



**Congressional  
Research Service**

Informing the legislative debate since 1914

---

## **Selected Federal Water Activities: Agencies, Authorities, and Congressional Committees**

**(name redacted)**

Specialist on the Congress

**(name redacted)**

Specialist in Environmental Policy

**(name redacted)**

Specialist in Natural Resources Policy

**(name redacted)**

Acting Section Research Manager

Updated May 24, 2017

**Congressional Research Service**

7-....

[www.crs.gov](http://www.crs.gov)

R42653

## Summary

Congress addresses numerous issues related to the nation's water resources annually, and over time it has enacted hundreds of water-related federal laws. These laws—many of which are independent statutes—have been enacted at different points in the nation's history and during various economic climates. They were developed by multiple congressional committees with varying jurisdictions. Such committees are involved in legislating, funding, and overseeing the water-related activities of numerous federal agencies. These activities include responding to natural disasters such as droughts and floods, conducting oversight over federal water supply management, improving water resource and water quality infrastructure, and protecting fish and wildlife.

More than two centuries of federal water resource activity have resulted in a complex web of federal involvement in water resource development, management, protection, and use. As a result, Congress faces challenges related to overlap and gaps in federal water resource activities and in coordination and consistency among federal programs. Further, many federal authorities are discretionary or funded by discretionary appropriations. Consequently, there can be a significant difference between what federal agencies are authorized to do and what they are actually doing, and no one committee in Congress oversees this dichotomy.

Although the responsibility for development, management, protection, and allocation of the nation's water resources is spread among federal, state, local, tribal, and private interests, this report focuses on *federal* activities related to water and the congressional committees that authorize and oversee these activities. The report covers multiple topics and individual water-related subtopics ranging from water supply and water quality infrastructure to fisheries management and water rights. The report is not exhaustive; instead, the authors have attempted to cover the major federal activities authorized by Congress that affect water resource development, management, protection, and use in the United States. Similarly, the analysis does not cover every aspect of House and Senate committee jurisdiction affecting water issues. For definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentary Offices are official.

The report covers four general areas, or themes: (1) "Water Resources Development, Management, and Use"; (2) "Water Quality, Protection, and Restoration"; (3) "Water Rights and Allocation"; and (4) "Research and Planning." The sections addressing these themes are further divided into tables that list topic areas and individual water-related subtopics. For each subtopic, CRS has identified selected federal agencies and activities related to the subtopic, authorities for such activities, and relevant House and Senate committee jurisdictions, as specified in House and Senate rules. Appendixes address considerations in determining House and Senate committee jurisdictions and present the *official language* from House Rule X and Senate Rule XXV, respectively, which are indicators of congressional jurisdiction over water resources. The report also includes a glossary of abbreviations for federal agencies and House and Senate committees.

The nine tables that make up the body of this report underscore the complexity of federal activities affecting water resource development, management, protection, and use in the United States. As apparent throughout these tables, numerous standing committees in the House and the Senate have jurisdiction over various components of federal water policy. The wide range of federal executive responsibilities for water resources reflects comparably complex congressional legislative responsibilities and directives.

# Contents

Introduction and Overview.....	1
Selected Federal Water Activities: Agencies, Authorities, and Congressional Committee Jurisdictions.....	1
Report Organization.....	2
Water Resources Development, Management, and Use.....	3
Dams.....	5
Dam Safety.....	6
Water Supply Development (Municipal, Industrial, Agricultural).....	7
Groundwater Supply.....	8
Other Irrigation Assistance <sup>d</sup> .....	9
Rural and Other Water Supply Programs.....	9
Water Conservation.....	10
Water Reclamation and Reuse (Including Desalination).....	11
Drought Planning, Mitigation, and Response <sup>d</sup> .....	13
Emergency Flood Response.....	15
Flood Damage Reduction.....	16
Flood Mitigation.....	17
Federal Hydropower Development.....	18
Nonfederal Hydropower Development.....	18
Navigation.....	18
Water Quality, Protection, and Restoration.....	20
Surface Water Quality.....	21
Drinking Water Quality.....	21
Groundwater Quality.....	21
Source Water Protection.....	22
Nonpoint Source Pollution.....	22
Water Quality Infrastructure: Wastewater and Drinking Water.....	23
Aquaculture.....	26
Aquatic Ecosystem Protection and Restoration <sup>d</sup> .....	26
Coastal Zones and Estuaries.....	28
Fisheries Management.....	28
Invasive Species.....	30
Wetlands.....	31
Wild and Scenic Rivers.....	32
Water Rights and Allocation.....	33
Water Allocation and Interstate Compacts.....	34
River Basin Commissions.....	34
Federal Reserved Water Rights.....	35
Tribal Water Rights.....	35
Research and Planning.....	36
Water (General).....	37
Use, Supply Augmentation, Efficiency, and Engineering Works.....	37
Monitoring, Data, and Mapping.....	38
Water Resource Assessments.....	39
Water Cycle, Drought, and Climate Change.....	40
Water Quality and Treatment.....	41

Water Development Project Planning .....	42
Watershed Planning.....	42
Water Quality .....	43

## **Tables**

Table 1. Supply and Reservoir Development .....	5
Table 2. Drought and Flood Management .....	13
Table 3. Hydropower and Navigation.....	18
Table 4. Water Quality.....	21
Table 5. Aquatic Resources Protection and Management .....	26
Table 6. Water Allocation .....	34
Table 7. Water Rights .....	35
Table 8. Research and Data .....	37
Table 9. Planning.....	42
Table B-1. House Rule X.....	47
Table C-1. Senate Rule XXV and Nominations Considered .....	53

## **Appendixes**

Appendix A. Committee Jurisdiction .....	44
Appendix B. House Rule X Language .....	47
Appendix C. Senate Rule XXV Language .....	53
Appendix D. Glossary of Abbreviations .....	56

## **Contacts**

Author Contact Information .....	58
----------------------------------	----

## Introduction and Overview<sup>1</sup>

Congress addresses numerous water issues annually. Issues range from responding to natural disasters, such as droughts and floods, to improving the nation's water resource and water quality infrastructure, and protecting fish, wildlife, and other aquatic resources. Many congressional committees address these issues and are involved in legislating, funding, and overseeing the water-related activities of numerous federal agencies. More than two centuries of such involvement have resulted in a complex web of federal activities related to water.<sup>2</sup> As a result, Congress often faces challenges related to overlap and gaps in federal water resource activities and in coordination and consistency among federal programs. Further, many federal authorities are discretionary or funded by discretionary appropriations. Consequently, there can be a significant difference between what federal agencies are authorized to do and what they are doing, and no one committee in Congress oversees this dichotomy.

The responsibility for development, management, protection, and allocation of the nation's water resources is spread among federal, state, local, tribal, and private interests. Despite multiple calls for the coordination of federal water-related activities, observers seldom focus on the origins of laws and policies authorizing myriad federal activities. The purpose of this report is to provide insight into the congressional involvement in establishing, overseeing, and funding federal water-related activities. Thus, the report focuses on the complexity of *federal* activities related to water. It aims to serve as a guide to federal water-related activities, including the administering agency (or agencies), the primary or overarching authorities for such activities, and House and Senate committee jurisdictions. In most cases, the primary authorities listed are authorizing statutes and accompanying *U.S. Code* citations; in some instances, constitutional or other authorities are provided.

This analysis does not cover every aspect of federal water policy. Instead, the authors have attempted to address the major federal activities authorized by Congress that affect water resource development, management, protection, and use in the United States. Similarly, this analysis does not cover every aspect of House and Senate committee jurisdiction affecting water issues. For definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentarian Offices are official. Lastly, programs known to have expired and for which reauthorization legislation is pending may be noted; however, given the breadth of the report and constant executive and legislative branch activity, it is not possible to provide comprehensive status reports for all entries.

## Selected Federal Water Activities: Agencies, Authorities, and Congressional Committee Jurisdictions

The federal government has been involved in water resources development since the earliest days of the nation's creation. Congress first directed water resource improvements to facilitate navigation, then to reduce flood damages and expand irrigation in the West. For much of the 20<sup>th</sup> century, the federal government was called upon to assist and pay for a multitude of water resource development projects—large-scale dams such as Hoover and Grand Coulee, as well as

---

<sup>1</sup> For other CRS authors and contributors, please see Acknowledgements.

<sup>2</sup> For an early history of federal water resource activities, see Beatrice H. Holmes, *A History of Federal Water Resources Programs, 1800-1960*, U.S. Department of Agriculture, Economic Research Service, Miscellaneous Publication No. 1233, Washington, DC, June 1972, p. 3.

navigation locks throughout the country's largest rivers. In recent decades, Congress has enacted legislation to regulate water quality; protect fish, wildlife, and threatened and endangered species; manage floodplain development; conduct research; and facilitate water supply augmentation via support for water reclamation and reuse facilities and desalination. Congress maintains an active role in overseeing implementation of this legislation, as well as enacting new laws and appropriating funding for water resources activities.

Specific federal water laws have been enacted for the diverse purposes noted above. Development and implementation of these laws have involved the action of numerous congressional committees and federal agencies. At the congressional level, this action has resulted in a set of diverse and sometimes overlapping committee jurisdictions dealing with various aspects of water policy and addressing the interests of differing constituencies. At the executive branch level, this has resulted in many agencies and organizations being involved in different and sometimes overlapping aspects of federal water policy. The activities identified in this report fall into the jurisdiction of numerous congressional standing committees (and generally exclude appropriations and other committees in the relevant chambers that deal with banking, taxes, and finance issues.) Similarly, the activities identified in this report are addressed in some form by many federal executive branch agencies.

## Report Organization

The following tables describe federal water-related activities and programs in the United States and identify the primary administering federal agency(ies), primary authorities,<sup>3</sup> and examples of congressional committees of jurisdiction for each agency activity or program.<sup>4</sup> The tables are arranged under broad areas, subtopics, and topic terms.

The four areas covered by the report are as follows:

- Water Resources Development, Management, and Use;
- Water Quality, Protection, and Restoration;
- Water Rights and Allocation; and
- Research and Planning.

Each thematic area begins with a brief introduction and is followed by a table(s) of relevant agencies, activities and programs, and House and Senate committees of jurisdiction.<sup>5</sup> Each table covers more focused areas of water issues—subtopics—based on agency function and the historical development of federal water programs. In organizing these tables, a series of topic terms was developed under which both members of the general public and those more familiar with water policy might categorize federal water-related activities. These topic terms were determined by the CRS analysts and legislative attorneys involved in developing the report.

The “Water Resources Development, Management, and Use” theme includes subtopics that relate to supply and reservoir development, drought and flood management, hydropower, and navigation. The “Water Quality, Protection, and Restoration” theme addresses issues relating to water quality and aquatic resources protection and management, including selected regional

---

<sup>3</sup> Citations refer to statutes as amended.

<sup>4</sup> While some agencies administer *programs* authorized by Congress, others construct, operate, and manage projects or carry out other activities that are not covered by specific programs. Hence, column two of the following tables lists agency activities or functions, and program names, in italics where applicable.

<sup>5</sup> Committees are listed alphabetically by chamber.

aquatic ecosystem restoration authorities. The “Water Rights and Allocation” theme addresses water allocation and interstate compacts, river basin commissions, federal reserved water rights, and tribal water rights. The “Research and Planning” theme includes subtopics related to research and data collection, such as water cycle and climate change research, water-related technologies, and watershed planning.

Significant overlaps occur both within and among the different categories. This analysis generally excludes marine or ocean issues and international and boundary water issues, except for jointly managed dams at the U.S.-Mexican border and Environmental Protection Agency (EPA) programs along the U.S.-Mexican border. Additionally, Congress has established various economic development programs that include water supply and/or treatment projects among the categories of purposes eligible for federal assistance; however, this report does not include programs for which water-related activities are not the major focus. Also excluded are broad environmental remediation or waste management statutes, such as the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Solid Waste Disposal Act. Water activities affecting Indian tribes are also not uniformly addressed in the accompanying tables but instead are covered where they are known to interact with broader federal agency water-related programs and activities, such as water supply development and water quality infrastructure. Because federal environmental laws, such as the Endangered Species Act and the National Environmental Policy Act,<sup>6</sup> apply to all federal agencies, federal agency activities under those laws are not identified in this report.

**Appendix A** discusses considerations in determining House and Senate committee jurisdictions and provides an example of the complexity in water topics and jurisdictional coverage. **Appendix B** and **Appendix C** present the official language from House Rule X and Senate Rule XXV, respectively, as indicators of congressional jurisdiction over water resources. Both the House and the Senate tables also address subcommittee jurisdiction, and the Senate table provides information on executive branch nominations handled by Senate committees. **Appendix D** provides a glossary of abbreviations for federal agencies and House and Senate committees. Program abbreviations generally are spelled out where they first occur in each table.

In sum, the nine tables that make up the body of the report define water based on the topic terms determined by CRS. These tables underscore the intricacy of the federal programs affecting water resource development, management, protection, and use in the United States. As apparent throughout the tables, numerous standing committees in the House and Senate have jurisdiction over various components of federal water policy; moreover, committees listed here generally exclude the extensive responsibilities of the appropriations committees in both chambers, as well as the direct and indirect activities of other committees in the relevant chambers that deal with banking, taxes, and finance issues.

## Water Resources Development, Management, and Use

Historically, the federal government played a large role in development of the nation’s water resources—in particular constructing large water resource infrastructure projects (e.g., canals, locks, levees, and dams)—for navigation, flood damage reduction, and irrigation water supply in the West. The largest federal dams typically serve multiple purposes, including those noted above,

---

<sup>6</sup> Endangered Species Act (16 U.S.C. 1531 et seq.); National Environmental Policy Act (42 U.S.C. 4321-4347).

as well as producing hydropower and providing water supplies for municipal and industrial uses. More recently, Congress has authorized activities and programs to augment water supplies via water conservation programs, including groundwater recharge (aquifer storage and recovery), and water reclamation and reuse programs, including desalination.

This section focuses on federal activities related to water resource development, management, and use and includes three tables:

**Table 1** lists activities related to water supply and reservoir development and includes topic areas such as dams and dam safety; general water supply development; groundwater supply; irrigation assistance; rural water supply; water conservation; and water reclamation, reuse and desalination.

**Table 2** lists activities related to drought and flood management and includes topic areas such as drought planning, mitigation, and response; emergency flood response; flood damage reduction; and flood mitigation.

**Table 3** lists activities related to hydropower and navigation and includes topic areas such as federal hydropower development; nonfederal hydropower development; and navigation.



**Table I. Supply and Reservoir Development**

Department and Agency <sup>a</sup>	Activities and Programs <sup>b</sup>	Primary Authorities	Committee Jurisdiction <sup>c</sup>
<b>Dams</b>			
DOI: BOR	BOR (or Reclamation) constructs, operates, and maintains dams principally for irrigation. Major projects also serve flood damage reduction, navigation, municipal and industrial supply, and recreation purposes. Projects typically are constructed with up-front funding by BOR with allocated construction costs repaid per repayment or water service contracts.	Reclamation Act of 1902, §2, as amended (32 Stat. 388, 43 U.S.C. 391 et seq.); Act of August 7, 1946 (60 Stat. 866, 43 U.S.C. §411) Reclamation Project Act of 1939, §9 (43 U.S.C. 485h); and numerous site-specific authorities	House NR Senate ENR
DOI	The Secretary of the Interior may enter into agreements for the design, study, and construction or expansion of any federally owned storage project on a 50% cost-share basis and may participate in state-led storage projects on a 25% federal cost-share basis. Projects must be determined feasible before January 1, 2021.	Water Infrastructure Improvements for the Nation Act, §4007 of P.L. 114-322 (code citation not available)	House NR Senate NR
DOD: USACE	USACE constructs, operates, and maintains single and multipurpose dams, with primary purposes of navigation and flood-damage reduction under general and project-specific authorities.	Rivers and Harbors Acts (multiple statutes) and Flood Control Acts (multiple statutes), including Flood Control Act of 1936 and 1955 (33 U.S.C. 701 et seq.); Water Resources Development Acts or similar legislation	House T&I Senate EPW
DOD: USACE	USACE prescribes water control plans for flood control and navigation of certain non-Corps reservoir projects constructed or operated by other federal agencies, nonfederal, or private agencies.	Flood Control Act of 1944 (58 Stat 890, 33 U.S.C. 709); §4(e) and §10 of Federal Power Act; §9 of P.L. 83-436 (68 Stat. 303) for the Alabama-Coosa River	House T&I Senate EPW
USDA: NRCS	<i>Watershed and Flood Prevention Operations</i> (also known as <i>P.L.-566</i> and the <i>Small Watershed Program</i> )—provides financial and technical assistance to local project sponsors for small flood-damage reduction projects, including dams and reservoirs.	Watershed Protection and Flood Prevention Act of 1954, P.L. 83-566, as amended (16 U.S.C. 1000 et seq.), and 33 U.S.C. 701b-1	House Ag House T&I Senate Ag Senate ENR
USDA: NRCS	<i>Small Watershed Rehabilitation Program</i> —provides technical and financial assistance for planning, design, and implementation of actions to rehabilitate aging dams (including upgrading or removing dams) constructed under the <i>Watershed and Flood Prevention Operations</i> .	Grain Standards and Warehouse Improvement Act of 2000 as §14 <i>Watershed Protection and Flood Prevention Act</i> , as amended (16 U.S.C. 1012)	House Ag Senate Ag
State: IBWC	Two international dams operated and managed jointly by the U.S. and Mexican Governments through the U.S. and Mexico sections of the IBWC provide water storage and flood damage reduction benefits.	Rio Grande, Colorado and Tijuana Treaty of 1944, ratified by the Senate on April 18, 1945	House FA House NR Senate ENR Senate FR

Department and Agency <sup>a</sup>	Activities and Programs <sup>b</sup>	Primary Authorities	Committee Jurisdiction <sup>c</sup>
<b>Dam Safety</b>			
DOI: BOR	<i>Safety Evaluation of Existing Dams (SEED)</i> —performs site evaluations and identifies potential deficiencies at BOR and other DOI dams. Deficiencies addressed via the <i>Safety of Dams Program</i> , noted below.	Reclamation Safety of Dams Act, P.L. 95-578, as amended (43 U.S.C. 506 et seq.)	House NR Senate ENR
DOI: BOR	<i>Safety of Dams Program (SOD)</i> —BOR evaluates and implements actions to resolve safety concerns at Reclamation dams.	Reclamation Safety of Dams Act, P.L. 95-578, as amended (43 U.S.C. 506 et seq.)	House NR Senate ENR
DOD: USACE	USACE maintains a national inventory of federal and nonfederal dams.	National Dam Inspection Act, P.L. 92-367, as amended (33 U.S.C. 467d)	House T&I Senate EPW
DOD: USACE	USACE may provide federal funding for the repair of flood damage at dams participating in its Rehabilitation and Inspection Program (RIP). USACE repairs flood damage at Corps-owned dams.	Flood Control and Coastal Emergency Act, P.L. 84-99, as amended (33 U.S.C. 701n); individual project authorizations which may be in Rivers and Harbors Acts (multiple statutes); Flood Control Acts (multiple statutes); Water Resources Development Acts or similar legislation	House T&I Senate EPW
DOD: USACE	USACE conducts inspections of dams that it owns, as well as Corps-constructed, non-federally operated dams and nonfederal dams at which federal funding was used to provide for flood storage. USACE may conduct safety inspections of nonfederal dams after a flood and provide other technical assistance as part of its emergency response work.	National Dam Inspection Act, P.L. 92-367, as amended (33 U.S.C. 467f); Flood Control and Coastal Emergency Act, P.L. 84-99, as amended (33 U.S.C. 701n)	House T&I Senate EPW
DOD: USACE	USACE undertakes dam modification for the purpose of dam safety at Corps-owned dams; the work may be cost shared with nonfederal project sponsors.	Water Resources Development Act of 1986, P.L. 99-662, as amended (33 U.S.C. 467n); individual project authorizations, which may be in Rivers and Harbors Acts (multiple statutes); Flood Control Acts (multiple statutes); Water Resources Development Acts or similar legislation	House T&I Senate EPW
DHS: FEMA	<i>National Dam Safety Program</i> —provides financial assistance to state dam safety programs, as well as training and technical research. FEMA is authorized to provide grants under this program to cost share dam rehabilitation of nonfederal high-hazard dam; the allocation of any federal funds appropriated under this authority is determined by a formula established in statute.	National Dam Inspection Act, P.L. 92-367, as amended (33 U.S.C. 467f); Water Infrastructure Improvements for the Nation Act, P.L. 114-322, §5006 (code citation not available)	House T&I Senate EPW

Department and Agency <sup>a</sup>	Activities and Programs <sup>b</sup>	Primary Authorities	Committee Jurisdiction <sup>c</sup>
DHS: FEMA	<p><i>Interagency Committee on Dam Safety</i>—serves as permanent forum for coordination of federal activities in dam safety. The FEMA Administrator serves as the committee chair.</p> <p><i>National Dam Safety Review Board</i>—an advisory board to monitor the safety of the nation’s dams and to provide advice to the Administrator on dam safety policy.</p>	National Dam Inspection Act, P.L. 92-367, as amended (33 U.S.C. 467e and 467f)	House T&I Senate EPW
DOE: FERC	<p><i>Dam Safety Program</i>—FERC inspects nonfederal projects to investigate potential dam safety problems.</p> <p><i>Owners Dam Safety Program</i>—provides owners with the resources and expertise to maintain safe dams.</p>	Federal Power Act (16 U.S.C. 803 (c))	House E&C Senate ENR
DOI: USGS	USGS exchanges scientific information with other agencies involved in dam safety. This includes data gathered under USGS geologic hazards research (e.g. seismic data).	The Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506 et seq.)	House NR Senate ENR
DOI: BIA	The Secretary of the Interior is to classify the condition of dams on Indian lands, establish a dam safety maintenance and repair program within BIA, and rehabilitate dams identified as posing a threat.	Indian Dam Safety Act of August 23, 1994 (25 U.S.C. 3801 note)	House NR Senate IA
DOI: BIA	The Secretary of the Interior is required to establish a program and funding for repair at BIA-owned dams.	Water Infrastructure Improvements for the Nation Act, P.L. 114-322, Title III, §A (code citation not available)	House NR Senate IA

## Water Supply Development (Municipal, Industrial, Agricultural)

(See also entries under Drought Planning, Mitigation and Response)

DOI: BOR	General and project-specific authorities to construct, operate, and maintain dams principally for irrigation supply on a reimbursable basis (based on ability to pay and without interest). Many projects also provide water for municipal and industrial uses (M&I supply). M&I costs are reimbursable, with interest. May also participate in other federally owned and state-led surface and groundwater storage projects under 50% and 25% cost shares, respectively.	Reclamation Act of 1902, as amended (43 U.S.C. 371 et seq.); Water Infrastructure Improvements for the Nation Act, §4007 of P.L. 114-322 (code citation not available); and site specific authorities; Water Supply Act of 1958 (43 U.S.C. 390b)	House NR Senate ENR Senate EPW
DOI: BOR	BOR is directed to undertake a water reclamation and reuse program to augment local water supplies, including groundwater reclamation and recharge. More than 50 projects have been authorized for construction by Congress.	Reclamation Wastewater and Groundwater Study and Facilities Act, as amended, Title XVI of P.L. 102-575 (43 U.S.C. 390h)	House NR Senate ENR

Department and Agency <sup>a</sup>	Activities and Programs <sup>b</sup>	Primary Authorities	Committee Jurisdiction <sup>c</sup>
DOI: BOR	BOR is authorized to study, design, and construct numerous Indian water projects under various Indian water rights settlements. (See also <b>Table 7</b> .)	Multiple tribe- or site-specific water rights settlement acts since the 1970s	House NR Senate ENR Senate IA
HHS: IHS	<i>Sanitation Facilities Construction Program</i> —The IHS is authorized to provide and maintain domestic and community water supplies and facilities and waste disposal facilities for Indian homes and communities.	The Indian Sanitation Facilities Act, as amended, P.L. 86-121 (42 U.S.C. §§2004a)	House E&C House NR Senate IA
DOD: USACE	Authorities include the reimbursable inclusion of M&I water storage in multi-purpose reservoirs; and the temporary sale of surplus water for municipal and industrial use.	Water Supply Act of 1958 (43 U.S.C. 390b), and the Flood Control Act of 1944 (33 U.S.C. 708)	House T&I Senate EPW
DOD: USACE	USACE is authorized to provide emergency supplies of clean water to localities in response to supply contamination threatening public health and welfare.	Flood Control and Coastal Emergency Act (33 U.S.C. 701n)	House T&I Senate EPW
DOD: USACE	USACE is authorized to include irrigation as a reimbursable purpose for multi-purpose reservoirs. Also authorized to allow interim use for irrigation of uncontracted water at USACE reservoirs.	Flood Control Act of 1944 (43 U.S.C. 390); Water Resources Development Act of 1986, P.L. 99-662 (43 U.S.C. 390)	House T&I Senate EPW
DOD: USACE	USACE may study and implement water conservation measures in states with a drought emergency declared in the past year, including stormwater capture, releases for aquifer recharge, releases to augment water storage at another storage facility, and other measure to enhance usage of USACE projects for water supply. <sup>d</sup>	Water Infrastructure Improvements for the Nation Act, P.L. 114-322, §1116 (code citation not available)	House T&I Senate EPW

## Groundwater Supply

DOI: BOR	BOR is authorized to study, plan, and assist in construction of reclamation wastewater and reuse projects to augment local area water supplies, including groundwater reclamation and recharge. BOR may also participate in groundwater banking.	Reclamation Wastewater and Groundwater Study and Facilities Act, as amended, Title XVI of P.L. 102-575 (43 U.S.C. 390h); and site-specific authorities	House NR Senate ENR Senate EPW
----------	--	--	--------------------------------------

Department and Agency <sup>a</sup>	Activities and Programs <sup>b</sup>	Primary Authorities	Committee Jurisdiction <sup>c</sup>
<b>Other Irrigation Assistance<sup>d</sup></b>			
USDA: ARS, ERS, NASS, NIFA, NRCS	Several USDA programs directly or indirectly support irrigated agriculture; however, these programs generally are part of larger bureau or agency assistance functions, such as conducting land and crop surveys, researching water supply management, and providing technical assistance for on-farm measures.	Census of Agriculture Act of 1997, as amended (7 U.S.C. 2204g); Food and Agriculture Act of 1977, as amended (7 U.S.C. 3103 et seq.); Department of Agriculture Reorganization Act of 1994, as amended (7 U.S.C. 6971 et seq.); and Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590a et seq.)	House Ag Senate Ag
DOI: BIA, BOR	BIA manages and operates numerous irrigation projects on tribal reservation lands. After 1907, many of these facilities were built by BOR. Congress has also approved numerous Indian water rights settlement acts since the 1970s (see also <b>Table 7</b> ).	Reclamation Project Act of 1908, Stat. 70; Snyder Act of 1921 (25 U.S.C. 13); tribe- or site-specific water rights settlement acts	House NR Senate ENR Senate IA
<b>Rural and Other Water Supply Programs</b>			
DOI: BOR	BOR is authorized to provide a clean, safe, affordable, and reliable water supply to rural residents in Reclamation states.	Rural Water Supply Act of 2006, P.L. 109-451 (43 U.S.C. 2401 et seq.)	House NR Senate ENR
USDA: RUS	<i>Rural Water and Waste Disposal Grants and Loans</i> —provides grants and direct and guaranteed loans for rural water systems in communities with populations of 10,000 or less.	Consolidated Farm and Rural Development Act, as amended, §306 (7 U.S.C. 1926 et seq.)	House Ag Senate Ag
USDA: RUS	<i>Individual Water and Wastewater Grants</i> —provides grants to connect service lines, pay utility hook-up fees, and install related plumbing for households in recognized colonias (located in AZ, CA, NM, and TX only).	Consolidated Farm and Rural Development Act, as amended, §306C (7 U.S.C. 1926c)	House Ag Senate Ag
USDA: RUS	<i>Grants for Rural and Native Alaskan Villages</i> —provides funding for water and waste disposal systems for remote Alaskan Villages.	Consolidated Farm and Rural Development Act, as amended, §306D (7 U.S.C. 1926d)	House Ag Senate Ag
USDA: RUS	<i>Household Water Well System Grants</i> —provides funding for nonprofit organizations to finance the construction and refurbishing of household water well systems in rural areas for individuals with low or moderate incomes.	Consolidated Farm and Rural Development Act, as amended, §306E (7 U.S.C. 1926e)	House Ag Senate Ag

Department and Agency <sup>a</sup>	Activities and Programs <sup>b</sup>	Primary Authorities	Committee Jurisdiction <sup>c</sup>
<b>Water Conservation</b>			
EPA	<i>Clean Water State Revolving Fund Program (CWSRF)</i> —EPA provides grants to capitalize state Clean Water State Revolving Funds (CWSRFs), which states use to make loans to local communities for wastewater projects. As a condition of receiving CWSRF assistance, recipients must select projects that, to the maximum extent practicable, maximize potential for efficient water use, reuse, recapture, conservation, and energy conservation.	Clean Water Act, as amended, §602 (33 U.S.C. 1382)	House T&I Senate EPW
EPA	<i>WaterSense Program</i> —provides certification of water-efficient consumer and commercial products. The program’s goal is to decrease indoor and outdoor nonagricultural water use through more efficient products, equipment, and programs.	Clean Water Act, as amended (33 U.S.C. 1251 et seq.) (EPA initiative launched in 2006 using broad authorities under the Clean Water Act)	House T&I Senate EPW
DOI: BOR	<i>Water Conservation Field Services Program</i> —assists water users, states, and other parties with water conservation plans. Each water and irrigation district receiving water from BOR projects must develop a water conservation plan and schedule for meeting water conservation objectives.	Reclamation Act of 1902, as amended (43 U.S.C. 371 et seq.); Reclamation Reform Act of 1982, P.L. 97-293 (43 U.S.C. 390jj)	House NR Senate ENR
DOI: BOR	<i>WaterSMART Program</i> —provides grants for water conservation and water and energy efficiency projects, including system optimization, advanced water treatment, and water reuse (see also Title XVI water reuse program).	Reclamation Act of 1902, as amended (43 U.S.C. 371 et seq.); SECURE Water Act (Subtitle F, Title IX of the Omnibus Public Land Management Act of 2009, P.L. 111-11 (42 U.S.C. 10364))	House NR Senate ENR
DOE: Office of Energy Efficiency and Renewable Energy; FTC	DOE administers and regulates water efficiency standards for plumbing fixtures specified by the Energy Policy Act. FTC is required to promulgate labeling rules for the plumbing fixtures and products covered by the act.	Energy Policy and Conservation Act, as amended by the Energy Policy Act of 1992, §123 (42 U.S.C. 6262, 6295)	House E&C Senate CST
DOD: USACE	The Secretary of the Army is authorized to conduct evaluations of stormwater capture, groundwater replenishment and recovery, and other conservation measures to enhance USACE project water supply and to approve and fund such projects in states where there has been a drought emergency.	Water Infrastructure Improvements for the Nation Act, §1116 (P.L. 114-322) (code citation not available)	House T&I Senate EPW

Department and Agency <sup>a</sup>	Activities and Programs <sup>b</sup>	Primary Authorities	Committee Jurisdiction <sup>c</sup>
USDA: NRCS	<i>Environmental Quality Incentives Program (EQIP)</i> —provides financial and technical assistance to producers and land owners to plan and install structural, vegetative, and land management practices (including water conservation) on agricultural lands to alleviate natural resource problems.	Federal Agriculture Improvement and Reform Act of 1996, as §1240-§1240G of the Food Security Act of 1985, as amended (16 U.S.C. 3839aa et seq.)	House Ag Senate Ag
USDA: NRCS	<i>Conservation Stewardship Program (CSP)</i> —encourages producers to address resource concerns in a comprehensive manner by undertaking additional conservation activities and improving, maintaining, and managing existing conservation activities, including water conservation.	Food, Conservation, and Energy Act of 2008 as §1238D-§1238G of the Food Security Act of 1985, as amended (16 U.S.C. 3838d-3838g)	House Ag Senate Ag
USDA: NRCS	<i>Regional Conservation Partnership Program (RCPP)</i> —provides financial and technical assistance for multistate or watershed-scale projects. The program creates partnership opportunities to target and leverage federal conservation funding for specific areas and resource concerns.	Agricultural Act of 2014 as §1271 of the Food Security Act of 1985, as amended. (16 U.S.C. 3871 et seq.)	House Ag Senate Ag
USDA: NRCS, RMA, AMS	<i>Agricultural Management Assistance (AMA) Program</i> —provides financial and technical assistance to producers to reduce operational risk through diversification and improve water management and irrigation structures.	Agricultural Risk Protection Act of 2000 as §524(b) of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524(b))	House Ag Senate Ag
USDA: NRCS	USDA provides conservation technical assistance including planning and implementation support to producers and land owners who voluntarily apply natural resource conservation systems on private and other nonfederal lands. This can include, among others, water-reducing conservation practices.	Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590a et seq.)	House Ag Senate Ag

### Water Reclamation and Reuse (Including Desalination)

EPA	EPA provides funds for water reuse directly via the CWSRF and indirectly through the Drinking Water State Revolving Fund. EPA also has published guidelines for water reuse.	Clean Water Act, as amended, §104, §602 (33 U.S.C. 1251 et seq.) Safe Drinking Water Act, as amended, §1452 (42 U.S.C. 33j-12)	House T&I Senate EPW
EPA; DOD: USACE	The EPA Administrator and the Secretary of the Army may provide financial assistance for pilot projects for desalination, water recycling, aquifer recharge, and “other alternative water supplies to reduce aquifer depletion.”	Water Infrastructure Finance and Innovation Act of 2014, as amended, §5023 (33 U.S.C. 3902)	House T&I Senate EPW

Department and Agency <sup>a</sup>	Activities and Programs <sup>b</sup>	Primary Authorities	Committee Jurisdiction <sup>c</sup>
DOI: BOR	BOR is directed to undertake a water reclamation and reuse program to augment local water supplies, including groundwater reclamation and recharge. More than 50 projects have been authorized under site-specific legislation; however, 2016 amendments to Title XVI of P.L. 102-575 authorize the Secretary of the Interior to receive project proposals and direct the Secretary to establish a competitive grant program for planning, design, and construction of feasible projects.	Reclamation Wastewater and Groundwater Study and Facilities Act, as amended, Title XVI of P.L. 102-575 (43 U.S.C. 390h), and Water Infrastructure Improvements for the Nation Act, §4009(c) of P.L. 114-322 (code citation not available) amending Title XVI	House NR Senate ENR
DOI: BOR	<i>Desalination and Water Purification Program</i> —research and demonstration program for increasing the technical and financial feasibility of desalination.	Water Desalination Act of 1996, as amended, P.L. 104-298; and §204 of P.L. 112-74 (42 U.S.C. 10301)	House NR Senate ENR

**Source:** Prepared by the Congressional Research Service.

**Notes:**

- a. Department, agency, and committee names and abbreviations are provided in **Appendix D**.
- b. Public law numbers have been included in some cases and not others. In general, public law numbers are not included for older laws (pre-1970) or for statutes with multiple laws bearing the same name. They have been included in other cases at the discretion of the contributor, in particular where seeing a particular provision in context of the broader law may be helpful to the reader.
- c. Committees are listed alphabetically by chamber. For more information regarding committee jurisdiction and referral rules, see **Appendix A**. **Appendix B** and **Appendix C** present the official language from House Rule X and Senate Rule XXV, respectively, as indicators of congressional jurisdiction over water resources. For a definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentary Offices are official.
- d. See also “Research and Planning.” In general, the federal government is not involved in groundwater supply development but assists states and localities with data collection and monitoring.



**Table 2. Drought and Flood Management**

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Drought Planning, Mitigation, and Response<sup>d</sup></b>			
DOD: USACE	USACE may allow temporary water withdrawal from its reservoirs during drought for M&I use.	Flood Control Act of 1944, as amended (33 U.S.C. 708)	House T&I Senate EPW
DOD: USACE	Construction of wells for and transport of water to drought-distressed farmers, ranchers, and political subdivisions. Non-transport costs are nonfederal.	Disaster Relief Act of 1974 (33 U.S.C. 701n)	House T&I Senate EPW
DHS: FEMA	FEMA may provide grants for hazard mitigation. The tribal, state, and local hazard-mitigation plans that are required for entities to receive hazard-mitigation grant assistance may include considerations for future drought conditions.	Robert T. Stafford Disaster Relief and Emergency Assistance Act, §322 (42 U.S.C. 5165)	House T&I Senate HSGAC
DOI: BOR	BOR may temporarily construct, manage, and finance water and conservation facilities. It may also facilitate water purchases, transfers, and contingency plans. BOR is authorized to provide permanent well construction.	Reclamation States Emergency Drought Relief Act of 1991, as amended (43 U.S.C. 2201)	House NR Senate ENR
DOI: BOR	BOR is authorized to use project water available for fish and wildlife impacts due to drought or the operation of a Reclamation project during drought conditions.	Reclamation States Emergency Drought Relief Act of 1991, as amended (43 U.S.C. 2212)	House NR Senate ENR
DOI: BOR	Emergency fund established to assure continuous operation of Reclamation facilities. Also, other site or drought specific authority.	Act of June 26, 1948, as amended (43 U.S.C. 502)	House NR Senate ENR
EPA	EPA is authorized to provide loan and loan guarantees to eligible entities for projects that prevent, reduce, or mitigate the effects of drought.	Water Infrastructure Finance and Innovation Act of 2014, §3905(7), §5023(b)(2), as amended	House T&I Senate EPW
USDA: RMA	<i>Federal Crop Insurance Program</i> —primary means of producer protection against adverse weather, including droughts.	Federal Crop Insurance Act, as amended (7 U.S.C. 1501 et seq.)	House Ag Senate Ag
USDA: FSA	<i>Noninsured Assistance Payments (NAP)</i> —provides direct payments to crop producers who experience a significant crop loss due to a natural disaster such as drought or are prevented from planting but are not eligible for federal crop insurance.	Federal Agriculture Improvement and Reform Act of 1996, as amended (7 U.S.C. 7333)	House Ag Senate Ag

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
USDA: FSA	<i>Emergency Loans</i> —low-interest government loans to producers suffering from production and physical losses located in or adjacent to a county that has been declared a disaster by the President or USDA Secretary.	Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1961 et seq.)	House Ag Senate Ag
USDA: FSA	<i>Livestock Forage Disaster Program (LFP)</i> —provides financial assistance to producers who suffered grazing losses due to drought or fire.	Agricultural Act of 2014 (7 U.S.C. 9081)	House Ag Senate Ag
USDA: FSA	<i>Tree Assistance Program (TAP)</i> —provides financial assistance to qualifying nursery tree growers and orchardists to replant or rehabilitate eligible trees, bushes, and vines damaged by natural disasters, including drought.	Agricultural Act of 2014 (7 U.S.C. 9081)	House Ag Senate Ag
USDA: FSA	<i>Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish Program (ELAP)</i> —provides emergency relief to producers of livestock, honey bees, and farm-raised fish that are not covered under any other program for damage caused by adverse weather.	Agricultural Act of 2014 (7 U.S.C. 9081)	House Ag Senate Ag
USDA: FSA	<i>Emergency Conservation Program (ECP)</i> —Provides emergency funding and technical assistance to producers to rehabilitate farmland damaged by natural disasters, including implementing emergency water conservation measures in response to severe droughts.	Agricultural Credit Act of 1978, as amended (16 U.S.C. 2201-2205)	House Ag Senate Ag
USDA: FSA	<i>Emergency Forest Restoration Program (EFRP)</i> —provides payments to eligible owners of nonindustrial private forest (NIPF) land in order to carry out emergency measures to restore land damaged by a natural disaster, including drought.	Food, Conservation, and Energy Act of 2008, as §407 of the Agricultural Credit Act of 1978, as amended (16 U.S.C. 2206)	House Ag Senate Ag
USDA: RUS	<i>Rural Water and Waste Disposal Grants and Loans</i> —provides grants and direct and guaranteed loans for rural community water systems in communities with populations of 10,000 or less. This is a broad program not focused on drought or emergencies; however, systems affected by drought may receive priority.	Consolidated Farm and Rural Development Act, as amended, §306 (7 U.S.C. 1926 et seq.)	House Ag Senate Ag
USDA: RUS	<i>Emergency and Imminent Community Water Assistance Grants</i> —provides grants to rural water systems experiencing an emergency resulting from a significant decline in quantity or quality of drinking water.	Consolidated Farm and Rural Development Act, as amended, §306A (7 U.S.C. 1926a)	House Ag Senate Ag

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
USDA: RUS	<i>Household Water Well System Grants</i> —provides funding for nonprofit organizations to finance the construction and refurbishing of household water well systems in rural areas for individuals with low or moderate incomes.	Consolidated Farm and Rural Development Act, as amended, §306E (7 U.S.C. 1926e)	House Ag Senate Ag

## Emergency Flood Response

DOD: USACE	Flood fighting assistance, and <i>Rehabilitation and Inspection Program</i> for repairs of damage at eligible levees and dams, also called P.L. 84-99.	Flood Control Act of 1944 (33 U.S.C. 701n)	House T&I Senate EPW
DOI: BOR	BOR is authorized to use money from its emergency fund to finance costs associated with a host of emergencies, including floods.	Act of June 26, 1948 (43 U.S.C. 502); Disaster Relief Act of 1974 (42 U.S.C. 5171)	House NR Senate ENR
DHS: FEMA	FEMA is delegated broad authorities of the President to provide essential assistance following declared major disasters and emergencies, to include floods.	Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.)	House T&I Senate HSGAC
USDA: NRCS	<i>Emergency Watershed Protection (EWP) Program</i> —provides technical and financial assistance to reduce hazards to life and property in watersheds that have been damaged by natural disasters, including floods.	Agricultural Credit Act of 1978, as amended (16 U.S.C. 2203-2205 and 33 U.S.C. 701b-1)	House Ag Senate Ag
USDA: FSA	<i>Noninsured Assistance Payments (NAP)</i> —provides direct payments to crop producers who experience a significant crop loss due to a natural disaster or are prevented from planting but are not eligible for federal crop insurance.	Federal Agriculture Improvement and Reform Act of 1996, as amended (7 U.S.C. 7333)	House Ag Senate Ag
USDA: FSA	<i>Emergency Loans</i> —low-interest government loans to producers suffering from production and physical losses located in or adjacent to a county that has been declared a disaster by the President or Secretary of Agriculture.	Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1961 et seq.)	House Ag Senate Ag
USDA: RMA	<i>Federal Crop Insurance Program</i> —primary means of producer protection against adverse weather, including floods.	Federal Crop Insurance Act, as amended (7 U.S.C. 1501 et seq.)	House Ag Senate Ag
USDA: FSA	<i>Livestock Indemnity Program (LIP)</i> —provides financial assistance to livestock producers for livestock deaths in excess of normal mortality caused by adverse weather, including floods.	Agricultural Act of 2014 (7 U.S.C. 9081)	House Ag Senate Ag

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
USDA: FSA	<i>Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish Program (ELAP)</i> —provides emergency relief to producers of livestock, honey bees, and farm-raised fish that are not covered under any other program for damage caused by adverse weather.	Agricultural Act of 2014 (7 U.S.C. 9081)	House Ag Senate Ag
USDA: FSA	<i>Tree Assistance Program (TAP)</i> —provides financial assistance to qualifying orchardists and nursery tree growers to replant or rehabilitate eligible trees, bushes and vines damaged by natural disasters, including floods.	Agricultural Act of 2014 (7 U.S.C. 9081)	House Ag Senate Ag
USDA: FSA	<i>Emergency Conservation Program (ECP)</i> —provides emergency funding and technical assistance to producers to rehabilitate farmland damaged by natural disasters, including floods.	Agricultural Credit Act of 1978, as amended (16 U.S.C. 2201-2205)	House Ag Senate Ag
USDA: FSA	<i>Emergency Forest Restoration Program (EFRP)</i> —provides payments to eligible owners of nonindustrial private forest (NIPF) land in order to carry out emergency measures to restore land damaged by a natural disaster, including floods.	Food, Conservation, and Energy Act of 2008, as §407 of the Agricultural Credit Act of 1978, as amended (16 U.S.C. 2206)	House Ag Senate Ag

## Flood Damage Reduction

DOD: USACE	Cost-shared construction of riverine and coastal flood damage reduction projects (e.g., levees, dams, and coastal dunes and barriers).	Flood Control Act of 1936 (33 U.S.C. 701a), project-specific authorities in various statutes	House T&I Senate EPW
DOI: BOR	Flood damage reduction provided through multi-purpose dams at full federal cost.	Reclamation Project Act of 1939 (43 U.S.C. 485h(b)) and numerous site-specific authorities	House NR Senate ENR
State: IBWC	Authorized to construct levees and dams along the U.S.-Mexico border.	Rio Grande, Colorado and Tijuana Treaty of 1944	House NR Senate ENR
USDA: NRCS	<i>Watershed and Flood Prevention Operations</i> (also known as <i>P.L.-566</i> and the <i>Small Watershed Program</i> )—provides financial and technical assistance to local project sponsors for small flood damage reduction projects.	Watershed Protection and Flood Prevention Act of 1954, as amended (16 U.S.C. 1000 et. seq. and 33 U.S.C. 701b-1)	House Ag House T&I Senate Ag Senate ENR
USDA: NRCS	USDA may undertake flood prevention and related purposes in 11 specified projects (also known as <i>P.L.-534 projects</i> ). The projects are similar to those under the <i>Watershed and Flood Prevention Operations</i> (see above) only much larger.	Flood Control Act of 1944, as amended (16 U.S.C. 1000 et seq. and 33 U.S.C. 701b-1)	House Ag Senate Ag

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Flood Mitigation</b>			
DHS: FEMA	<i>Pre-disaster Mitigation (PDM) Grant Program</i> provides funding for natural hazard risk reduction, to include floods, on a competitive basis.	Robert T. Stafford Disaster Relief and Emergency Assistance Act, §203 (42 U.S.C. 5133 et seq.)	House T&I Senate HSGAC
DHS: FEMA	<i>Hazard Mitigation Grant Program (HMGP)</i> provides funding for natural hazard risk reduction, to include floods, following a major disaster declaration.	Robert T. Stafford Disaster Relief and Emergency Assistance Act, §404 (42 U.S.C. 5170c)	House T&I Senate HSGAC
DHS: FEMA	<i>The National Flood Insurance Program (NFIP)</i> provides primary flood insurance for residential and nonresidential properties across the nation.	National Flood Insurance Act of 1968, as amended (42 U.S.C. 40001 et seq.)	House FS Senate Banking
DHS: FEMA	The NFIP requires participating communities to adopt floodplain management standards that mitigate flood risk and community losses across the nation.	National Flood Insurance Act of 1968, §1361, as amended (42 U.S.C. 4102)	House FS Senate Banking
DHS: FEMA	<i>Flood Mitigation Assistance (FMA)</i> grant program provides competitive funding to reduce flood risk and financial exposure of the NFIP.	National Flood Insurance Act of 1968, §1366, as amended (42 U.S.C. 4104c)	House FS Senate Banking
USDA: NRCS	<i>Emergency Watershed Protection (EWP) Program</i> —provides technical and financial assistance to purchase floodplain easements on floodplain lands that have been impaired or that have a history of repeated flooding.	Agricultural Credit Act of 1978, as amended (16 U.S.C. 2203-2205 and 33 U.S.C. 701b-1)	House Ag Senate Ag

**Source:** Prepared by the Congressional Research Service.

**Notes:**

- a. Department, agency, and committee names and abbreviations are provided in **Appendix D**.
- b. Public law numbers have been included in some cases and not others. In general, public law numbers are not included for older laws (pre-1970) or for statutes with multiple laws bearing the same name. They have been included in other cases at the discretion of the contributor, in particular where seeing a particular provision in context of the broader law may be helpful to the reader.
- c. Committees are listed alphabetically by chamber. For information regarding committee jurisdiction and referral rules, see **Appendix A**, **Appendix B** and **Appendix C** present the official language from House Rule X and Senate Rule XXV, respectively, as indicators of congressional jurisdiction over water resources. For a definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentarian Offices are official.
- d. Numerous departments and agencies have some drought planning, mitigation and response responsibilities; this report highlights activities of just a few agencies.

**Table 3. Hydropower and Navigation**

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Federal Hydropower Development</b>			
DOI: BOR	BOR owns and operates numerous multipurpose dams and other facilities, many of which generate hydropower.	Town Sites and Power Development Act of 1906, (43 U.S.C. 561, 562, 566, 567), and site-specific authorities	House NR Senate ENR
DOD: USACE	USACE owns and operates multi-purpose water resource projects, including dams and other facilities that generate hydropower.	Federal Water Power Act of 1920, ch. 285, 41 Stat. 1065 (16 U.S.C. 797 et seq.)	House T&I Senate EPW
DOE: BPA, SEPA, SWPA, WAPA	Four power marketing administrations market electricity generated in excess of irrigation needs at multipurpose federal dams operated by the USACE and BOR.	Department of Energy Organization Act of 1977 §302(a)(3); P.L. 95-91 (42 U.S.C. 7152(a)) and other authorities	House E&C House NR Senate ENR
<b>Nonfederal Hydropower Development</b>			
DOI: BOR	BOR may grant nonfederal hydroelectric power development rights at BOR-owned facilities (i.e., “lease of power privilege”).	Reclamation Project Act of 1939 (43 U.S.C. 485h et seq.)	House NR Senate ENR
DOE: FERC	FERC licenses the construction and operation of nonfederal hydropower projects.	Federal Power Act of 1935 (16 U.S.C. 791-828c)	House E&C Senate ENR
<b>Navigation</b>			
DOD: USACE	USACE may undertake federal studies and projects to improve navigation; many of the activities are cost-shared with nonfederal sponsors.	Various Rivers and Harbors Acts and Water Resources Development Acts	House T&I Senate EPW
DOI: BOR	BOR may allocate to navigation associated costs at multi-purpose water resources projects.	Reclamation Project Act of 1939, as amended (43 U.S.C. 485h)	House NR Senate ENR
DOD: USACE	Regulates construction in or alteration of a navigable water of the United States.	Rivers and Harbors Act of 1899 (33 U.S.C. 485h)	House T&I Senate EPW

**Source:** Prepared by the Congressional Research Service.

**Notes:**

- a. Department, agency, and committee names and abbreviations are provided in **Appendix D**.

- b. Public law numbers have been included in some cases and not others. In general, public law numbers are not included for older laws (pre-1970) or for statutes with multiple laws bearing the same name. They have been included in other cases at the discretion of the contributor, in particular where seeing a particular provision in context of the broader law may be helpful to the reader.
- c. Committees are listed alphabetically by chamber. For information regarding committee jurisdiction and referral rules, see **Appendix A**. **Appendix B** and **Appendix C** present the official language from House Rule X and Senate Rule XXV, respectively, as indicators of congressional jurisdiction over water resources. For a definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentarian Offices are official.

## Water Quality, Protection, and Restoration

Federal efforts to protect and improve water quality and water resources range from technical and financial assistance programs to help communities build sewage treatment and drinking water treatment works, to regulatory programs for preventing or controlling water pollution. Most federal programs focus on surface water quality, while states have a dominant role in matters related to groundwater protection. One exception is where Congress has authorized EPA to regulate the underground injection of fluids to protect underground sources of drinking water.

In addition to protecting and improving water quality, Congress has enacted numerous bills to manage, protect, and restore aquatic ecosystems—including estuaries, and wetlands. Over the last 30 years, the United States has provided billions of dollars toward restoring some specific large aquatic ecosystems such as the Chesapeake Bay, the California Bay-Delta, the Everglades, and the Great Lakes. These ecosystems cover large areas and affect millions of people. Ecosystem restoration in a policy context has gone beyond just restoring the natural environment, and now encompasses other objectives such as improving water supply and conveyance, improving navigation, managing natural resources, and implementing watershed management plans. Ecosystem restoration legislation can be intricate and involve several agencies, and therefore involve multiple committees. Fisheries management and oversight of aquaculture also involve many committees.

Generally, Congress has acted where interstate issues arose (e.g., pollution of rivers), where significant gaps in protection existed among the states (drinking water quality), where funding needs were related to federal mandates (various water infrastructure funding programs), or where other national interests were perceived (e.g., conservation of agricultural lands and fisheries, and preservation of wild and scenic rivers).

This section focuses on federal activities related to water quality in general, and regional aquatic resource protection and restoration efforts. The section includes two tables:

**Table 4** lists activities related to surface water quality, drinking water quality, groundwater quality, source water protection, nonpoint source pollution, and wastewater and drinking water quality infrastructure.

**Table 5** lists activities related to aquaculture, aquatic ecosystem protection and restoration, coastal zones and estuaries, fisheries, invasive species, wetlands, and wild and scenic rivers.



**Table 4. Water Quality**

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Surface Water Quality</b>			
EPA	EPA employs regulatory and non-regulatory tools to reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff.	Clean Water Act, as amended (33 U.S.C. 1251 et seq.)	House T&I Senate EPW
<b>Drinking Water Quality</b>			
EPA	EPA regulates contaminants in public drinking water supplies and underground injection activities; provides financial assistance for drinking water infrastructure projects; conducts research; and administers, with states, various regulatory and non-regulatory drinking water programs.	Safe Drinking Water Act, as amended (42 U.S.C. 300f et seq.)	House E&C Senate EPW
HHS: IHS	IHS, in cooperation with HUD and BIA, funds domestic and community potable water sanitation facilities supplies and facilities, drainage facilities, and sewage and waste-disposal facilities to Indian homes and communities.	Indian Sanitation Facilities Act of 1959 (42 U.S.C. 2004a); Indian Health Care Improvement Act of 1976 (25 U.S.C. 1632)	House E&C House NR Senate IA
<b>Groundwater Quality</b>			
EPA	Programs to protect underground sources of drinking water (USDWs) include (1) the <i>Underground Injection Control Program</i> , which regulates underground injections of fluids to protect USDWs; (2) the <i>Sole Source Aquifer Program</i> , which permits designation of an aquifer as a “sole source” and may limit federal funding for projects that could harm the aquifer; (3) the elective <i>State Wellhead Protection Program</i> , which authorizes EPA to award grants to states with programs covering between 50% and 90% of implementation costs; and (4) <i>State Ground Water Protection Grants</i> , which are 50% cost-share grants for states to develop groundwater protection programs.	Safe Drinking Water Act, as amended, §§1421-1429 (42 U.S.C. 300h-300h-8)	House E&C Senate EPW

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Source Water Protection</b>			
EPA	<i>Source Water Assessment Program</i> —Authorizes states to delineate areas of source waters serving public water systems and assess susceptibility to contamination. Assessments can support a voluntary state <i>Source Water Petition Program</i> ; entities may petition the state for assistance in developing a voluntary partnership to address the origins of contaminants.	Safe Drinking Water Act, as amended, §1453 and §1454 (42 U.S.C. 300j-13 and 300j-14)	House E&C Senate EPW
USDA: FSA	<i>Grassroots Source Water Protection Program</i> —provides funding to the National Rural Water Association for technical assistance to operate state source water protection programs. Local programs encourage the voluntary adoption of practices that prevent drinking water pollution.	Farm Security and Rural Investment Act of 2002 as §1240O of the Food Security Act of 1985, as amended (16 U.S.C. 3839bb-2)	House Ag Senate Ag
<b>Nonpoint Source Pollution</b>			
EPA	States, territories, and tribes receive grant money to develop and implement plans to manage nonpoint source pollution (i.e., polluted runoff from diffuse sources).	Clean Water Act, as amended, §319 (33 U.S.C. 1329)	House T&I Senate EPW
DOC: NOAA, EPA	<i>Coastal Nonpoint Pollution Control Program</i> —addresses nonpoint pollution problems in coastal waters. It requires states and territories with approved Coastal Zone Management Programs to develop Coastal Nonpoint Pollution Control Programs that describe how nonpoint source pollution controls will be implemented.	Coastal Zone Act Reauthorization Amendments of 1990 (§6217), P.L. 101-508 (16 U.S.C. 1455(b))	House NR House T&I Senate EPW Senate CST
USDA: NRCS	<i>Environmental Quality Incentives Program (EQIP)</i> —provides financial and technical assistance to producers and land owners to plan and install structural, vegetative, and land management practices on agricultural lands to alleviate natural resource problems, including water quality concerns.	Federal Agriculture Improvement and Reform Act of 1996, as §1240-§1240G of the Food Security Act of 1985, as amended (16 U.S.C. 3839aa et seq.)	House Ag Senate Ag
USDA: NRCS	<i>Conservation Stewardship Program (CSP)</i> —encourages producers to address resource concerns in a comprehensive manner by undertaking additional conservation activities and improving, maintaining, and managing existing conservation activities, including water quality concerns.	Food, Conservation, and Energy Act of 2008 as §1238D-§1238G of the Food Security Act of 1985, as amended (16 U.S.C. 3838d-3838g)	House Ag Senate Ag

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
USDA: NRCS	<i>Regional Conservation Partnership Program (RCPP)</i> —provides financial and technical assistance for multistate or watershed-scale projects. The program creates partnership opportunities to target and leverage federal conservation funding for specific areas and resource concerns.	Agricultural Act of 2014 as §1271 of the Food Security Act of 1985, as amended (16 U.S.C. 3871 et seq.)	House Ag Senate Ag
USDA: FSA	<i>Conservation Reserve Program (CRP)</i> —provides annual rental payments to producers to replace crops on highly erodible and environmentally sensitive land with long-term resource conserving plantings, including buffer and filter strips.	Food Security Act of 1985, as amended (16 U.S.C. 3831(a)-3835a)	House Ag Senate Ag
USDA: NRCS	USDA provides conservation technical assistance including planning and implementation assistance to producers and land owners who voluntarily apply natural resource conservation systems on private and other nonfederal lands. This can include, among others, water-quality conservation practices.	Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590a et seq.)	House Ag Senate Ag

### Water Quality Infrastructure: Wastewater and Drinking Water

EPA	EPA provides grants to capitalize state Clean Water State Revolving Funds (CWSRFs), which states use to make loans to local communities for wastewater projects.	Clean Water Act, as amended (title VI) (33 U.S.C. 1381-1388)	House T&I Senate EPW
EPA	EPA provides grants to capitalize state Drinking Water State Revolving Funds (DWSRFs), which states use to provide loans and other assistance to public water systems for projects needed to comply with federal drinking water rules and to meet the law's health protection goals. Indian tribes and territories receive direct project grants.	Safe Drinking Water Act, as amended, §1452 (42 U.S.C. 300j-12)	House E&C Senate EPW
EPA	The EPA Administrator may provide financial assistance for pilot projects that are eligible for assistance under the CWSRFs and DWSRFs.	Water Infrastructure Finance and Innovation Act of 2014, §5023(b)(2), as amended.	House T&I House E&C Senate EPW
EPA	EPA is directed to establish programs to provide grants to eligible entities to help disadvantaged and small communities meet Safe Drinking Water Act requirements and to provide grants for projects to reduce lead in water.	Safe Drinking Water Act, as amended, §1459A and §1459B (42 U.S.C. 300j-19a-42 U.S.C. 300j-19b)	House E&C Senate EPW
USDA: RUS	<i>Rural Water and Waste Disposal Grants and Loans</i> —provides grants and direct and guaranteed loans for rural water systems in communities with populations of 10,000 or less.	Consolidated Farm and Rural Development Act, as amended, §306 (7 U.S.C. 1926 et seq.)	House Ag Senate Ag

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
USDA: RUS	<i>Rural Circuit Rider Program</i> —provides on-site technical assistance for the operation of rural water systems for the purpose of bringing small public water systems into compliance with state and national environmental regulations.	Consolidated Farm and Rural Development Act, as amended, §306(a) (7 U.S.C. 1926 et seq.)	House Ag Senate Ag
USDA: RUS	<i>Water and Waste Disposal Technical Assistance and Training Grants</i> —provides technical assistance and training to identify and evaluate alternative solutions to problems related to water and waste disposal, prepare applications, and improve operation and maintenance practices at existing facilities.	Consolidated Farm and Rural Development Act, as amended, §306(a)(14)(A) (7 U.S.C. 1926 et seq.)	House Ag Senate Ag
USDA: RUS	<i>Individual Water and Wastewater Grants</i> —provides grants to connect service lines, pay utility hook-up fees, and install related plumbing for households in recognized colonias (located in AZ, CA, NM, and TX only).	Consolidated Farm and Rural Development Act, as amended, §306C (7 U.S.C. 1926c)	House Ag Senate Ag
USDA: RUS	<i>Grants for Rural and Native Alaskan Villages</i> —provides funding for water and waste disposal systems for remote Alaskan Villages.	Consolidated Farm and Rural Development Act, as amended, §306D (7 U.S.C. 1926d)	House Ag Senate Ag
USDA: RUS	<i>Household Water Well System Grants</i> —provides funding for nonprofit organizations to finance the construction and refurbishing of household water well systems in rural areas for individuals with low or moderate incomes.	Consolidated Farm and Rural Development Act, as amended, §306E (7 U.S.C. 1926e)	House Ag Senate Ag
EPA	<i>U.S.-Mexico Border Water Infrastructure Program</i> —provides assistance for drinking water and wastewater services to underserved communities in the border region. EPA provides grant funding through the Border Environment Infrastructure Fund; the North American Development Bank, in collaboration with the Border Environment Cooperation Commission, provides loans and other assistance.	The Border Environment Cooperation Agreement, through the North American Free Trade Agreement Act, P.L. 103-182 (19 U.S.C. 3473); Safe Drinking Water Act, as amended, §1456 (42 U.S.C. 300j-16); P.L. 100-4, §510	House E&C House FA House T&I House W&M Senate EPW Senate Finance Senate FR
HUD	<i>Community Development Block Grant</i> —funds are used by localities for a broad range of activities, including meeting water and waste disposal needs.	Housing and Community Development Act of 1974, as amended (title I) (42 U.S. C. 5301 et seq.)	House FS Senate Banking
HHS: IHS in cooperation with HUD and BIA	The IHS funds the provision of sanitation facilities—domestic and community potable water supplies and facilities, drainage facilities, and sewage—and waste-disposal facilities—to Indian homes and communities.	Indian Sanitation Facilities Act of 1959 (42 U.S.C. 2004a); Indian Health Care Improvement Act of 1976 as amended by Indian Health Care Amendments of 1988 (25 U.S.C. 1632)	House E&C House NR Senate IA

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
DOC: EDA	<i>Public Works and Economic Development Program</i> —provides grants for public works and development facilities that promote long-term economic development, including wastewater treatment.	Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3131, 3132, 3135, 3171)	House T&I Senate EPW

**Source:** Prepared by the Congressional Research Service.

**Notes:**

- a. Department, agency, and committee names and abbreviations are provided in **Appendix D**
- b. Public law numbers have been included in some cases and not others. In general, public law numbers are not included for older laws (pre-1970) or for statutes with multiple laws bearing the same name. They have been included in other cases at the discretion of the contributor, in particular where seeing a particular provision in context of the broader law may be helpful to the reader.
- c. Committees are listed alphabetically by chamber. For information regarding committee jurisdiction and referral rules, see **Appendix A**, **Appendix B** and **Appendix C** present the official language from House Rule X and Senate Rule XXV, respectively, as indicators of congressional jurisdiction over water resources. For a definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentarian Offices are official.

**Table 5. Aquatic Resources Protection and Management**

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Aquaculture</b>			
USDA: NIFA; DOC: NOAA; DOI: FWS <sup>a</sup>	The National Science and Technology Council Interagency Working Group on Aquaculture coordinates activities and disseminates information among federal agencies with responsibilities for aquaculture. USDA is the lead federal agency.	National Aquaculture Act of 1980 as amended (16 U.S.C. 2801 et seq.)	House Ag Senate Ag
USDA: NASS	The National Agricultural Statistics Service (NASS) conducts surveys and reports on agricultural production and supplies. This includes farmers and ranchers reporting aquaculture production through the national census of agricultural.	Census of Agriculture Act of 1997, as amended (7 U.S.C. 2204g)	House Ag Senate Ag
DOC: NOAA	<i>NOAA Aquaculture Program</i> —supports coastal and offshore aquaculture development by conducting research, disseminating information, and coordinating with federal and state agencies.	National Sea Grant College Program (33 U.S.C. 1121-1131); Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) for federal waters	House SST Senate CST House NR Senate EPW
DOI: FWS	<i>National Fish Hatchery System</i> —works with states, tribes, federal agencies, other FWS programs, and private interests to conserve fish and other aquatic resources. FWS operates 70 hatcheries in the system to enhance stocks, facilitate restoration, and mitigate fish losses.	Many statutes authorize or direct specific actions and apply to specific facilities	House NR Senate EPW
<b>Aquatic Ecosystem Protection and Restoration<sup>d</sup></b>			
DOD: USACE	USACE conducts federal cost-shared environmental protection and restoration projects, as well as cost-shared beneficial use of dredged material to restore aquatic ecosystems. The Corps of Engineers (Corps or USACE) also has geographically specific authorities to undertake restoration work in some areas, including areas that have been degraded by Corps and other projects.	Water Resources Development Acts of 1996 (33 U.S.C. 2213, 33 U.S.C. 2330 ), 2007 (33 U.S.C. 2330a), and (33 U.S.C. 2326); and various other acts	House T&I Senate EPW

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
DOD: USACE; DOI	USACE and DOI are authorized to conduct ecosystem restoration projects in the Everglades through the Comprehensive Everglades Restoration Plan (CERP). The law authorizes CERP as a framework for Everglades restoration and authorized an initial round of projects by USACE and DOI.	Water Resources Development Act of 2000 (P.L. 106-541, 601)	House T&I Senate EPW
DOC: NOAA, EPA	<i>Harmful Algal Bloom and Hypoxia Research and Control</i> —NOAA leads research and management efforts to detect, monitor, assess, and predict harmful algal bloom and hypoxia events. NOAA and EPA cochair the Interagency Working Group to coordinate federal activities.	Harmful Algal Bloom and Hypoxia Research and Control Act (33 U.S.C. 4001 et seq.)	House SST Senate CST
DOI: BOR	BOR may undertake activities to protect and restore aquatic and riparian environments affected by Reclamation project operations. Reclamation also has geographically specific authorities to undertake restoration work in some areas (e.g., California Bay-Delta, Platte River, and Colorado River).	The Reclamation Act of 1902, as amended (43 U.S.C. 371 et seq.); Endangered Species Act (16 U.S.C. 1531 et seq.); Platte River Ecosystem Restoration (Consolidated Natural Resources Act of 2008 (§515 of P.L. 110-229); and various other acts, including Fish and Wildlife Coordination Acts	House NR Senate ENR
DOI; DOD; EPA; USDA; DOC	<i>San Francisco Bay Sacramento and San Joaquin River Delta Restoration Initiative (Bay-Delta)</i> is an ecosystem restoration initiative that involves several agencies with specific authorities for ecosystem restoration and other activities (e.g., water conveyance, watershed management, and levee construction).	Water Supply, Reliability, and Environmental Improvement Act (P.L. 108-361; 118 Stat. 1681)	House NR House T&I Senate ENR
EPA; DOI; DOC; USDA; DOD	<i>Chesapeake Bay Restoration Initiative</i> is an ecosystem restoration initiative that involves several federal agencies and various authorities for conducting restoration in the Chesapeake Bay. The EPA Chesapeake Bay Program coordinates activities.	Chesapeake Bay Restoration (33 U.S.C. 1267);	House T&I Senate EPW
EPA; DOI; DOC; USDA; DOD	<i>Great Lakes Restoration Initiative (GLRI)</i> is a multi-agency ecosystem restoration initiative that spans several states that border the five Great Lakes. The GLRI is the primary program for restoration; however, several other federal programs contribute to restoration efforts.	Great Lakes Restoration (33 U.S.C. 1268)	House T&I Senate EPW
DOI: FWS	<i>Habitat Conservation Program</i> —The FWS provides technical assistance in the use and development of the nation's land and water resources, including restoration of aquatic species habitat.	Fish and Wildlife Coordination Act, Act of March 10, 1934 (16 U.S.C. 661 et seq.); Endangered Species Act of 1973, (16 U.S.C. 1531 et seq.)	House NR Senate EPW

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
EPA	EPA works with agencies to restore, protect, and preserve aquatic ecosystems nationwide. These efforts include ecosystem restoration initiatives in the Great Lakes, Chesapeake Bay, Puget Sound, Lake Champlain, Gulf of Mexico, San Francisco Bay, and Long Island Sound, among others.	Clean Water Act (33 U.S.C. 1257 et. seq.); Great Lakes Restoration (33 U.S.C. 1268); Chesapeake Bay Restoration (33 U.S.C. 1267); Long Island Sound Restoration (33 U.S.C. 1269); Lake Champlain Basin Program (33 U.S.C. 1270)	House T&I Senate EPW

### Coastal Zones and Estuaries

DOC: NOAA	<i>Federal Coastal Zone Management Program</i> —provides grants to states to prepare and implement coastal zone management programs.	Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.)	House NR Senate CST
EPA	<i>National Estuary Program (NEP)</i> —is a place-based program to protect and restore water quality and ecological integrity of estuaries of national significance. Each NEP develops and implements a Comprehensive Conservation and Management Plan, a long-term plan to address water quality, habitat, and living resources challenges.	Clean Water Act, as amended (§320) (33 U.S.C. 1330)	House T&I Senate EPW
DOC: NOAA	The <i>National Estuarine Research Reserve Program</i> —provides grants to states to assist with state-protected estuarine areas used for research and education programs, and to serve as laboratories for comparative studies among the major coastal biogeographical regions.	Coastal Zone Management Act of 1972 (16 U.S.C. 1461)	House NR Senate CST
DOD: USACE; NOAA, EPA, FWS, USDA	The Estuary Habitat Restoration Council is responsible for developing a national estuarine restoration strategy. The Secretary of the Army may carry out projects and provide technical assistance to meet the restoration goal.	Estuary Restoration Act of 2000, P.L. 106-457 (Title I), as amended (33 U.S.C. 2901)	House NR House T&I Senate EPW

### Fisheries Management

DOI: FWS	The FWS is the major federal agency involved with freshwater fishery management. FWS implements the Endangered Species Act for freshwater species.	Fish and Wildlife Coordination Act, Act of March 10, 1934 (16 U.S.C. 661 et seq.); Federal Aid in Sport Fish Restoration Act (64 Stat. 430; 16 U.S.C. 777-777n); Endangered Species Act of 1973, (16 U.S.C. 1531 et seq.)	House NR Senate EPW
----------	--	---	------------------------



Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
DOC: NOAA, NMFS	The NMFS manages anadromous and marine fishery resources, including salmon, and implements the Endangered Species Act for anadromous and marine species.	Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); Endangered Species Act, (16 U.S.C. 1531 et seq.)	House NR Senate CST Senate EPW
DOE: BPA	The Bonneville Power Administration (BPA) funds fish protection, mitigation, and enhancement projects related to development and operation of Columbia River hydroelectric facilities following the Columbia River Basin Fish and Wildlife Program.	Pacific Northwest Electric Power Planning and Conservation Act, P.L. 96-501 (16 U.S.C. 839 et seq.)	House NR Senate EPW
DOD: USACE	A portion of USACE funds expended for living aquatic resources supports mitigation activities to compensate for aquatic resources lost due to construction and operation of USACE projects.	Fish and Wildlife Coordination Act; Act of March 10, 1934 (16 U.S.C. 661 et seq.); Endangered Species Act of 1973, (16 U.S.C. 1531 et seq.); Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.); Water Resources Development Act of 1986, P.L. 99-662 (42 U.S.C. 10301 et seq.)	House NR House T&I Senate ENR Senate EPW
DOI: BOR	The BOR living aquatic resource programs include minimum flow evaluation and implementation; flow augmentation; aquatic habitat restoration, mitigation, and enhancement; fish hatchery modifications; fish passages; and endangered fish studies.	Fish and Wildlife Coordination Act; Act of March 10, 1934, 48 Stat. 401, as amended (16 U.S.C. 661 et seq.); Pacific Northwest Electric Power Planning and Conservation Act, P.L. 96-501 (16 U.S.C. 1531 et seq.); Endangered Species Act of 1973, P.L. 93-205, as amended (16 U.S.C. 1531 et seq.)	House NR Senate ENR
DOI: BOR	An emergency fund established to assure continuous operation of Reclamation facilities. Also, other site or drought specific authority.	Act of June 26, 1948, as amended (43 U.S.C. 502); P.L. 95-18, as amended (43 U.S.C. 502 note)	House NR Senate ENR
DOI: BIA	<i>Fish, Wildlife, and Recreation Program</i> —responsible for the federal government trust responsibilities to Indians relative to aquatic resources and funds tribal roles in aquatic resource management.	Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.)	House NR Senate CST Senate IA
DOI: BLM	The BLM has specific responsibility for managing fish habitat on its public land.	Federal Land Policy and Management Act of 1976, (43 U.S.C. 1701 et seq.); Endangered Species Act of 1973, (16 U.S.C. 1531 et seq.)	House NR Senate ENR Senate EPW
DOI: NPS	The NPS conducts programs designed to maintain and protect aquatic and marine resources within NPS units.	National Park Service Organic Act of 1916, as amended (16 U.S.C. 1 et seq.); Endangered Species Act of 1973, (16 U.S.C. 1531 et seq.)	House NR Senate ENR Senate EPW

<b>Department and Agency<sup>a</sup></b>	<b>Activities and Programs</b>	<b>Primary Authorities<sup>b</sup></b>	<b>Committee Jurisdiction<sup>c</sup></b>
USDA: USFS	The Forest Service has the responsibility to maintain and improve fishery habitat in national forests and grasslands, consistent with overall multiple-use objectives.	Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976 (16 U.S.C. 1601 et seq.)	House Ag House NR Senate Ag Senate ENR Senate EPW
FERC	FERC, in licensing nonfederal natural gas and hydroelectric projects, gives consideration to both protection and enhancement of aquatic resources and habitat affected by project construction and operation.	Title II of the Federal Power Act of 1935, as amended (16 U.S.C. 797(e))	House E&C House NR Senate CST Senate EPW

### **Invasive Species**

DOD: USACE	As part of its responsibilities to study, build, and operate water resource projects, the Corps studies and carries out activities to control invasive aquatic species at these projects. The Corps also has project-specific authorities to control some invasive species.	Rivers and Harbors Act of 1958 (P.L. 85-500) and various other acts	House T&I Senate EPW
DOI: BOR	BOR conducts invasive species and other pest management research, including development and coordination of “Integrated Pest Management” techniques.	Reclamation Act of 1902, as amended (43 U.S.C. 371 et seq.)	House NR Senate ENR
DHS: USCG; EPA; DOI: FWS; DOD: USACE; DOC: NOAA; and others	The Aquatic Nuisance Species Task Force is a federal program to prevent the introduction and to control the spread of unintentionally introduced aquatic nuisance species. The Task Force consists of 13 federal agencies and is cochaired by the FWS and NOAA.	Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.)	House NR House T&I Senate CST Senate EPW
USDA: NRCS	Plant Materials Centers evaluate plants (including aquatic) for conservation traits and make these materials available to commercial growers who provide plant materials to the public. Centers work to address the spread of plants (including aquatic) that have been classified as noxious or invasive through research, education, and outreach.	Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590a et seq.)	House Ag Senate Ag

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Wetlands</b>			
DOD: USACE; EPA	The Clean Water Act establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands, through permits issued by the USACE in consultation with EPA.	Clean Water Act, as amended (§404) (33 U.S.C. 1344)	House T&I Senate EPW
EPA	<i>Wetland Program Development Grants</i> —support state and tribal wetland program development.	Clean Water Act, as amended (§104(b)(3)) (33 U.S.C. 1254(b)(3))	House T&I Senate EPW
DOI: FWS	The FWS is authorized to make grants for wetland conservation projects in Canada, the United States, and Mexico.	North American Wetlands Conservation Act, as amended (16 U.S.C. 4400)	House NR Senate EPW
DOI: FWS	<i>Partners for Fish and Wildlife Program</i> —provides technical assistance and cost share incentives directly to landowners for wetland restoration projects on private lands through voluntary agreements.	Partners for Fish and Wildlife Act, as amended (16 U.S.C. 3771-3774)	House NR Senate EPW
DOI: FWS	<i>National Coastal Wetlands Conservation Grant Program</i> —provides matching grants to states for acquisition, restoration, management or enhancement of coastal wetlands.	Coastal Wetlands Planning, Protection and Restoration Act of 1990 (title III) (16 U.S.C. 3954)	House NR Senate EPW
DOD: USACE; DOI: FWS; EPA; DOC: NMFS; USDA	<i>Louisiana Coastal Wetlands Program</i> —is a comprehensive approach to restore and prevent the loss of coastal Louisiana wetlands. USACE allocates funds (federal share 75% of project costs) among task force members.	Coastal Wetlands Planning, Protection and Restoration Act of 1990, (16 U.S.C. 3951-3955)	House NR Senate EPW
USDA: NRCS	<i>Agricultural Conservation Easement Program (ACEP)</i> —provides financial and technical assistance through two types of easements, including wetland reserve easements that protect and restore wetlands.	Agricultural Act of 2014 as §1265 of the Food Security Act of 1985 (16 U.S.C. 3865 et seq.)	House Ag Senate Ag
USDA: NRCS	<i>Wetland Conservation</i> (also referred to as <i>Swampbuster</i> )—a provision that makes producers who convert wetlands to cropland ineligible for certain USDA program benefits.	Food Security Act of 1985 (16 U.S.C. 3821-3824)	House Ag Senate Ag
USDA: FSA	<i>Farmable Wetland Program</i> —subprogram under CRP that restores farmable wetlands and associated buffers by improving the land's hydrology and vegetation.	Food, Conservation, and Energy Act of 2008 as §1231B of the Food Security Act of 1985, as amended (16 U.S.C. 3831b)	House Ag Senate Ag

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
USDA: NRCS	<i>Emergency Watershed Protection (EWP) Program</i> —provides technical and financial assistance to purchase floodplain easements for restoring, protecting, maintaining, and enhancing the functions and values of floodplains, including associated wetlands and riparian areas.	Agricultural Credit Act of 1978, as amended (16 U.S.C. 2203-2205 and 33 U.S.C. 701b-1)	House Ag Senate Ag
USDA: NRCS	<i>Water Bank Program</i> —provides nonrenewable rental agreements to landowners to maintain wetlands in lieu of draining the land for agricultural production.	Water Bank Act, as amended (16 U.S.C. 1301-1311)	House Ag Senate Ag

### Wild and Scenic Rivers

DOI: NPS, BLM, FWS, BOR; USDA: USFS; DOD: USACE	Preserves designated rivers in their free-flowing condition and directs respective designated federal agencies to administer comprehensive management plans to ensure river protection.	Wild and Scenic Rivers Act of 1968, P.L. 90-542, 82 Stat. 906 (16 U.S.C. §§1271 et seq.)	House NR Senate ENR
---	---	--	------------------------

**Source:** Prepared by the Congressional Research Service.

**Notes:**

- a. Department, agency, and committee names and abbreviations are provided in **Appendix D**.
- b. Public law numbers have been included in some cases and not others. In general, public law numbers are not included for older laws (pre-1970) or for statutes with multiple laws bearing the same name. They have been included in other cases at the discretion of the contributor, in particular where seeing a particular provision in context of the broader law may be helpful to the reader.
- c. Committees are listed alphabetically by chamber. For information regarding committee jurisdiction and referral rules, see **Appendix A**, **Appendix B** and **Appendix C** present the official language from House Rule X and Senate Rule XXV, respectively, as indicators of congressional jurisdiction over water resources. For a definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentarian Offices are official.
- d. Many ecosystem restoration initiatives are regional and include advisory or leadership committees with representatives from many federal agencies and White House offices, and are often authorized by program specific authorities.

## Water Rights and Allocation

Although water rights and allocation traditionally are issues that are regulated by states, the federal government retains significant authority related to federal water resources management and federal water rights. Congress has broad authority under the Commerce Clause of the U.S. Constitution to regulate interstate waterways and promote navigation throughout the nation's waterways.<sup>7</sup> Accordingly, though rarely exercised, Congress may allocate interstate waters directly. Alternatively, Congress may defer to states to reach an agreement (i.e., interstate compact) on the allocation of water in an interstate dispute, but Congress generally must provide its consent to such a compact before it may take effect.<sup>8</sup> Congress also has provided for the establishment of river basin commissions, which typically include representatives from basin states and any relevant federal agencies.<sup>9</sup>

In 1908, the U.S. Supreme Court recognized the creation of federal reserved water rights.<sup>10</sup> The Court explained that when Congress creates an Indian reservation, it also implicitly reserves the water necessary to fulfill the purposes for which the reservation was established.<sup>11</sup> These rights, sometimes referred to as tribal water rights, are often senior to other water users' rights but typically are not quantified, which may lead to extensive litigation between tribes and other water users or settlement agreements that must be approved by Congress. The Court later held that the principle of reserved rights extended not only to reservations for tribal land but also to reservations for other federal purposes, including national forests, wildlife refuges, national parks, wild and scenic rivers, etc.<sup>12</sup> Thus, congressional proposals to make additions to these systems implicate federal authority related to water resources.

Many federal laws also indirectly affect water allocation and use. For example, the development of dam and diversion facilities over time has favored certain purposes or uses over others. Such development has sometimes resulted in unintended consequences, including in some cases, over allocation of water supplies. Implementation of laws aimed at addressing water quality and threatened and endangered species (e.g., the federal Clean Water Act<sup>13</sup> and Endangered Species Act<sup>14</sup>) may indirectly or directly affect water allocation. However, because such laws—like many other federal laws—are primarily related to federal project operations, they are not included in this section.

**Table 6** lists activities related to water allocation and includes such topic areas as water allocation generally and river basin commissions.

**Table 7** lists activities related to water rights and includes such topic areas as federal reserved water rights and tribal water rights.

---

<sup>7</sup> U.S. Const. art. I, §8; *see* *Gibbons v. Ogden*, 22 U.S. 1 (1824).

<sup>8</sup> U.S. Const. art. I, §10, cl. 3.

<sup>9</sup> *See* 42 U.S.C. §1962b.

<sup>10</sup> *Winters v. United States*, 207 U.S. 564, 575-77 (1908).

<sup>11</sup> *Id.*

<sup>12</sup> *Cappaert v. United States*, 426 U.S. 128, 138 (1976).

<sup>13</sup> Clean Water Act, as amended (33 U.S.C. 1251 et seq.).

<sup>14</sup> Endangered Species Act, (16 U.S.C. 1531 et seq.).

**Table 6. Water Allocation**

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Water Allocation and Interstate Compacts</b>			
N/A	Congress has exercised its authority to allocate interstate waters on rare occasions in response to interstate compacts.	U.S. Const. art. I, §8; U.S. Const. art. VI, cl. 2; e.g. Boulder Canyon Project Act of December 21, 1928 (43 U.S.C. 617 et seq.)	House Judiciary House NR Senate ENR Senate Judiciary
N/A	Congress generally must consent to agreements between and among states for the management of interstate waters, which may address allocation of water supplies and pollution, among other things.	U.S. Const. art. I, §10, cl. 3	House Judiciary House NR House T&I Senate ENR Senate EPW Senate Judiciary
DOI: BOR	BOR enters into contracts with water districts for delivery and allocation of water from Reclamation projects; however, the agency typically secures a project water right via state water rights laws as part of project development.	Reclamation Act of 1902, §8, as amended (43 U.S.C. 372, 378); and numerous site-specific authorities	House NR Senate ENR
DOI: USGS	For interstate water compacts, the USGS provides administrative support for the federal representative. Also, the USGS collects hydrologic data for 25 interstate compacts.	Organic Act of March 3, 1879 (43 U.S.C. 31 et seq.); various legislation approving interstate compacts (e.g., Arkansas River Compact of May 31, 1949, P.L. 81-82).	House NR Senate ENR
<b>River Basin Commissions</b>			
Various agencies	River basin commissions comprised of federal and/or state representatives may be established to manage and develop water resources within a particular river basin. Three presidentially declared river basin commissions coordinate plans for water and related land resources development in their respective basins (i.e., Delaware, Susquehanna, Potomac).	Water Resources Planning Act of 1965, P.L. 89-80 (42 U.S.C. 1962b et seq.); various legislation approving interstate compacts	House NR Senate ENR

**Source:** Prepared by the Congressional Research Service.

**Notes:**

- a. Department, agency, and committee names and abbreviations are provided in **Appendix D**.

- b. Public law numbers have been included in some cases and not others. In general, public law numbers are not included for older laws (pre-1970) or for statutes with multiple laws bearing the same name. They have been included in other cases at the discretion of the contributor, in particular where seeing a particular provision in context of the broader law may be helpful to the reader.
- c. Committees are listed alphabetically by chamber. For information regarding committee jurisdiction and referral rules, see **Appendix A**, **Appendix B** and **Appendix C** present the official language from House Rule X and Senate Rule XXV, respectively, as indicators of congressional jurisdiction over water resources. For a definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentarian Offices are official.

**Table 7. Water Rights**

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Federal Reserved Water Rights</b>			
USDA: USFS; DOI: BLM, FWS, NPS; Various agencies	Reservation of land for a federal purpose (i.e., national forests, national wildlife refuges, wild and scenic rivers) includes accompanying water rights to achieve the purpose of the reservation.	<i>Cappaert v. United States</i> , 426 U.S. 128 (1976); various statutes reserving federal lands	House NR Senate ENR
<b>Tribal Water Rights</b>			
DOI	American Indian tribes may hold reserved water rights granted by the reservation of land to the tribe and derive from treaties, statutes, agreements, or executive orders.	<i>Winters v. United States</i> , 207 U.S. 564 (1908); various Indian water rights settlement acts	House NR Senate ENR Senate IA

**Source:** Prepared by the Congressional Research Service.

**Notes:**

- a. Department, agency, and committee names and abbreviations are provided in **Appendix D**, **Appendix B** and **Appendix C** present the official language from House Rule X and Senate Rule XXV, respectively, as indicators of congressional jurisdiction over water resources. For a definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentarian Offices are official.
- b. Public law numbers have been included in some cases and not others. In general, public law numbers are not included for older laws (pre-1970) or for statutes with multiple laws bearing the same name. They have been included in other cases at the discretion of the contributor, in particular where seeing a particular provision in context of the broader law may be helpful to the reader.
- c. Committees are listed alphabetically by chamber. For information regarding committee jurisdiction and referral rules, see **Appendix A**.

## Research and Planning

Federal water research and planning authorities are spread across numerous federal agencies, and the congressional committees with oversight roles and responsibilities are also numerous. This division derives in part from the distinct roles that water plays in relation to each of these agencies' missions and the committees' jurisdictions. The evolution of federal water research authorities and planning activities generally mirrors the development of the water-related agencies and authorities discussed in earlier sections of this report.

Federal water research and planning began largely to support the development of navigation, flood control, and storage of water for irrigation. The 1960s saw federal research and planning expand to include reducing pollution problems. Efforts to coordinate water research and planning in the 1960s and 1970s were undertaken as part of broader efforts to coordinate federal water activities. Administrations of the 1980's and 1990's asserted a more limited federal role in water research and planning. Federal water planning was scaled back primarily to support federal projects and activities. Federal research funds were focused on topics closely connected to helping federal agencies meet their missions and to address problems beyond the scope of the states and private sector. One result has been that federal research in recent decades has principally supported regulatory activities (e.g., water quality research and monitoring of aquatic ecosystem and species), while federal research promoting economic growth through water development has decreased.<sup>15</sup> In the last two decades, new technologies and data (e.g., water-related satellite and radar data) and concerns (e.g., climate trends, species decline, ecosystem health) have prompted both the involvement of new agencies and programs in federal water research and the expansion of authorities and topics covered by traditional water agencies.

This section focuses on federal authorities related to water research and planning and includes two tables:

**Table 8** lists authorities related to general water research; research on use, supply augmentation, efficiency, and engineering works; monitoring, data, and mapping; water resource assessments; water cycle, drought, and climate change; and water quality and treatment.

**Table 9** lists authorities related to planning for water development projects, watersheds, and water quality.

While these two tables are not exhaustive, they represent the cross-section of federal research and planning authorities.

---

<sup>15</sup> For a discussion of the evolution of federal water research, see National Research Council, *Confronting the Nation's Water Problems: The Role of Research*, Washington, DC, 2004.



**Table 8. Research and Data**

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Water (General)</b>			
NSF	National Science Foundation is authorized to undertake studies, programs, and scholarships for science and engineering.	National Science Foundation Act of 1950, as amended (42 U.S.C. 1862 et seq.)	House SST Senate CST Senate HELP
DOC: NOAA	<i>National Estuarine Research Reserve Program</i> —provides grants to states to assist with state-protected estuarine areas used for research and education programs and to serve as laboratories for comparative studies among the major coastal biogeographical regions.	Coastal Zone Management Act of 1972 (16 U.S.C. 1461)	House NR Senate CST
DOI: USGS	<i>Hydrologic Research and Development Program</i> conducts research on complex hydrological problems such as ecological and biochemical processes in the hydrological cycle and movement and availability of subsurface water to inform groundwater management decisions.	Organic Act of March 3, 1879 (43 U.S.C. 31 et seq.); 28 Stat. 398 (authorized funding for the USGS to measure streamflows and determine the water supply of the United States)	House NR Senate ENR
DOI: USGS	<i>The Cooperative Water Program</i> allows USGS to partner with local, state, and tribal entities to provide joint monitoring and research capabilities. Efforts from this program lead to regulatory decision-making, and joint management actions, among other things.	Organic Act of March 3, 1879 (43 U.S.C. 31 et seq.); 43 U.S.C. 36d; 43 U.S.C. 50.	House NR Senate ENR
<b>Use, Supply Augmentation, Efficiency, and Engineering Works</b>			
(See also Conservation)			
USDA: ARS	ARS is USDA's in-house research agency organized into 18 national programs that serve to coordinate over 800 ARS research projects. <i>National program 211</i> addresses water availability and watershed management. Several research projects are conducted under this national program.	Food, Agriculture, Conservation, and Trade Act of 1990 added §1402 of the Food and Agricultural Act, as amended (7 U.S.C. 3101 et seq.)	House Ag Senate Ag
DOI: BOR	Provides grants and contracts for desalination research, studies, and demonstration activities.	Water Desalination Act of 1996, as amended, P.L. 104-298 and §204 of P.L. 112-74 (42 U.S.C. 10301)	House NR House SST Senate EPW

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
DOI: BOR	BOR undertakes water reclamation and reuse research.	Reclamation Wastewater and Groundwater Study and Facilities Act, as amended, Title XVI of P.L. 102-575 (43 U.S.C. 390h)	House NR Senate ENR Senate EPW
DOI: USGS	Authorizes establishment of water resources research and technology institutes in each state, and grants for research and technology development on water supply, management, and quality.	Water Resources Research Act of 1983, as amended (42 U.S.C. §§10301-10309)	House SST Senate EPW
DOE	Requires a program for research, development, demonstration, and commercial application to address energy issues related to water supplies and management, and water issues related to energy supply and use.	Energy Policy Act of 2005 (42 U.S.C. 16319)	House E&C House SST Senate ENR
DOD: USACE	Provides water resources engineering research and development, including coastal resilience to extreme weather.	Flood Control Act of 1928, as amended (33 U.S.C. 702a); Water Resources Reform and Development Act of 2014, as amended (33 U.S.C. 2803a(b))	House T&I Senate EPW

## Monitoring, Data, and Mapping

DHS: FEMA	Risk Mapping, Assessment, and Planning (Risk MAP) provides a comprehensive program to identify flood risk across the nation and produce Flood Insurance Rate Maps (FIRMs) for the NFIP.	National Flood Insurance Act of 1968, §1360, as amended (42 U.S.C. 4101)	House FS Senate Banking
DOI: USGS	Basin-scale and larger groundwater modeling; <i>National Water Quality Assessment Program</i> ; groundwater monitoring, stream gauging; and aquatic resource monitoring, inventory, and analysis.	Organic Act of March 3, 1879 (43 U.S.C. 31 et seq.); 28 Stat. 398 (authorized funding for the USGS to measure streamflows and determine the water supply of the United States)	House NR Senate ENR
DOI: USGS	<i>National Streamflow Information Program (NSIP)</i> —Collects streamflow data from streamgages throughout the country. The flow information is used for local, state, regional, and national needs.	Organic Act of March 3, 1879 (43 U.S.C. 31 et seq.); SECURE Water Act (Subtitle F, Title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10366); 28 Stat. 398 (authorized funding for the USGS to measure streamflows and determine the water supply of the United States)	House NR Senate ENR
DOI: BOR	Data monitoring and collection on water quality, hydrology, riparian areas, and a host of other topics informs West-wide Climate Risk Assessments and other ongoing BOR initiatives, including project operations.	Reclamation Act of 1902, as amended (43 U.S.C. 371 et seq.); Omnibus Public Land Management Act of 2009 (Title IX, Subtitle F, 42 U.S.C. 10363)	House NR Senate ENR

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
USDA: ARS, NIFA, NASS, ERS	USDA has broad authority to collect data related to agricultural production and water management in rural areas.	Food, Agriculture, Conservation, and Trade Act of 1990 added §1402 of the Food and Agricultural Act, as amended (7 U.S.C. 3101 et seq.); Department of Agriculture Reorganization Act of 1994, as amended (7 U.S.C. 6971 et seq.); Census of Agriculture Act of 1997, as amended (7 U.S.C. 2204g); Food, Conservation, and Energy Act of 2008, as amended	House Ag Senate Ag
EPA	EPA has broad authority to collect data related to regulation of drinking water contaminants and protection of public water supplies. The <i>Unregulated Contaminant Monitoring Program</i> requires public water systems to test for contaminants that EPA is evaluating for potential regulation.	Safe Drinking Water Act, as amended, §1445 (42 U.S.C. 300j-4)	House E&C House SST Senate EPW
EPA	EPA has broad authority to collect data on water quality and information pertaining to the prevention, reduction, and elimination of water pollution.	Clean Water Act, as amended, §104 (33 U.S.C. 1254)	House T&I Senate EPW

### Water Resource Assessments

USDA: USFS	Periodic resource assessment and research of renewable resources on U.S. forests and rangelands, including water.	Forest and Rangeland Renewable Resource Planning Act of 1974, as amended (16 U.S.C. 1600 et seq.)	House Ag Senate ENR
USDA: NRCS, NIFA, ERS, NASS, FSA	NRCS leads the <i>Conservation Effects Assessment Project (CEAP)</i> which is carried out at the field, watershed and landscape scale and includes analysis of the cumulative effects and benefits of conservation practices on natural resources and the environment.	Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590a et seq.), among others	House Ag Senate Ag
DOI: USGS	Hydrologic Networks and Analysis program provides data and analysis on the quantity and quality of water in streams, lakes, and reservoirs. These data are used for planning, monitoring, and developing the nation's water resources.	Organic Act of March 3, 1879 (43 U.S.C. 31 et seq.) 28 Stat. 398 (authorized funding for the USGS to measure streamflows and determine the water supply of the United States)	House NR Senate ENR
DOI: USGS	<i>Groundwater Resources Program</i> provides information to assess and quantify the groundwater resources of the nation, such as groundwater availability in aquifer systems and characterization of natural and human factors that control groundwater availability in aquifers.	Organic Act of March 3, 1879 (43 U.S.C. 31 et seq.) 28 Stat. 398 (authorized funding for the USGS to measure streamflows and determine the water supply of the United States)	House NR Senate ENR

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Water Cycle, Drought, and Climate Change</b>			
DOI	The Secretary of the Interior is directed to establish a climate change adaptation program, coordinate with the Administrator of NOAA, USGS, and state water resource agencies; and assess risks to water supply of selected river basins.	SECURE Water Act (Subtitle F, Title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10363))	House NR Senate ENR
DOI: BOR	<i>WaterSMART Program</i> —may provide grants to universities, nonprofits, and other organizations with water or power delivery authority for development of tools to assess climate change impacts. Also provides grants for and partners on river basin studies to evaluate and address climate change impacts.	SECURE Water Act (Subtitle F, Title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10364))	House NR Senate ENR
DOI: BOR	In coordination with the <i>WaterSMART</i> basin studies, BOR evaluates climate risk through West-wide Climate Risk Assessments and develops scientific information on climate change and other ecological stressors via Land Conservation Cooperatives.	SECURE Water Act (Subtitle F, Title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10363)); Interior Department Secretarial Order #3289	House NR Senate ENR
DOI: USGS	<i>National Streamflow Information Program (NSIP)</i> —provides streamflow information for local, state, regional, and national needs, including data related to climate variation and change.	Organic Act of March 3, 1879 (43 U.S.C. 31 et seq.); SECURE Water Act (Subtitle F, Title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10366); 28 Stat. 398 (authorized funding for the USGS to measure streamflows and determine the water supply of the United States)	House NR Senate ENR
DOE: PMAs	The Secretary of Energy, in consultation with the Administrator of each PMA, is to evaluate the risks of climate change and potential effects on federal hydropower projects.	SECURE Water Act (Subtitle F, Title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10365))	House NR Senate ENR
DOC: NOAA	The Secretary of Commerce is charged with forecasting the weather, issuing storm warnings, weather and flood signals, gauging and reporting on river conditions, reporting temperature and rainfall conditions, distributing meteorological observations, and taking such meteorological observations as necessary to establish and record climatic conditions of the United States.	Weather Service Modernization Act (15 U.S.C. 313 et seq.)	House SST Senate CST
DOC: NWS	<i>National Integrated Drought Information System</i> is charged with providing U.S. drought early warning forecasts and assessments.	National Integrated Drought Information System Act (15 U.S.C. 313d), as amended	House SST Senate CST

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities <sup>b</sup>	Committee Jurisdiction <sup>c</sup>
<b>Water Quality and Treatment</b>			
EPA	EPA has broad authority to conduct drinking water research, studies, demonstrations addressing drinking water contaminants (occurrence, health effects, treatment technologies, and analytical methods,) protection of underground drinking water sources, water security, etc.	Safe Drinking Water Act amended (42 U.S.C. 300f et seq.)	House E&C House SST House T&I Senate EPW
EPA	EPA has broad authority to conduct water quality research, demonstrations, investigations, surveys, and studies addressing water pollution prevention and elimination—including a number of geographically specific research authorities.	Clean Water Act, as amended (33 U.S.C. 1251 et seq.)	
DOI: USGS	<i>National Water Quality Assessment Program</i> —provides regional and national information on groundwater and stream quality conditions, and provides support for scientifically sound management, regulatory, and policy decisions.	Organic Act of March 3, 1879 (43 U.S.C. 31 et seq.); 33 U.S.C. 1254	House NR Senate ENR

**Source:** Prepared by the Congressional Research Service.

**Notes:**

- a. Department, agency, and committee names and abbreviations are provided in **Appendix D**.
- b. Public law numbers have been included in some cases and not others. In general, public law numbers are not included for older laws (pre-1970) or for statutes with multiple laws bearing the same name. They have been included in other cases at the discretion of the contributor, in particular where seeing a particular provision in context of the broader law may be helpful to the reader.
- c. Committees are listed alphabetically by chamber. For information regarding committee jurisdiction and referral rules, see **Appendix A**, **Appendix B** and **Appendix C** present the official language from House Rule X and Senate Rule XXV, respectively, as indicators of congressional jurisdiction over water resources. For a definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentarian Offices are official.

**Table 9. Planning**

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities	Committee Jurisdiction <sup>a</sup>
<b>Water Development Project Planning</b>			
DOI: BOR	BOR investigates federal water resource development projects using a general authority and performs feasibility studies using site-specific authorities.	Reclamation Act of 1902, as amended (43 U.S.C. 371 et seq.), Reclamation Project Act of 1939 (43 U.S.C. 485h(a); and site-specific authorities	House NR Senate ENR
DOD: USACE	USACE studies federal interest in and develops alternatives for new water resources projects and modifications to existing projects. Studies are typically cost-shared with nonfederal sponsors and require site-specific congressional authorization. The Administration transmits planning results and related recommendations to Congress for construction authorization.	Water Resources Development Act (WRDA) of 1986, P.L. 99-662, as amended; and Flood Control Act of 1970 (33 U.S.C. 549a). Site-specific authorities in older Rivers and Harbors Acts and Flood Control Acts, and more recent WRDAs.	House T&I Senate EPW
USDA: NRCS; DOD: USACE	Joint-agency investigation of flood damage reduction and water development installations if authorized by Committee resolution.	P.L. 87-639 (16 U.S.C. 1009)	House T&I Senate EPW
<b>Watershed Planning</b>			
River Basin Commissions (Delaware, Susquehanna, Potomac)	Presidentially declared river basin commissions for coordination of plans for water and related land resources development.	Water Resources Planning Act of 1965, P.L. 89-80 (42 U.S.C. 1962b et seq.)	House NR Senate ENR
USDA: NRCS	<i>Watershed Surveys and Planning Program</i> —assists federal, state, and local agencies and tribal governments to protect watersheds from damage caused by erosion, floodwater, and sediment and to conserve and develop water and land resources.	Watershed Protection and Flood Prevention Act of 1954, as amended (16 U.S.C. 1001-1008)	House Ag Senate Ag
DOI: BOR	<i>Cooperative Watershed Management Program</i> —provides grants for development of locally led watershed groups and facilitates watershed projects.	Cooperative Watershed Management Act (Subtitle A, Title VI of P.L. 111-11, 16 U.S.C. 1015)	House NR Senate ENR
DOD: USACE	<i>Planning Assistance to States</i> —allows USACE to work with states on the preparation of comprehensive plans for the development, use, and conservation of water and related resources of drainage basins, watersheds, and ecosystems.	Water Resources Development Act of 1974 (42 U.S.C. 1962d-16)	House T&I Senate EPW

Department and Agency <sup>a</sup>	Activities and Programs	Primary Authorities	Committee Jurisdiction <sup>a</sup>
EPA	State nonpoint source pollution programs and various geographically focused water quality restoration programs (e.g., Chesapeake Bay and Great Lakes) are watershed based. Protection of drinking water sources.	Clean Water Act, (33 U.S.C. 1251 et seq.)	House T&I Senate EPW

## Water Quality

EPA	The Clean Water Act authorizes extensive water quality planning, studies, and monitoring under the direction primarily of EPA. Many other federal agencies participate, including USGS, NOAA, FWS, and USACE (e.g., §404 of CWA).	Clean Water Act, (33 U.S.C. 1251 et seq.)	House SST House T&I Senate EPW
-----	---	---	--------------------------------------

**Source:** Prepared by the Congressional Research Service.

**Notes:**

- a. Department, agency, and committee names and abbreviations are provided in **Appendix D**. Committees are listed alphabetically by chamber. For information regarding committee jurisdiction and referral rules, see **Appendix A**, **Appendix B** and **Appendix C** present the official language from House Rule X and Senate Rule XXV, respectively, as indicators of congressional jurisdiction over water resources. For a definitive evaluation of committee jurisdictions related to water, the views of the House and Senate Parliamentarian Offices are official.

## Appendix A. Committee Jurisdiction

### Determining Committee Jurisdiction

Committee jurisdiction is determined by a variety of factors. Paramount are House Rule X and Senate Rule XXV, which designate the subject matter within the purview of each standing committee. House Rule X and Senate Rule XXV, however, are both broadly written and the product of an era in which governmental activity was not as extensive, and relations among policies not as common or intertwined as now. Due to topic omissions and a lack of clarity, as well as overlaps among committees in areas of jurisdiction, the formal provision of the rules is supplemented by an intricate series of precedents and informal agreements governing the referral of legislation. In general, once a measure has been referred to a given committee, it remains the responsibility of that committee; if the measure is enacted into law, amendments to the law are presumed to be within the originating committee's responsibility. Relatedly, bills which are more comprehensive than the measure they amend or supersede are presumed to be within the jurisdiction of the committee reporting the more comprehensive measure. The resultant accretions of subject responsibility greatly broaden the range or shift the scope of jurisdictional subjects assigned to each committee. Several other factors also should be considered in determining committee jurisdiction, although these are not formal or even acknowledged in rules or precedents. These factors may include the expertise of a measure's sponsor, the timing of a bill, or the appropriations subcommittee that considers appropriations requests for the program authorized. Subcommittees are not officially authorized in either the rules of the House or the Senate. Subcommittees are creatures of the full committee that established them. Accordingly, determining official subcommittee jurisdictions is imprecise. Therefore, although some information regarding subcommittee jurisdiction is included in **Appendix B** and **Appendix C**, information on subcommittee jurisdiction is not uniformly provided in this report. The subcommittees listed in **Appendix B** and **Appendix C** reflect the framework established for the 115<sup>th</sup> Congress.

### House Referral

In 1974, with the adoption of the Committee Reform Amendments, the House authorized the Speaker to refer measures to more than one committee, in a joint, split, or sequential manner. In 1995, with the rules changes adopted in the 104<sup>th</sup> Congress, the Speaker could no longer refer measures jointly; he was authorized instead to designate a primary committee. Split and sequential referrals were still allowed. Further, the Speaker could impose time limitations on any committee receiving a referral. In 2003, with the rules changes adopted in the 108<sup>th</sup> Congress, the Speaker was authorized to refer measures to more than one committee without designation of a primary committee under "exceptional circumstances."

### Senate Referral

A measure introduced in the Senate, or passed by the House and sent to the Senate, will likely be referred to a Senate committee. Measures are referred to Senate committees in accordance with their official jurisdictions in Senate Rule XXV, and precedents established by prior referrals. A series of formal agreements among committees over time also can supplement Rule XXV, and generally are regarded as setting precedent for future referrals. Ad hoc agreements may be made to govern the consideration of particular measures, but these are not binding on future referrals.



Referral of measures is formally the responsibility of the presiding officer of the Senate, but in practice the Senate parliamentarian advises on bill referrals. Under Senate Rule XVII, in general each measure is referred to a single committee based on “the subject matter which predominates” in the legislation. Predominance usually is determined by the extent to which a measure deals with a subject. However, there appear to be exceptions; most notably, a measure containing revenue provisions is likely to be referred to the Committee on Finance, even where the subject does not appear to predominate.

## Individual Jurisdictional Issues

This section briefly discusses an example of water issues that are either within the jurisdiction of more than one committee or contested among committees. If the issue is clearly within the purview of one panel, it is not addressed in this section.

### Jurisdiction over Dams and Land Necessary for their Development

House Rule X<sup>16</sup> identifies several committees to which bills authorizing federal dam construction might be referred. The Natural Resources Committee has jurisdiction over “irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects, and acquisition of private lands when necessary to complete irrigation projects.”<sup>17</sup> As such, it has jurisdiction over most activities of the Bureau of Reclamation (Department of the Interior). The Committee on Transportation and Infrastructure is responsible for “flood control and improvement of rivers and harbors ... public works for the benefit of navigation, including bridges and dams (other than international bridges and dams) ... water power.” Consequently, most activities of the Army Corps of Engineers fall under the jurisdiction of the House Transportation and Infrastructure Committee. The Committee on Agriculture has jurisdiction over “water conservation related to activities of the Department of Agriculture.”

Senate Rule XXV<sup>18</sup> also identifies several committees for which bills authorizing federal dam construction might be referred. The Energy and Natural Resources Committee has jurisdiction over “hydroelectric power, irrigation, and reclamation projects,” and, hence, most activities of the Bureau of Reclamation; whereas, the Environment and Public Works Committee (EPW) has jurisdiction over “public works, bridges, and dams” and “flood control.” Consequently, EPW has jurisdiction over most activities of the Army Corps of Engineers. Additionally, the Agriculture, Nutrition and Forestry Committee has jurisdiction over “soil conservation ... food from fresh waters ... rural development, rural electrification, and watersheds.”

As is shown in **Table 1**, multiple committees in each chamber are principally involved in jurisdiction over dams, which is not readily apparent from perusal of the rules language alone. Private dams must be licensed by the Federal Energy Regulatory Commission, which is under the jurisdiction of the House Energy and Commerce and the Senate Energy and Natural Resources committees. Further, several different executive branch departments and agencies are responsible

---

<sup>16</sup> U.S. Congress, *Constitution Jefferson’s Manual and Rules of the House of Representatives of the United States One Hundred Fourteenth Congress*, prepared by Thomas J. Wickham, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., Nov. 14, 2014, H. Doc. 113-181 (Washington: GPO, 2014).

<sup>17</sup> *Ibid.*

<sup>18</sup> U.S. Congress, *Senate Manual Containing the Standing Rules, Orders, Laws, and Resolutions Affecting the Business of the United States Senate Declaration of Independence Articles of Confederation Ordinance of 1787 and the Constitution of the United States*, prepared by Matthew McGowan, 113<sup>th</sup> Cong., 1<sup>st</sup> sess., January 1, 2014, S. Doc. 113-1 (Washington: GPO, 2014).

for implementing the laws under the jurisdiction of these committees. This arrangement complicates management of river systems and resources comprising large watershed areas where multiple federal dams are present, such as the Columbia and Colorado River Basins, and the Sacramento and San Joaquin Rivers' delta confluence with San Francisco Bay, and even smaller systems, especially where anadromous fisheries (fish that live in both freshwater and marine environments) are found.

# Appendix B. House Rule X Language

Table B-1 includes official excerpts from House Rule X.

**Table B-1. House Rule X**  
(water jurisdiction)

Committee	Rule X Language	Parliamentarian Notes	Committee Language on Subcommittee Jurisdiction <sup>a</sup>
<b>Agriculture</b>	<p>Agricultural economics and research</p> <p>Crop insurance and soil conservation</p> <p>Inspection of ... seafood and seafood products</p> <p>Rural development</p> <p>Water conservation related to activities of the Department of Agriculture</p>	<p>Bills to develop land and water conservation programs on private and nonfederal lands; The Committee on Natural Resources, and not this committee, has jurisdiction over a bill to convey land that is part of a National Forest created from the public domain</p>	<p><i>Subcommittee on Commodity Exchanges, Energy, and Credit</i> (rural development; energy; rural electrification)</p> <p><i>Subcommittee on Conservation and Forestry</i> (resource conservation, forestry)</p> <p><i>General Farm Commodities and Risk Management</i> (risk management policies and statutes, including Federal Crop Insurance)</p> <p><i>Subcommittee on Livestock and Foreign Agriculture</i> (seafood,... inspection, marketing, and promotion of such commodities; aquaculture)</p>
<b>Energy and Commerce</b>	<p>Consumer affairs and consumer protection</p> <p>Health and health facilities (except health care supported by payroll deductions)</p> <p>Interstate energy compacts</p> <p>Interstate and foreign commerce generally</p> <p>Exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including all fossil fuels, solar energy, and other unconventional or renewable energy resources</p> <p>Conservation of energy resources</p> <p>Energy information generally</p> <p>The generation and marketing of power (except by federally chartered or Federal regional power marketing authorities); reliability and generation facilities (except the installation of interconnections between Government waterpower projects)</p> <p>General management of the</p>	<p>This committee formerly had jurisdiction over bills proposing construction of bridges across navigable streams, which now are banned under clause 4 of Rule XII if private</p>	<p><i>Subcommittee on Digital Commerce and Consumer Protection</i>, (regulation of commercial practices [the Federal Trade Commission]; data security)</p> <p><i>Subcommittee on Energy</i> (national energy policy; fossil energy; renewable energy; ... synthetic and alternative fuels; energy conservation; energy information; utility issues; interstate energy compacts; energy generation,...; and, all laws, programs, and government activities affecting energy matters...)</p> <p><i>Subcommittee on Environment</i> (all matters relating to soil, air, and water contamination...; the regulation of drinking water [Safe Drinking Water Act], including underground injection of fluids [e.g., deep well injection or hydrofracking]...)</p> <p><i>Subcommittee on Health</i> (public health and quarantine; Indian Health Service)</p>

<b>Committee</b>	<b>Rule X Language</b>	<b>Parliamentarian Notes</b>	<b>Committee Language on Subcommittee Jurisdiction<sup>a</sup></b>
	<p>Department of Energy and all functions of the Federal Energy Regulatory Commission</p> <p>National energy policy generally</p> <p>Public health and quarantine</p>		
<b>Financial Services</b>	<p>Insurance generally</p>	<p>Bills related to flood insurance</p>	<p><i>Subcommittee on Housing and Insurance</i> (government sponsored insurance programs, including those offering protection against ... flood (including land use controls)</p>
<b>Foreign Affairs</b>		<p>The committee has broad jurisdiction over ... bridges and dams on international waters</p>	
<b>Homeland Security</b>	<p>Overall homeland security policy</p> <p>Organization, administration, and general management of the Department of Homeland Security</p> <p>Functions of the Department of Homeland Security relating to ... Border and port security (except customs revenue) ....</p> <p>Transportation security</p>		<p><i>Subcommittee on Border and Maritime Security</i> (port and maritime security; the U.S. Coast Guard)</p> <p><i>Subcommittee on Cybersecurity and Infrastructure Protection</i> (cybersecurity, infrastructure protection)</p> <p><i>Subcommittee on Emergency Preparedness, Response, and Communications</i> (oversight of the homeland security grant programs administered by the Federal Emergency Management Agency)</p>
<b>Judiciary</b>	<p>Interstate compacts, generally</p>		
<b>Natural Resources</b>	<p>Fisheries and wildlife, including research, restoration, refuges, and conservation</p> <p>Forest reserves and national parks created from the public domain</p> <p>Geological Survey</p> <p>International fishing agreements</p> <p>Interstate compacts relating to apportionment of waters for irrigation purposes</p> <p>Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects; and acquisition of private lands when necessary to complete irrigation projects</p> <p>... care and allotment of Native</p>	<p>To transfer interest in a National Oceanic and Atmospheric Administration fisheries research laboratory; This committee, and not the Committee on Agriculture, has jurisdiction over a bill to convey land that is part of a National Forest created from the public domain; This committee, and not the Committee on Transportation and Infrastructure, has jurisdiction over a bill addressing a federal water project operated by the Bureau of Reclamation</p>	<p><i>Subcommittee on Energy and Mineral Resources</i> (all measures and matters concerning the U.S. Geological Survey, except for the activities and programs of the Water Resources Division or its successor; all measures and matters affecting geothermal resources; coastal zone management)</p> <p><i>Subcommittee on Federal Lands</i> (measures and matters related to the National Parks System and its units, including federal reserved water rights;... Wild and Scenic Rivers System ...; federal and nonfederal outdoor recreation plans, programs and administration including the Land and Water Conservation Fund Act of 1965 and the Outdoor Recreation Act of</p>

Committee	Rule X Language	Parliamentarian Notes	Committee Language on Subcommittee Jurisdiction <sup>a</sup>
	<p>American lands ... .</p> <p>Marine affairs, including coastal zone management (except for measures relating to oil and other pollution of navigable waters)</p> <p>Oceanography</p> <p>Relations of the U.S. with Native Americans and Native American tribes</p>		<p>1963; public lands generally, including measures or matters relating to entry, easements, withdrawals, grazing and federal reserved water rights; forest reservations, including management thereof, created from the public domain; public forest lands generally, including measures or matters related to entry, easements, withdrawals, grazing and Federal reserved water rights; wildlife resources, including research, restoration, refuges and conservation, including National Wildlife Refuges)</p> <p><i>Subcommittee on Indian, Insular and Alaska Native Affairs</i> (measures relating to the welfare of Native Americans, including management of Indian lands in general and special measures relating to claims which are paid out of Indian funds; all matters regarding the relations of the United States with Native Americans and Native American tribes ...; all matters related to the Federal trust responsibility to Native Americans and the sovereignty of Native Americans)</p> <p><i>Subcommittee on Water, Power and Oceans</i> (generation and marketing of electric power from federal water projects by federally chartered or federal regional power marketing authorities; all measures and matters concerning water resources planning conducted pursuant to the Water Resources Planning Act, water resource research and development programs and saline water research and development; compacts relating to the use and apportionment of interstate waters, water rights and major interbasin water or power movement programs; all measures and matters pertaining to irrigation and reclamation projects and other water resources development</p>

Committee	Rule X Language	Parliamentarian Notes	Committee Language on Subcommittee Jurisdiction <sup>a</sup>
<b>Science, Space, and Technology</b>	<p>All energy research, development, and demonstration, and projects</p> <p>Environmental research and development</p> <p>Marine research</p> <p>Commercial application of energy technology</p> <p>National Aeronautics and Space Administration</p> <p>National Weather Service</p> <p>Scientific research, development, and demonstration, and projects</p>	<p>With four other committees, measures coordinating federal agencies research into groundwater contamination, including that done by the Environmental Protection Agency; the committee on Natural Resources, and not this committee, has jurisdiction over a bill transferring interest in a National Oceanic and Atmospheric Administration fisheries research laboratory</p>	<p>and recycling programs, including policies and procedures; Indian water rights and settlements; fisheries management and fisheries research generally, including the management of all commercial and recreational fisheries [including the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act], interjurisdictional fisheries, international fisheries agreements, aquaculture, seafood safety and fisheries promotion; all matters pertaining to the protection of coastal and marine environments and estuarine protection and coastal barriers (except coastal zone management); oceanography; ocean engineering, including materials, technology and systems; Marine sanctuaries; U.N. Convention on the Law of the Sea; Sea Grant programs and marine extension services)</p> <p><i>Subcommittee on Energy</i> (all matters relating to energy research, development, and demonstration projects therefor; commercial application of energy technology; Department of Energy research, development, and demonstration programs; Department of Energy laboratories; Department of Energy science activities, energy supply activities,... solar and renewable energy, and other advanced energy technologies;... energy conservation research and development, including ... distributed power systems, and industrial process improvements)</p> <p><i>Subcommittee on Environment</i> (all matters relating to environmental research; Environmental Protection Agency research and development; environmental standards; climate change</p>

Committee	Rule X Language	Parliamentarian Notes	Committee Language on Subcommittee Jurisdiction <sup>a</sup>
<b>Transportation and Infrastructure</b>	<p>Coast Guard</p> <p>Federal management of emergencies and natural disasters</p> <p>Flood control and improvement of rivers and harbors</p> <p>Inland waterways</p> <p>Inspection of merchant marine vessels</p> <p>Navigation and laws relating thereto, including pilotage</p> <p>Merchant marine (except for national security aspects thereof)</p> <p>Oil and other pollution of navigable waters, including inland, coastal, and ocean waters</p> <p>Marine affairs, including coastal zone management, as they relate to oil and other pollution of navigable waters</p> <p>Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams)</p> <p>Transportation, including ... water transportation</p> <p>Water power</p>		<p>research and development; the National Oceanic and Atmospheric Administration, including all activities related to weather, weather services, climate, the atmosphere, marine fisheries, and oceanic research; risk assessment activities; scientific issues related to environmental policy, including climate change; remote sensing data related to climate change at the National Aeronautics and Space Administration (NASA); earth science activities conducted by NASA)</p> <p><i>Subcommittee on Space</i> ( .. earth remote sensing policy ... )</p> <p><i>Subcommittee on Coast Guard and Maritime Transportation</i> (U.S. coast Guard; maritime transportation safety; navigation, port and waterway safety; maritime transportation regulatory activities, including the regulation of vessels and merchant seamen; marine environmental protection, generally as related to vessel operation [oil and plastics pollution, invasive/aquatic nuisance species transported by vessels...; Federal Maritime Commission and the regulation of ocean shipping;... non-national security aspects of the merchant marine)</p> <p><i>Subcommittee on Economic Development, Public Buildings, and Emergency Management</i> (the Robert T. Stafford Disaster Relief and Emergency Assistance Act [Stafford Act] and the federal management of emergencies and disasters; the Federal Emergency Management Agency [FEMA])</p> <p><i>Subcommittee on Water Resources and Environment</i> (water resources programs of the Army Corps of Engineers [Corps]; Clean Water Act; Superfund [Comprehensive Environmental Response, Compensation, and Liability</p>

Committee	Rule X Language	Parliamentarian Notes	Committee Language on Subcommittee Jurisdiction <sup>a</sup>
<b>Ways and Means</b>	Ports of entry and delivery	With the Committee on Natural Resources, amending the Fishermen’s Protective Act to authorize the President to prohibit the importation of any product from a country violating an international fishery conservation program	Act]; water infrastructure and watershed protection programs; Environmental Protection Agency [EPA];... ocean dumping; oil pollution of navigable waters of the United States; Tennessee Valley Authority [TVA]; Saint Lawrence Seaway Development Corporation; small watershed program of the Natural Resources Conservation Service; deepwater ports; invasive/aquatic nuisance species; National Oceanic and Atmospheric Administration [NOAA]; natural resource damages provisions in Superfund and the Oil Pollution Act; groundwater protection; water resources policy)

**Source:** U.S. Congress, *Constitution Jefferson’s Manual and Rules of the House of Representatives of the United States One Hundred Fourteenth Congress*, prepared by Thomas J. Wickham, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., Nov. 14, 2014, H. Doc. 113-181 (Washington: GPO, 2014).

- a. Subcommittees are not officially authorized in either House or Senate rules; they are creatures of the full committee that created them. Accordingly, information on subcommittee jurisdiction is not uniformly provided. Subcommittees are listed here only where subcommittee descriptions have been stipulated in writing by the appropriate committee, including on committee websites.



## Appendix C. Senate Rule XXV Language

Table C-1 includes official excerpts from Senate Rule XXV.

**Table C-1. Senate Rule XXV and Nominations Considered**  
(water jurisdiction)

Committee	Rule XXV Language	Nominations Handled <sup>a</sup>	Committee Language on Subcommittee Jurisdiction <sup>b</sup>
<b>Agriculture, Nutrition and Forestry</b>	Agricultural economics and research	USDA Secretary; Under Secretary for Farm and Foreign Agricultural Service; Under Secretary for Natural Resources and Environment; Under Secretary for Research, Education, and Economics; and Under Secretary for Rural Development	<i>Subcommittee on Commodities, Risk Management, and Trade</i> (crop insurance and credit) <i>Subcommittee on Conservation, Forestry and Natural Resources</i> (conservation, protection of natural resources and forestry) <i>Subcommittee on Nutrition, Agricultural Research, and Specialty Crops</i> (non-program crops and research) <i>Subcommittee on Rural Development and Energy</i> (rural utilities and loans)
	Agriculture and agricultural commodities		
	Crop insurance and soil conservation		
	Food from fresh waters		
	Plant industry, soils and agricultural engineering		
	Rural development, rural electrification, and watersheds		
<b>Banking, Housing, and Urban Affairs</b>	Urban development	HUD Secretary; Assistant Secretary for Community Planning and Development	<i>Subcommittee on Economic Policy</i> (loan guarantees; flood insurance; disaster assistance) <i>Subcommittee on Housing, Transportation, and Community Development</i> (HUD; Rural Housing Service; Indian housing)
<b>Commerce, Science, and Transportation</b>	Coast Guard	DOC Secretary; Under Secretary for Oceans and Atmosphere/Administrator—NOAA; Assistant Secretary for Oceans and Atmosphere/Deputy Administrator—NOAA; Chief Scientist of NOAA; Officer Corps—NOAA Department of Homeland Security—United States Coast Guard Officers DOT Secretary; Administrator of Maritime Administration; Administrator of St. Lawrence Seaway Development Corporation Federal Maritime Commission, five positions NASA Administrator; Deputy Administrator	<i>Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard</i> (matters that impact our oceans and coasts including: coastal zone management; marine fisheries and marine mammals; oceans, weather and atmospheric activities; marine and ocean navigation; ocean policy and NOAA; and, the Coast Guard, which includes the safe and secure operations of vessels entering the United States or transiting through our Exclusive Economic Zone and the enforcement of maritime laws to support maritime commerce and protect marine living resources.) <i>Subcommittee on Space, Science, and Competitiveness</i> (oversight on the National Science Foundation, the National Aeronautics and Space Administration, the National Institute of Standards and Technology, the Office of
	Coastal zone management		
	Inland waterways, except construction		
	Marine and ocean navigation, safety, and transportation, including navigational aspects of deepwater ports		
	Marine fisheries		
	Merchant marine and navigation		
	Oceans, weather, and atmospheric activities		
	Panama Canal and interoceanic canals generally		

Committee	Rule XXV Language	Nominations Handled <sup>a</sup>	Committee Language on Subcommittee Jurisdiction <sup>b</sup>
<b>Energy and Natural Resources</b>	Energy policy Hydroelectric power, irrigation, and reclamation National parks,... wild and scenic rivers	DOE Secretary; Deputy Secretary; Assistant Secretary for Electricity Delivery and Energy Reliability; Assistant Secretary for Energy Efficiency and Renewable Energy; Assistant Secretary for Environmental Management DOI Secretary; Deputy Secretary; Assistant Secretary for Fish, Wildlife, and Parks (shared with EPW Committee); Assistant Secretary for Land and Minerals Management; Assistant Secretary for Water and Science; Commissioner of BOR; Director of BLM; Director of Office of Surface Mining Reclamation and Enforcement; Director of NPS; Director of USGS Commissioner of FERC, five positions	Science and Technology Policy ... ) <i>Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security</i> (Department of Transportation [DOT]; DOT Office of Research and Technology; the Maritime Administration; the Saint Lawrence Seaway Development Corporation; independent transportation regulatory boards, including the Federal Maritime Commission and the Surface Transportation Board.) <i>Subcommittee on Energy</i> (global climate change; new technologies research and development;...) <i>Subcommittee on National Parks</i> (Wild and Scenic Rivers System; Land and Water Conservation Fund; outdoor recreation resources) <i>Subcommittee on Public Lands, Forests, and Mining</i> (public lands administered by the Bureau of Land Management and U.S. Forest Service including farming and grazing thereon, and wilderness areas; ... reserved water rights) <i>Subcommittee on Water and Power</i> (irrigation; reclamation projects, including related flood control purposes; power marketing administrations [e.g., Bonneville Power, Southwestern Power, Western Area Power, Southeastern Power]; energy development impacts on water resources; groundwater resources and management; hydroelectric power; low-head hydro; and energy-related aspects of deepwater ports)
<b>Environment and Public Works</b>	Environmental policy Environmental research and development Fisheries and wildlife Flood control and improvements of rivers and harbors, including environmental aspects of	DOI Assistant Secretary for Fish, Wildlife, and Parks (shared with ENR Committee); Director of FWS; Council on Environmental Quality—Chair EPA: Administrator, Deputy Administrator, all assistant	<i>Subcommittee on Clean Air and Nuclear Safety</i> (Tennessee Valley Authority) <i>Subcommittee on Fisheries, Water, and Wildlife</i> (Clean Water Act, including wetlands; Safe Drinking Water Act; Coastal Zone Management Act; invasive species; fisheries and wildlife;

Committee	Rule XXV Language	Nominations Handled <sup>a</sup>	Committee Language on Subcommittee Jurisdiction <sup>b</sup>
	deepwater ports Ocean dumping Environmental aspects of Outer Continental Shelf lands Public works, bridges, and dams Water pollution Water resources	administrators TVA: nine members; Inspector General Mississippi River Commission: Commissioner, seven positions	Endangered Species Act (ESA); national wildlife refuges; Outer Continental Shelf lands) Subcommittee on Transportation and Infrastructure (Water Resources Development Act [WRDA];... National Dam Safety Program; Stafford Act and federal disaster relief programs; Mississippi River Commission)
<b>Health, Education, Labor, and Pensions</b>		Director and Deputy Director for the National Science Foundation	
<b>Homeland Security and Governmental Affairs</b>		Department of Homeland Security: Assistant Administrator for FEMA	Subcommittee on Federal Spending Oversight and Emergency Management (oversight of the federal emergency and disaster response and preparedness apparatus)
<b>Indian Affairs</b>	Indian land management	HHS: Director for IHS; Commissioner for Administration for Native Americans DOI: Assistant Secretary for Indian Affairs	

**Source:** U.S. Congress, Senate Committee on Rules and Administration, *Senate Manual Containing the Standing Rules, Orders, Laws, and Resolutions Affecting the Business of the United States Senate Declaration of Independence Articles of Confederation Ordinance of 1787 and the Constitution of the United States*, committee print, prepared by Matthew McGowan, 113<sup>th</sup> Cong., 1<sup>st</sup> sess., January 1, 2014, S. Doc. 113-1 (Washington: GPO, 2014).

- a. CRS Report RL30959, *Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations*, by (name redacted) and (name redacted)
- b. Subcommittees are not officially authorized in either House or Senate rules; they are creatures of the full committee that created them. Accordingly, information on subcommittee jurisdiction is not uniformly provided. Subcommittees are listed here only where subcommittee descriptions have been stipulated in writing by the appropriate committee, including on committee websites.

## Appendix D. Glossary of Abbreviations

---

<b>AMS</b>	Agricultural Marketing Service
<b>APA</b>	Alaska Power Administration
<b>ARS</b>	Agricultural Research Service
<b>BIA</b>	Bureau of Indian Affairs
<b>BLM</b>	Bureau of Land Management
<b>BOR</b>	Bureau of Reclamation
<b>BPA</b>	Bonneville Power Administration
<b>DHS</b>	Department of Homeland Security
<b>DOC</b>	Department of Commerce
<b>DOD</b>	Department of Defense
<b>DOE</b>	Department of Energy
<b>DOI</b>	Department of the Interior
<b>DOJ</b>	Department of Justice
<b>DOT</b>	Department of Transportation
<b>EDA</b>	Economic Development Administration
<b>EPA</b>	Environmental Protection Agency
<b>ERS</b>	Economic Research Service
<b>FEMA</b>	Federal Emergency Management Agency
<b>FERC</b>	Federal Energy Regulatory Commission
<b>FSA</b>	Farm Service Agency
<b>FTC</b>	Federal Trade Commission
<b>FWS</b>	Fish and Wildlife Service
<b>HHS</b>	United States Department of Health and Human Services
<b>House Ag</b>	House Committee on Agriculture
<b>House E&amp;C</b>	House Committee on Energy and Commerce
<b>House FA</b>	House Committee on Foreign Affairs
<b>House FS</b>	House Committee on Financial Services
<b>House HS</b>	House Committee on Homeland Security
<b>House Judiciary</b>	House Committee on the Judiciary
<b>House NR</b>	House Committee on Natural Resources
<b>House SST</b>	House Committee on Science, Space, and Technology
<b>House T&amp;I</b>	House Committee on Transportation and Infrastructure
<b>House W&amp;M</b>	House Committee on Ways and Means
<b>HUD</b>	Department of Housing and Urban Development
<b>IBWC</b>	International Boundary and Water Commission

<b>IHS</b>	Indian Health Service
<b>NASA</b>	National Aeronautics and Space Administration
<b>NASS</b>	National Agricultural Statistics Service
<b>NFIP</b>	National Flood Insurance Program
<b>NIFA</b>	National Institute of Food and Agriculture
<b>NMFS</b>	National Marine Fisheries Service
<b>NOAA</b>	National Oceanic and Atmospheric Administration
<b>NPS</b>	National Park Service
<b>NRCS</b>	Natural Resources Conservation Service
<b>NSF</b>	National Science Foundation
<b>NWS</b>	National Weather Service
<b>PMA</b>	Power Marketing Administration
<b>RMA</b>	Risk Management Agency
<b>RUS</b>	Rural Utilities Service
<b>Senate Ag</b>	Senate Committee on Agriculture, Nutrition and Forestry
<b>Senate Banking</b>	Senate Committee on Banking, Housing, and Urban Affairs
<b>Senate CST</b>	Senate Committee on Commerce, Science, and Transportation
<b>Senate ENR</b>	Senate Committee on Energy and Natural Resources
<b>Senate EPW</b>	Senate Committee on Environment and Public Works
<b>Senate Fin</b>	Senate Committee on Finance
<b>Senate FR</b>	Senate Committee on Foreign Relations
<b>Senate HELP</b>	Senate Health, Education, Labor and Pensions
<b>Senate HS</b>	Senate Committee on Homeland Security and Governmental Affairs
<b>Senate IA</b>	Senate Committee on Indian Affairs
<b>Senate Judiciary</b>	Senate Committee on the Judiciary
<b>SEPA</b>	South Eastern Power Administration
<b>State</b>	Department of State
<b>SWPA</b>	South Western Power Administration
<b>Treasury</b>	Department of the Treasury
<b>TVA</b>	Tennessee Valley Authority
<b>USACE</b>	United States Army Corps of Engineers
<b>USCG</b>	United States Coast Guard
<b>USDA</b>	United States Department of Agriculture
<b>USFS</b>	United States Forest Service
<b>USGS</b>	United States Geological Survey
<b>USTR</b>	United States Trade Representative
<b>WAPA</b>	Western Area Power Administration

---

## Author Contact Information

(name redacted)  
Specialist on the Congress  
redacted@crs.loc.gov , 7-....

(name redacted)  
Specialist in Environmental Policy  
redacted@crs.loc.gov , 7-....

(name redacted)  
Specialist in Natural Resources Policy  
redacted@crs.loc.gov, 7-....

(name redacted)  
Acting Section Research Manager  
redacted@crs.loc.gov 7-....

## Acknowledgments

Many CRS analysts and legislative attorneys contributed to this report. In addition to the coauthors, other primary authors and organizers include Nicole Carter and Charlie Stern of Resources, Science, and Industry Division (RSI). Additional CRS analysts and legislative attorneys who contributed to the report include (name redacted) of the American Law Division; Elayne Heisler of the Domestic Social Policy Division; Jared Brown of the Government and Finance Division; and (name redacted), (name redacted), (name redacted), Pervaze Sheikh, (name redacted), and Harold Upton of RSI. An earlier version of this report was coordinated by (name redacted), a 2012 CRS research associate.

# EveryCRSReport.com

The Congressional Research Service (CRS) is a federal legislative branch agency, housed inside the Library of Congress, charged with providing the United States Congress non-partisan advice on issues that may come before Congress.

EveryCRSReport.com republishes CRS reports that are available to all Congressional staff. The reports are not classified, and Members of Congress routinely make individual reports available to the public.

Prior to our republication, we redacted names, phone numbers and email addresses of analysts who produced the reports. We also added this page to the report. We have not intentionally made any other changes to any report published on EveryCRSReport.com.

CRS reports, as a work of the United States government, are not subject to copyright protection in the United States. Any CRS report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS report may include copyrighted images or material from a third party, you may need to obtain permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

Information in a CRS report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to members of Congress in connection with CRS' institutional role.

EveryCRSReport.com is not a government website and is not affiliated with CRS. We do not claim copyright on any CRS report we have republished.