
18 authorizations beyond 2027.”.

○