

In fact, it is a commitment he demonstrated all the way back in the sixth grade, when he was hired for his first job: delivering newspapers to his neighbors in Westchester, IL. In Larry's words, it was a job that "helped me figure out how to deal with people." And it meant waking up early in the morning, keeping close track over each stop on his route, and—occasionally—outrunning his neighbors' dogs.

It was an experience that melded together two of Larry's great qualities: his assiduous attention to detail and his determination to help his community however he could.

By the time Larry graduated high school, he had set his sights on a career in law. And after earning his bachelor's degree from Loyola in Chicago, he made his way to Washington, where he—like me—attended Georgetown Law. He actually received his J.D. just 3 years after me.

With his law degree and sharp mind, Larry could have easily landed a comfortable job at a big law firm, but instead, he enlisted in the Air Force and served as a captain in the U.S. Air Force Reserves.

After being honorably discharged, Larry returned home to Cook County to serve his community as an assistant public defender. In just 2 years, he tried 32 cases to verdict.

It was around this time that Larry started developing a reputation as an outstanding attorney. He distinguished himself in the courtroom with his knowledge of the law and a masterful command of the complexities of State government. Soon enough, the calls started flooding into Larry's office, and over the past several decades, he has been hired to argue cases before courts at every level, even the U.S. Supreme Court.

But no matter how far his legal talents took him, Larry's heart always led him back to Chicagoland.

And soon after Larry was elected to the board of commissioners, he emerged as one of Cook County's strongest advocates. Over the years, I have had the privilege of working alongside Larry. For instance, in 2008, he was instrumental in saving the Cook County Health System from financial collapse. Under his leadership, the county created an independent health board, a decision that received criticism at the time but, in retrospect, was both courageous and wise. Thanks to Larry, the Cook County Health System is still in operation today, providing comprehensive care that would not have been possible without the creation of that independent board.

As commissioner, Larry has also been a champion for transparency. One of his first accomplishments was codifying the Cook County code of ordinances for the first time ever. Now, that may not sound like a big deal, but for the residents of Cook County, it was a game changer; it meant that everyday citizens could keep tabs on the

Cook County Board, along with the laws making their way through the legislative process. It was a testament to one of Larry's core values: that government works best when it is both clear and accessible. That is why, as commissioner, he has regularly held community meetings with his constituents—to personally answer their questions about newly enacted laws or provide his take on the latest county board meetings.

If you ask Larry, he would likely tell you that one of his proudest accomplishments in county government is the work he has done as Forest Preserve Commissioner. Cook County's forest preserves encompass 70,000 acres of wild, wonderful nature. In Larry's words, "it's one of the most beautiful things we have . . . [the preserves hold] about 85 percent of all the stormwater runoff in the area. It gives us oxygen, because of all the trees. There are so many things that this land does to improve the quality of life in our area that we just take for granted."

Well, under Larry's leadership, these forest preserves have never been taken for granted. In one of his last acts as commissioner, Larry pushed for a bond referendum to fund the cost of the preserves' restoration and maintenance. In last month's election, the referendum passed, with the vast majority of Cook County voters supporting it.

Perhaps one of the only enemies that Larry has made throughout his years of service to Cook County is the gun lobby. Back in 2006, he spearheaded an ordinance banning assault weapons in Cook County. And that measure has withstood one legal challenge after another, making Larry one of the most effective advocates for gun safety reform in all of Illinois.

It is hard to imagine Cook County government without Larry at the helm. But his legacy will be felt for years and decades to come by the more than 5 million Illinoisans who call Cook County home.

For every resident appealing a property tax assessment or enjoying a sunny day by Bullfrog Lake, Larry has made a world of difference.

Larry, I want to thank you for everything you have done for our friends and family in Chicagoland. I am grateful for your many years of partnership and friendship.

Loretta and I look forward to celebrating your retirement with you, your wife Gloria, and your two children, who have grown up right before our eyes, Tom and Elizabeth.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CARPER. Mr. President, I would like to ask unanimous consent that the attached Joint Explanatory Statement appear in the CONGRESSIONAL RECORD in conjunction with H.R. 7776, the JAMES M. INHOFE National Defense Authorization Act for Fiscal Year 2023.

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

JOINT EXPLANATORY STATEMENT TO ACCOMPANY TITLE LXXXI OF DIVISION H OF THE HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 7776, THE WATER RESOURCES DEVELOPMENT ACT OF 2022

[JAMES M. INHOFE NATIONAL DEFENSE  
AUTHORIZATION ACT FOR FISCAL YEAR 2023]

Mr. Carper, Mr. President, the following statement is the Joint Explanatory Statement for Title LXXXI of Division H of H.R. 7776. An identical joint explanatory statement was submitted to the Congressional Record by House Transportation and Infrastructure Committee Chairman Peter DeFazio on December 8, 2022.

H.R. 7776, the Water Resources Development Act of 2022 (WRDA 2022) as passed by the House of Representatives and amended by the Senate is the legislative vehicle for the National Defense Authorization Act of Fiscal Year 2023. This joint explanatory statement, submitted on behalf of Chair Peter DeFazio and Ranking Member Sam Graves of the House Committee on Transportation and Infrastructure and Chair Tom Carper and Ranking Member Shelly Moore Capito of the Senate Committee on Environment and Public Works, reflects the view of the bicameral Chairs and Ranking Members responsible for managing negotiations to develop a final version of WRDA 2022, hereafter in this statement referred to as "the managers." This statement of the managers describes the intent of the final legislation and the manner in which provisions in disagreement between the House of Representatives and the Senate have been resolved.

#### Background

WRDA 2022 primarily addresses the Civil Works program of the U.S. Army Corps of Engineers (Corps). The bill supports the nation's global economic competitiveness and environmental resilience by authorizing the Corps to undertake projects, programs, and initiatives in their Civil Works program relating to navigation, ecosystem restoration, flood and coastal storm risk management, hydropower, recreation, emergency management, and water supply.

A water resources development act (WRDA) is the authorizing legislation for the programs and projects of the Corps' Civil Works program. Ideally enacted every two years, such an act is the main vehicle for authorizing water resources development projects to be studied, planned, and developed by the Corps. WRDAs typically authorize new water resources development projects pursuant to completed feasibility study reports from the Chief of Engineers, modifications to existing projects pursuant to reports from the Director of Civil Works, other modifications to existing projects, study authorizations for new projects, the authorization of miscellaneous projects consistent with the Corps' programs that also demonstrate a Federal interest, and other programmatic changes to the Corps' authorities. Projects and programs contained in WRDAs fall within one or more of the Corps' Civil Works' missions and authorities, which include navigation, ecosystem restoration, flood and coastal storm risk management, hydropower, recreation, regulatory, emergency management, and water supply.

#### General Overview of WRDA 2022

WRDA 2022 includes provisions that will strengthen the United States' economic and national security, reduce the Corps' administrative burdens, enable faster implementation of projects, increase water supply reliability, quality, and quantity, promote assistance to economically disadvantaged

urban, rural, and Tribal communities, address the impacts of changing hydrologic and climatic conditions, and upgrade our nation's water and wastewater infrastructure.

Title LXXXI of Division H is broken down into four subtitles:

Subtitle A addresses general policy changes to the Civil Works program authorities. These changes include, among others: increased support for coastal-related restoration and infrastructure; enhanced authority for the Corps to modernize projects during the performance of maintenance and emergency repair activities; greater flexibility for non-Federal sponsors of Corps projects; changes to ensure the efficient and effective delivery of water resources development projects, programs, and other assistance, including assistance to Tribal communities, economically disadvantaged communities, and states with water supply concerns; improved accessibility to Corps expertise and increased affordability of Corps projects for economically disadvantaged, rural, and Tribal communities; and increased support for research and development, technical assistance, and planning assistance to states.

Subtitle B authorizes critical new feasibility studies to be conducted by the Assistant Secretary of the Army for Civil Works (Secretary), who jointly implements the projects and programs of the Corps with the Chief of Engineers and directs certain existing studies to be expedited to completion. The Secretary is also authorized or directed to complete assessments or reports pertaining to, among other things, dredge capacity, reservoir sedimentation, socially and economically disadvantaged small business concerns, and the economic valuation of preservation of open space, recreational areas, and habitat associated with project lands.

Subtitle C identifies antiquated or outdated projects, and parts of projects, that are no longer needed for a Federal purpose for deauthorization. This subtitle also modifies existing projects and related provisions, including environmental infrastructure authorities, and calls upon the Secretary to expedite the completion of specified projects and studies.

Subtitle D authorizes 25 new projects and six project modifications based on reports submitted to Congress by the Secretary or the Chief of Engineers. These projects address various mission areas of the Corps, including ecosystem restoration, flood and coastal storm risk management, navigation, and water storage for water supply.

#### *Discussion on Specific WRDA 2022 Provisions*

The transformative nature of the last four WRDA bills on the Corps' Civil Works program has provided the Corps and non-Federal interests (sponsors) with a tremendous number of new opportunities for advancing projects more quickly. The managers expect the Corps to issue implementation guidance on the new provisions contained within WRDA 2022 in an expeditious and transparent manner, and where appropriate, to solicit the views of, and consult with, a wide array of stakeholders in the formulation of implementation guidance. In that light, the managers direct the Corps to provide periodic, bipartisan briefings to the staffs of the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works on the status of implementation of WRDA 2022, and any other unimplemented WRDA provision enacted by Congress since 2014, with the first briefing to be hosted no later than 90 days after the date of enactment of WRDA 2022.

Generally, WRDA 2022 authorizes or directs the preparation of several assessments. The managers intend for the Secretary to con-

duct these assessments at Federal expense. Additionally, it is the managers' expectation that studies included in WRDA 2022 to modify authorized projects prior to or during construction, including studies to extend Federal participation in periodic nourishment, will continue to be initiated without a new start designation, in accordance with well-established budget policy.

WRDA 2022 includes several provisions intended to increase support for economically disadvantaged communities in both rural and urban areas. The managers included this direction to ensure that the Secretary gives equal consideration to economically disadvantaged communities in rural areas and in urban areas when implementing the applicable authorities. The managers do not intend for this direction to affect the Corps' ongoing rulemaking to define the term "economically disadvantaged community."

In addition, in each of the last few WRDAs, Congress has directed the Corps to make greater use of natural and nature-based features and other measures to enhance resilient solutions through all the Corps' missions and authorities. However, despite this clear direction, which is enhanced through additional policy provisions authorized in WRDA 2022, the managers are concerned that these enacted provisions are not being fully implemented by the Corps and directs the Secretary to ensure that the availability and suitability of these approaches are explored in each of the Corps' Districts and Divisions.

WRDA 2022 includes several significant provisions intended to enhance the Corps' authority to formulate, construct, maintain, and repair projects in a manner that holistically addresses the impacts of sea level rise and increasingly frequent and severe extreme weather events. Section 8102 of WRDA 2022 provides the Corps with increased flexibility to modify federally authorized hurricane and storm damage reduction projects during the performance of emergency repair and restoration activities to ensure that they perform adequately in response to changing conditions. In relation to this provision, the managers note that they received a request to authorize the construction of enhancements, including additional gulf side breakwaters, to improve the performance of the Grand Isle and Vicinity, Louisiana Beach Erosion and Hurricane Protection Project, Jefferson Parish, Louisiana. Accordingly, the managers direct the Secretary to consider the changes to section 5(a)(1) of the Act of August 18, 1941 (commonly known as the Flood Control Act of 1941) made by this section when repairing or restoring this project to account for increased storm damage.

Section 8103 of WRDA 2022 includes amendments to section 212 of WRDA 1999 that streamline the authority and incorporate shoreline protection and restoration into its scope. The managers intend for the Secretary to use this authority to give priority consideration to the protection and restoration of shorelines, riverbanks, and streambanks from erosion and other damaging impacts of extreme weather events. While the managers intend for the Secretary to address these hazards using nonstructural measures, natural features, and nature-based features to the maximum extent practicable, the formulation of projects that rely primarily on structural solutions is not precluded. Such solutions, however, must meet traditional economic or life safety justification standards if they do not otherwise satisfy the alternative standard in section 212(d) of WRDA 1999. Finally, while section 212, as amended, provides general authority for the Secretary to initiate studies, the managers do not intend for individually authorized studies, or studies carried out under programmatic authorities such as section 118(b)

of WRDA 2020, to be excluded from implementation under the terms of section 212 if such studies otherwise fall within the scope of the section.

Section 8106(a) of WRDA 2022 requires the Corps, when requested by a non-Federal sponsor for a study for flood or hurricane and storm damage reduction, to expand the scope of the study to include the formulation of measures to address damages attributable to all drivers of flood risk in the study area. When section 8106(a) is applied to a study for flood damage reduction, the federal interest in the formulation of measures to address flood risk in the study area will no longer be limited by the Corps' policy on minimum flows. When section 8106(a) is applied to a study for hurricane and coastal storm damage reduction, the Federal interest in the formulation of measures will extend to drivers of flood risk that do not coincide with coastal storm events, including flooding and erosion associated with sea level rise and so-called "sunny day tides." Further, the managers expect the Secretary to continue to account for the effects of sea level rise, including an increase in the extent, magnitude, and frequency of tidal flooding, in the formulation of both flood and coastal storm risk management and ecosystem restoration projects by fully implementing existing authorities such as section 113 of WRDA 2020.

Additionally, section 8106(b) of WRDA 2022 expands the Secretary's authority to formulate alternatives for any water resources development project, at the request of the non-Federal sponsor for such project, in a manner that increases a community's resilience to drought conditions. This provision will allow the Secretary to include individual measures for water supply and water conservation in a recommendation for a water resources development project as well as to design the water resources development project itself in a manner that maximizes the project's incidental benefits for those purposes.

WRDA 2022 includes several provisions to enhance support for Tribal communities. Section 8111 of WRDA 2022 amends the Tribal Partnership Program established by section 203 of WRDA 2000. The amendments clarify that coastal storm risk management and erosion control projects fall within the program's scope. Additionally, section 8111 provides an alternative standard for justifying flood and coastal storm risk management projects, including erosion control and streambank stabilization projects, when such projects do not otherwise satisfy traditional standards for justification on the basis of economics or life safety.

Section 8113 of WRDA 2022 clarifies the Secretary's authority to develop a comprehensive plan to replace Indian villages, housing sites, and related structures impacted by construction of The Dalles Dam, Bonneville Dam, McNary Dam, and John Day Dam in Washington and Oregon. The managers intend for the Secretary to work with the affected Tribes to develop the plan. With the clarifications made in this Act, section 204 of the Flood Control Act of 1950 should no longer be interpreted as restricting the Corps' authority to provide housing assistance at multiple village sites to mitigate impacts from construction of The Dalles Dam or from the construction of any of the other three dams.

Further, section 8114 of WRDA 2022 amends section 1156 of WRDA 1986 to clarify that the cost share waiver for Tribes and territories is to be applied to reduce only the non-Federal share of study and project costs. In response to this amendment, the managers intend for the Secretary to correct the implementation guidance for section 1119 of WRDA 2016, which mistakenly provides for

the waiver amount to be applied to shared study costs instead of the non-Federal share of study costs.

Section 8130 of WRDA 2022 directs the Secretary to develop a strategic plan that identifies opportunities and challenges relating to furthering the policy of the United States to maximize the beneficial use of sediment obtained from the construction and operation of the Corps' water resources development projects. In carrying out this section, the managers are aware of ongoing scientific research into the use of nutrient-rich dredged materials as a potential source of fertilizer for plant growth. The managers encourage the Corps, through its Engineer Research and Development Center (ERDC), to undertake an assessment on the beneficial use of sediment for such purposes, including an assessment of whether such use is cost-effective, sustainable, and safe for human health and the environment.

Section 8146 of WRDA 2022 authorizes the Secretary to carry out capital improvements for the Washington Aqueduct. The managers intend that the definition of customers found in this section means the existing legal entities that purchase potable water from the Washington Aqueduct, namely the Fairfax County Water Authority, the District of Columbia Water and Sewer Authority, and Arlington County, Virginia.

Section 8152 of WRDA 2022 authorizes the Secretary to provide assistance to pump stations when the failure of such pump stations would demonstrably impact the function of the federally authorized flood or coastal storm risk management project, which includes the impairment to water drainage from areas interior to a federally authorized flood or coastal storm risk management project. Congress directs the Secretary to consider this authority to provide such assistance to the Pointe Celeste Pump Station in Plaquemines Parish, Louisiana.

Section 8154 of WRDA 2022 authorizes the Secretary to carry out a pilot program to evaluate the extent to which the provision of temporary relocation assistance enhances the completeness, effectiveness, efficiency, acceptability, and equitable implementation of nonstructural flood and coastal storm risk management projects involving the elevation or modification of residential structures. The managers intend for the Secretary to offer the non-Federal interest for each project covered by the section an equal opportunity to participate in the program.

Section 8155 of WRDA 2022 directs the Secretary to continue construction projects that exceed or are expected to exceed maximum project cost limits during the period beginning on the date of enactment of this Act and ending on December 31, 2024. Though the Corps is still required to submit all relevant documentation to the House and Senate as required under section 902 of WRDA 1986, section 8155 ensures that supply change disruptions, inflation, and other factors contributing to rapid and unavoidable cost increases do not jeopardize the Corps' ability to execute the increased amounts of funding provided to the agency during this Congress to reinforce the nation's water infrastructure. Finally, in light of the number of Corps projects potentially requiring statutory cost increases that have only recently come to the attention of Congress, section 8155(b) establishes a new, permanent requirement that the Corps notify the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works of any water resources development project that exceeds or is expected to exceed its maximum cost under section 902 of WRDA 1986.

Section 8158 of WRDA 2022 directs the Secretary to establish a Western Water Coopera-

tive Committee to help mitigate the potential for conflict between the operation of Corps projects and state water rights. A bipartisan coalition of 19 Western Senators wrote to the Office of Management and Budget on September 17, 2019, in opposition to the proposed rulemaking entitled "Use of U.S. Army Corps of Engineers Reservoir Projects for Domestic, Municipal & Industrial Water Supply" (81 Fed. Reg. 91556 (December 16, 2016)), describing the rule as counter to existing law and court precedent. On January 21, 2020, the proposed rulemaking was withdrawn. The Corps should consult with the participating Western States to ensure, to the maximum extent practicable, that operation of flood control projects in such States is consistent with the principles of the first section of the Act of December 22, 1944, and section 301 of the Water Supply Act of 1958. Furthermore, the Western Water Cooperative Committee shall make recommendations that only apply to the defined list of Western States and ensure that any recommended changes or modifications to policy or regulations for Corps projects would not adversely affect water resources within other states.

Section 8160 of WRDA 2022 modernizes the Corps' authority to carry out research and development activities. Included in this section is a temporary authority for the Corps to utilize transactions other than contracts, cooperative agreements, and grants for purposes of prototype projects. The managers intend for the Corps to expedite implementation of this authority by relying on, to the maximum extent practicable, existing U.S. Department of Defense guidance on other transaction authority.

WRDA 2022 includes several provisions to support and enhance the delivery of public recreation benefits at Corps projects. The Corps operates more recreation areas than any other Federal or State agency, apart from the U.S. Department of the Interior. Nationally, visitors to nearly 600 Corps-managed dams and lakes spend an estimated \$12 billion per year and support 500,000 jobs. Lakes managed by the Corps are economic drivers that support local communities. The managers remain concerned with the costs of ongoing operation and maintenance of these public recreation sites, which provide an enormous benefit to the country. Specifically, section 8161 of WRDA 2022 expresses the sense of Congress that the Secretary spend at least 80 percent of the revenue generated by each site on activities for the operation, maintenance, and upkeep of such site to encourage their continued use and economic benefit.

Section 8212 of WRDA 2022 directs the Corps to provide the County of San Luis Obispo, California, with right of first refusal for any potential conveyance of the project for Salinas Dam, California. The managers are aware that the County and the Corps have engaged in negotiations for several years regarding the disposition of the Salinas Dam project and associated infrastructure and reservoir. The managers direct the Corps to engage in a collaborative process with the County with the goal of transferring the facility to the County as expeditiously as possible under conditions that are acceptable to all parties. Further, the managers direct the Corps to not take any action that would preclude the Corps from serving as the Federal agency solely responsible for disposal of the facility unless the County agrees with an alternative approach and the managers are satisfied that all parties are best served by the alternative approach. In addition, the managers direct the Corps to not take any action that would in any way assign responsibility for the facility to any military installation or other Federal agen-

cy until collaborative negotiations are complete, and all parties are in agreement with a disposal plan.

Section 8303 of WRDA 2022 includes additional locations to an existing pilot program to utilize forecast informed reservoir operations (FIRO) at Corps owned dams and reservoirs. Additionally, the section authorizes a new pilot program in the North Atlantic Division. The managers urge the Secretary to ensure that sufficient budgetary resources are allocated to FIRO projects to more fully utilize this process in appropriate situations and to provide for the update of existing water operations control manuals to incorporate FIRO at reservoirs identified under the two pilot programs.

The final version of Section 8327 of WRDA 2022 substantially incorporates the language contained in the original section 309 of the Senate amendment to H.R. 7776. Although an authorization of appropriations has been added to subsection (c) of section 8327 for future major maintenance, the managers do not intend for this paragraph to impose a requirement for additional funds to be appropriated to implement this subsection for the currently planned major maintenance if sufficient amounts are available in the existing allocation for major maintenance of the Indian River Inlet navigation project.

Section 8346 of WRDA 2022 authorizes and directs the Corps to carry out water level management activities as part of the operation and maintenance of the navigation channel projects on the Upper Mississippi River and on the Illinois River (also called the Illinois Waterway) to help redress sedimentation and to improve the quality and quantity of habitat available for fish and wildlife. Because studies have shown that water level management activities carried out by the Corps produce important ecosystem benefits, the managers intend that such activities be routinely carried out and conducted as part of the operations and maintenance of the navigation channels as quickly as possible, and prior to the routine update of water control manuals for the covered projects.

Section 8363 of WRDA 2022 states that the non-Federal interest for the project for hurricane and storm damage risk reduction, Colleton County, South Carolina, may be eligible to receive credit for construction and design work carried out by the non-Federal interest before a partnership agreement is executed for the specified project. The managers have agreed to this language based on the understanding from the Corps that all applicable laws and regulations, including the Davis-Bacon Act, would need to have been complied with for the work of the non-Federal interest to be creditable.

WRDA 2022 authorizes significant new Federal investments in environmental infrastructure for communities across the nation. The managers intend for the Secretary to interpret all environmental infrastructure authorities to include, at a minimum, assistance for water supply storage, distribution, and treatment; wastewater collection and treatment; drainage; stormwater management; surface water resource protection and development; and water quality enhancement. Additional purposes may be expressly authorized for individual programs. With respect to implementation of specific programs, the managers intend for the additional appropriations authorized under section 8376(b)(8) for the environmental infrastructure authority authorized under section 594 of WRDA 1999 to be administered in a manner consistent with the previous funding authorized under section 594. Further, the managers intend for the Water Replenishment District of Southern California to be eligible for assistance under Section

219(f)(93) of WRDA 1992, as amended by section 8375(b)(2)(C) of the WRDA 2022.

#### *Other Policy Matters*

Both the House and Senate committee reports on the chambers' respective WRDA 2022 bills include direction on implementation of previously enacted authorities. To the extent consistent with the Act and this statement, the managers intend for the Secretary to follow the direction on previously enacted authorities provided in those reports.

In addition to the direction in the House and Senate committee reports on previously enacted authorities, the managers encourage the Corps to continue to explicate comprehensive documentation of benefits in project planning. As the Secretary implements the Principles, Requirements, and Guidelines for Water and Related Land Resources Implementation Studies, as directed by section 110 of WRDA 2020, the managers expect these agency-specific procedures to foster a comprehensive, consistent, and clear assessment in project planning documents that allows for full participation by project sponsors.

Further, the managers seek to clarify the scope of existing authorities for periodic renourishment and mitigation of shore damages attributable to Federal navigation projects.

To the maximum extent practicable, the Secretary is directed to provide periodic nourishment in accordance with subsection (c) of the first section of the Act of August 13, 1946, and subject to section 156 of WRDA 1976, for projects and measures carried out for the purpose of restoring and increasing the resilience of ecosystems to the same extent as periodic nourishment is provided for projects and measures carried out for the purpose of coastal storm risk management.

For all future projects to mitigate shore damage attributable to navigation projects under section 111 of the River and Harbor Act of 1968, the Secretary is instructed that shores damaged by navigation features and projects for which the Corps has assumed responsibility through any method, including the Cape Cod Canal, are eligible for assistance under the section. Although the Cape Cod Canal jetties were initially constructed by private interests, the Cape Cod Canal project has been under Federal control for over 100 years. The Federal Government owns the project and has reconstructed, operated, maintained, repaired, and rehabilitated the project numerous times since acquiring the channel. The project does not have a non-Federal sponsor. This section provides clear authority for the Secretary to implement mitigation measures to address the shore damage caused by the Cape Cod Canal jetties at full Federal expense. The Secretary is directed to exercise this authority without further delay. Further, the Secretary is directed in the future to apply this section in a manner that does not preclude Federal participation in the cost to mitigate damages caused by a navigation project or feature solely because the project or feature was initially constructed by a non-Federal entity.

The managers remain concerned about the impacts of drought to the nation's water supply, including the current drought in the State of California and other arid States. Section 221 of WRDA 2020 directed the Corps to submit a report to Congress on the benefits and consequences of including water supply and water conservation as a primary mission of the Corps. Section 221 of WRDA 2020 directed this report be transmitted to Congress by June 2022; however, the Corps has now significantly missed this statutory deadline on an issue of critical importance to communities concerned about long-term

water supply availability. The managers direct the Corps to prioritize and expedite completion of this report, and to provide a bipartisan briefing to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works within 90 days of the date of enactment of this Act on the status of such report.

During consideration of WRDA 2022, the managers received a request related to public safety at federally authorized hurricane and storm damage reduction projects, such as the project at Cape May Beach in Cape May, New Jersey. The managers encourage the Secretary to work with the State of New Jersey, the non-Federal sponsors of similar hurricane and storm damage reduction projects in the region, and other interested stakeholders and public safety officials to examine whether the rate of head, neck, and spine injuries sustained at Cape May Beach as reported by the New Jersey Department of Health and the City of Cape May Beach Patrol is similar to or differs from those reported at other federally authorized projects in the region.

The managers received a request related to the Corps' use of its existing authority to perform advance maintenance of the nation's federally authorized navigation channels. These channels are essential to keeping the international supply chain open and operating efficiently during this period of economic recovery. The managers strongly urge the Corps to make optimum use of available authorities to ensure that these waterways are adequately maintained and able to accommodate global shipping needs and generate economic benefits during this critical time. The use of advance maintenance can be particularly impactful in channels with high shoaling areas. Over time these areas naturally silt in and are especially vulnerable to the advent of more intense storms, and repeated advance maintenance efforts may be necessary to guard against depth reductions which can lead to draft restrictions for larger global vessels. The managers encourage the Corps to maintain Federal channels at their approved advance maintenance depth.

The managers are aware that the Corps utilizes a wide range of platforms, sensors, and other technologies to conduct a range of research and monitoring activities, including the use of uncrewed platforms and sensor packages. The managers encourage the Secretary, in coordination with the Corps' Engineer Research and Development Center (ERDC), to consider establishing an Uncrewed Systems Innovation Center to ensure the appropriate development and utilization of innovative uncrewed technologies, including autonomous, remotely operated airborne, terrestrial, and maritime vehicle systems.

The managers received a request to consolidate the management of all active Miami-Dade County water resource projects into the Jacksonville District. The managers encourage the Corps to transfer project management of the Miami-Dade Back Bay Coastal Storm Risk Feasibility Management from the Norfolk District to the Jacksonville District.

The managers received several requests related to the potential modification of lock and dam structures on the inland waterways system to allow for remote operations, including concerns with the vulnerability of remote operations to cyber-attacks and the potential impact of remote operations on current Corps' employees. The managers remind the Secretary that section 222(b)(1)(B)(V) of WRDA 2020 set forth a security framework for studies carried out by the Corps. Results from that effort should be used to address cyber security concerns for

Corps structures, particularly locks and dams, that utilize remote supervisory control and data acquisition (SCADA) type products for automation control systems as part of the Corps' national security interests. The managers request a bipartisan briefing on these activities. The managers also recognize that remote lock operations along commercial and recreational waterways can increase the availability and capacity of the locks, especially in lower-use waterways, and can support other economic drivers in counties throughout America. The managers received a request to consider potential expansion of remote operations to additional locations, such as in the Upper Allegheny Locks in Armstrong County, Pennsylvania. However, the managers remind the Secretary of recent Congressional action to statutorily declare Corps' lock and dam employees as inherently governmental and direct the Secretary to report to the managers on any potential workforce impacts of any proposed automation and remote operations activity before they are carried out, and to ensure that any recommendations in a completed study will not result in the loss of jobs for current lock and dam employees.

As part of the Isabella Lake Dam Safety Modification Project in Kern County, California, the Corps is building the U.S. Forest Service a new visitor center to replace a facility that was demolished due to this project. The managers note discussion on this visitor center started a decade ago, but understands the Corps is now in the process of acquiring private property on which to build this facility from a willing seller. Accordingly, the managers support the Corps efforts on this project and direct the Corps to continue to work expeditiously to bring this visitor center to fruition.

The managers direct the Corps to consult with the Indian Wells Valley Groundwater Authority and the Naval Air Weapons Station China Lake to validate proposed solutions to resolve water supply needs and eliminate overdraft in the Indian Wells Valley groundwater basin in California. This validation effort shall review and develop measures needed to provide water supply resiliency in the basin and for the critical Federal defense assets that overlie it, including, but not limited to, the preparation of comprehensive plans for the development, implementation, utilization, conservation, or importation of water, infrastructure needs, and related land resources in the basin. Such plans shall consider the potential and projected water supply needs of the critical defense assets and future growth within the basin. The Corps is directed to report to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works within 180 days of enactment of this Act on the validation effort.

The Success Reservoir Enlargement Project was authorized by section 101(b)(4) of WRDA 1999 to improve both flood damage protection and water supply in Tulare County, California. In House Report 116-460, the managers previously encouraged the Corps to advance this project. The managers note their support for this project and continue to encourage the Corps to expedite this project through completion.

The managers received a request related to completion of the Comite Diversion project, Louisiana, authorized as part of the project for flood control, Amite River and Tributaries, Louisiana, pursuant to section 101(11) of WRDA 1992. The managers direct the Secretary and any other relevant agencies to take all steps necessary to ensure completion of the project as quickly as possible. The managers request, within 90 days of the

date of the filing of this report, that the Secretary provide a bipartisan briefing on the status of completion of the project.

The Port Fourchon, Belle Pass Channel, Louisiana, navigation project, authorized in WRDA 2020, features as a key component 100 percent beneficial use disposal of project dredge material. The managers are encouraged that progress has been made between the Corps and the non-Federal sponsor in designating a beneficial use disposal site that will meet National Economic Development goals, as well as satisfy the local community's need for beneficial use disposal at impacted coastal areas. The Corps is expected to provide the non-Federal sponsor with a revised Project Management Plan (PMP), delineating tasks and costs associated with addressing remaining conditions contained in the Port Fourchon, Belle Pass Channel, Louisiana, authorization, including a revised dredge material disposal plan that will designate the beneficial use disposal site. As such, the managers direct the Secretary to negotiate and complete a PMP that is satisfactory to the Secretary and the non-Federal sponsor, including the selection of a beneficial use disposal site agreed upon by the non-Federal sponsor, as soon as possible.

#### 200TH ANNIVERSARY OF UNITED STATES AND MEXICO BILATERAL RELATIONS

Mr. KAINE. Mr. President, on December 12, 1822, Jose Manuel Zozaya y Bermudez presented his credentials as Mexico's Envoy Extraordinary and Minister Plenipotentiary to U.S. President James Monroe, which established formal relations between our two countries.

On December 12, 2022, the United States and Mexico celebrated the 200th anniversary of our bilateral relations. Our relations with Mexico remain strong and vital, based on mutual respect as sovereign states. Mexico remains one of the United States' closest and most valued partners. Our bilateral relationship directly benefits the lives and livelihoods of millions of Americans and Mexicans, whether the issue is trade and economic development, educational and cultural exchange, citizen security, control of illicit drugs, migration, human trafficking, entrepreneurship, innovation, environmental protection, climate change, or public health.

The scope of relations between the United States and Mexico extends beyond diplomacy. It encompasses extensive commercial, cultural, educational, and familial ties. Our countries share a 2,000-mile border with 47 active land ports of entry. Hundreds of thousands of people cross the border legally each day, strengthening people-to-people ties and deepening our integration. In addition, an estimated 1.6 million U.S. citizens live in Mexico, and nearly 40 million persons of Mexican descent reside in the United States. The U.S.-Mexico Interparliamentary Group has been held regularly since 1961 to bring together legislators from both countries to discuss priority issues and identify ways to strengthen bilateral cooperation. Although our countries share a great number of ties, without a

doubt, our peoples represent our strongest, deepest and most lasting bond, which will unite us forever. The bicentennial celebration serves as an opportunity to honor our personal ties and our shared history, while affirming our commitment to build a brighter future for our two nations.

As the United States and Mexico reflect on 200 years of bilateral relations, we must celebrate the greatness of our peoples and commit to seize the opportunities ahead of us. The bicentennial allows us to reflect on our historical ties and grants us an opportunity to build on our shared priorities: economic prosperity, clean energy, security, migration, and our mutual understanding of one another.

The United States and Mexico have enduring connections encompassing all aspects of life. As we address our shared challenges and work together for a prosperous future, we celebrate this era of cooperation and respect. This anniversary allows us to reflect on the past and more importantly, to chart a course for the future.

#### TRIBUTE TO ADMIRAL CHARLES A. RICHARD

Mrs. FISCHER. Mr. President, I rise today to congratulate ADM Charles "Chas" A. Richard on his retirement from the U.S. Navy. I would also like to give my warm regards to his wife Lisa and children Chase, Ally, and Emily for supporting him throughout his years of selfless service to our country.

Born in Decatur, AL, Admiral Richard is a dedicated officer who represents the best our Nation's military has to offer. I have had the privilege of knowing the admiral since he took over for Gen. John E. Hyten at U.S. Strategic Command in 2019.

As the ranking member on the Senate Armed Services Committee's Strategic Forces Subcommittee, we have direct oversight over STRATCOM's mission areas. STRATCOM also happens to be located in Nebraska, the State I proudly represent in the U.S. Senate. For these reasons, I have had the opportunity to work closely with Admiral Richard, and I have come to appreciate his thoughtful insights and brilliant strategic mind. I know many in this Chamber have come to rely on him and his expertise, especially those of us working on nuclear deterrence.

Like other distinguished STRATCOM commanders, he can say with pride, "We deterred great power conflict and nuclear war" during one of the most challenging national security environments of the last six decades. For any STRATCOM commander, that is truly their greatest accomplishment.

Admiral Richard has had a decisive impact on U.S. Strategic Command. He spearheaded the creation of the Risk of Strategic Deterrence Failure Assessment. This assessment distilled a decade's worth of analytics down to a set of fundamental questions and answers

that were vital to reevaluating our strategic posture and reemphasizing the importance of strong deterrence. You only need to look at Russia's continued war of aggression against Ukraine to understand the value of such analysis.

Given STRATCOM's mission is a global one, Admiral Richard never let one region of the world overshadow the serious threats posed by another.

With respect to the Indo-Pacific, Admiral Richard worked tirelessly to alert our country to the scope and speed of China's military buildup, including Beijing's breathtaking expansion of nuclear capabilities. He has been the canary in the coal mine, warning us all about the growing threats we face and the role nuclear deterrence must play in the 21st century.

His foresight wasn't just restricted to the rise of China. From day one, Admiral Richard understood the need to address our electronic warfare capabilities. Under his leadership, STRATCOM created the first ever doctrine on Joint Electromagnetic Spectrum Operations, and he helped lead the development of NATO's electronic warfare doctrine. Under his watch, STRATCOM accomplished more on electronic warfare in the last three years than in the previous 20.

He also always understood the importance of America's nuclear triad, and he fought to ensure it remained our top defense priority. Overseeing the modernization of all three legs of the nuclear triad is a herculean task, and Admiral Richard has done a remarkable job working with the services and the National Nuclear Security Administration to keep these programs on track.

STRATCOM has also made huge strides in the modernization of our Nuclear Command, Control, and Communications—NC3—architecture over the last 3 years. He oversaw the creation of the state-of-the-art NC3 Intelligence Fusion Center and the first-ever NC3 enterprise dashboard with critically needed quick-status viewing. Here, too, the admiral broke records. I am told that more was accomplished in the last 3 years than in the previous 10 in the modernization of our nuclear arsenal.

Admiral Richard's leadership weathered challenging times. And his steady hand during the pandemic was a masterclass in true leadership. As our Nation and our world were grappling with the first global pandemic in over a century, he kept STRATCOM on the right track. In just 4 short days, he oversaw the largest shift to telework in STRATCOM's history, from just a few individuals to nearly 1,400+ people. And many of them had to conduct telework at a classified level.

If you ask Admiral Richard about any of his many accomplishments, he will avoid the spotlight and heap praise on others. But he was the leader, and STRATCOM is all the better for his leadership.

When I learned Admiral Richard was retiring, I knew we would be losing a