

Section 1961c-6, Pub. L. 88-379, title III, §306, July 17, 1964, 78 Stat. 333; Pub. L. 92-175, §6, Dec. 2, 1971, 85 Stat. 494, defined "State". See section 7817 of this title.

Section 1961c-7, Pub. L. 88-379, title III, §307, as added Pub. L. 89-404, §2, Apr. 19, 1966, 80 Stat. 130, and amended Pub. L. 92-175, §7, Dec. 2, 1971, 85 Stat. 494, required Secretary of the Interior to make an annual report to the President and Congress. See section 7880 of this title.

Section 1961c-8, Pub. L. 88-379, title III, §308, as added Pub. L. 92-175, §8, Dec. 2, 1971, 85 Stat. 494, empowered Secretary of the Interior to convey excess personal property to cooperating institutes, educational institutions and nonprofit organizations. See section 7878 of this title.

**CHAPTER 19B—WATER RESOURCES PLANNING**

- Sec.
- 1962. Congressional statement of policy.
- 1962-1. Effect on existing laws.
- 1962-2. Congressional statement of objectives.
- 1962-3. Water resources principles and guidelines.
- 1962-4. Implementation of water resources principles and requirements.

**SUBCHAPTER I—WATER RESOURCES COUNCIL**

- 1962a. Establishment; composition; other Federal agency participation; designation of Chairman.
- 1962a-1. Powers and duties.
- 1962a-2. Principles, standards, and procedures for Federal projects.
- 1962a-3. Review of river basin commission plans; report to President and Congress.
- 1962a-4. Administrative provisions.

**SUBCHAPTER II—RIVER BASIN COMMISSIONS**

- 1962b. Creation of commissions; powers and duties.
- 1962b-1. Membership of commissions; appointment of chairman.
- 1962b-2. Organization of commissions.
- 1962b-3. Duties of commissions.
- 1962b-4. Administrative provisions.
- 1962b-5. Compensation of members and chairmen.
- 1962b-6. Expenses of commissions.

**SUBCHAPTER III—FINANCIAL ASSISTANCE TO STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS**

- 1962c. Authorization of appropriations; coordination of related Federal planning assistance programs; utilization of Federal agencies administering programs contributing to water resources planning.
- 1962c-1. Allotments to States: basis, population and land area determinations; payments to States: amount.
- 1962c-2. State programs; approval by Council; submission; requirements; notice and hearing prior to disapproval.
- 1962c-3. Noncompliance; curtailing of payments.
- 1962c-4. Payments to States; computation of amount.
- 1962c-5. "State" defined.
- 1962c-6. Records; audit and examination.

**SUBCHAPTER IV—MISCELLANEOUS PROVISIONS**

- 1962d. Authorization of appropriations to the Water Resources Council.
- 1962d-1. Rules and regulations.
- 1962d-2. Delegation of functions.
- 1962d-3. Utilization of personnel.
- 1962d-4. Northeastern United States water supply.
- 1962d-5. Water resources development projects involving navigation, flood control, and shore protection.

- Sec.
- 1962d-5a. Reimbursement to States.
- 1962d-5b. Written agreement requirement for water resources projects.
- 1962d-5c. Non-Federal public bodies, installment construction payments.
- 1962d-5d. Authorization of Secretary of the Army to contract with States and political subdivisions for increased law enforcement services during peak visitation periods; authorization of appropriations.
- 1962d-5e. Wetland areas.
- 1962d-5f. Beach nourishment.
- 1962d-5g. Hydroelectric power resources.
- 1962d-6. Feasibility studies; acceleration; advancement of costs by non-Federal sources.
- 1962d-7. Delmarva Peninsula hydrologic study; duties of Secretary of the Interior.
- 1962d-8. Reports on Delmarva Peninsula hydrologic study.
- 1962d-9. Information from Federal agencies for Delmarva Peninsula study.
- 1962d-10. Cooperation with agencies on Delmarva Peninsula study.
- 1962d-11. Authorization of appropriation for Delmarva Peninsula study.
- 1962d-11a. Potomac River water diversion structure.
- 1962d-11b. Dalecarlia Reservoir; delivery of water to metropolitan Maryland; expenses; payments; purchase of water from State or local authorities in Maryland or Virginia.
- 1962d-12 to 1962d-14. Repealed.
- 1962d-14a. Alaska hydroelectric power development.
- 1962d-15. Protection of United States from liability for damages; exception of damages due to fault or negligence of United States.
- 1962d-16. Comprehensive plans for development, utilization, and conservation of water and related resources.
- 1962d-17. Regional or river basin plans and Federal water and related land resources projects; preparation, formulation, and evaluation.
- 1962d-18. Study of depletion of natural resources of regions of Colorado, Kansas, New Mexico, Oklahoma, Texas, and Nebraska utilizing Ogallala aquifer; plans; reports to Congress; authorization of appropriation.
- 1962d-19. Cooperation of Secretary of the Interior with State and local regulatory and law enforcement officials in enforcement of laws or ordinances in connection with Federal resource protection, etc., within Federal water resource development project; funding.
- 1962d-20. Prohibition on Great Lakes diversions.
- 1962d-21. John Glenn Great Lakes basin program.
- 1962d-22. Great Lakes fishery and ecosystem restoration.

**§ 1962. Congressional statement of policy**

In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals,

corporations, business enterprises, and others concerned.

(Pub. L. 89-80, §2, July 22, 1965, 79 Stat. 244.)

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE OF 1974 AMENDMENT

Pub. L. 93-251, title I, §109, Mar. 16, 1974, 88 Stat. 49, provided that: "This title [enacting sections 1962d-5c and 1962d-15 to 1962d-17 of this title, section 460ee of Title 16, Conservation, and sections 50c-2, 50k, 579, 701b-11, and 1252a of Title 33, Navigation and Navigable Waters, amending section 4482 of this title, sections 460l-13(a), (a)(3) and 460l-14(b)(1) of Title 16, section 275a of Title 22, Foreign Relations and Intercourse, and sections 701g, 701n, 701r, 701r-1(c), 701s, 709a(b), and 1165a(d) of Title 33, and enacting provisions set out as notes under sections 1962d-5 and 1962d-7 of this title and section 460l-13 of Title 16] may be cited as the 'Water Resources Development Act of 1974'."

##### SHORT TITLE

Pub. L. 89-80, §1, July 22, 1965, 79 Stat. 244, provided that: "This Act [enacting this chapter] may be cited as the 'Water Resources Planning Act'."

##### WATER REUSE INTERAGENCY WORKING GROUP

Pub. L. 117-58, div. E, title II, §50218, Nov. 15, 2021, 135 Stat. 1179, provided that:

"(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [Nov. 15, 2021], the Administrator [of the Environmental Protection Agency] shall establish a Water Reuse Interagency Working Group (referred to in this section as the 'Working Group')."

"(b) PURPOSE.—The purpose of the Working Group is to develop and coordinate actions, tools, and resources to advance water reuse across the United States, including through the implementation of the February 2020 National Water Reuse Action Plan, which creates opportunities for water reuse in the mission areas of each of the Federal agencies included in the Working Group under subsection (c) (referred to in this section as the 'Action Plan')."

"(c) CHAIRPERSON; MEMBERSHIP.—The Working Group shall be—

"(1) chaired by the Administrator; and

"(2) comprised of senior representatives from such Federal agencies as the Administrator determines to be appropriate.

"(d) DUTIES OF THE WORKING GROUP.—In carrying out this section, the Working Group shall—

"(1) with respect to water reuse, leverage the expertise of industry, the research community, nongovernmental organizations, and government;

"(2) seek to foster water reuse as an important component of integrated water resources management;

"(3) conduct an assessment of new opportunities to advance water reuse and annually update the Action Plan with new actions, as necessary, to pursue those opportunities;

"(4) seek to coordinate Federal programs and policies to support the adoption of water reuse;

"(5) consider how each Federal agency can explore and identify opportunities to support water reuse through the programs and activities of that Federal agency; and

"(6) consult, on a regular basis, with representatives of relevant industries, the research community, and nongovernmental organizations.

"(e) REPORT.—Not less frequently than once every 2 years, the Administrator shall submit to Congress a report on the activities and findings of the Working Group.

"(f) SUNSET.—

"(1) IN GENERAL.—Subject to paragraph (2), the Working Group shall terminate on the date that is 6 years after the date of enactment of this Act.

"(2) EXTENSION.—The Administrator may extend the date of termination of the Working Group under paragraph (1)."

##### UNITED STATES-MEXICO TRANSBOUNDARY AQUIFER ASSESSMENT

Pub. L. 109-448, Dec. 22, 2006, 120 Stat. 3328, provided that:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'United States-Mexico Transboundary Aquifer Assessment Act'.

"SEC. 2. PURPOSE.

"The purpose of this Act is to direct the Secretary of the Interior to establish a United States-Mexico transboundary aquifer assessment program to systematically assess priority transboundary aquifers.

"SEC. 3. DEFINITIONS.

"In this Act:

"(1) AQUIFER.—The term 'aquifer' means a subsurface water-bearing geologic formation from which significant quantities of water may be extracted.

"(2) IBWC.—The term 'IBWC' means the International Boundary and Water Commission, an agency of the Department of State.

"(3) INDIAN TRIBE.—The term 'Indian tribe' means an Indian tribe, band, nation, or other organized group or community—

"(A) that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; and

"(B) the reservation of which includes a transboundary aquifer within the exterior boundaries of the reservation.

"(4) PARTICIPATING STATE.—The term 'Participating State' means each of the States of Arizona, New Mexico, and Texas.

"(5) PRIORITY TRANSBOUNDARY AQUIFER.—The term 'priority transboundary aquifer' means a transboundary aquifer that has been designated for study and analysis under the program.

"(6) PROGRAM.—The term 'program' means the United States-Mexico transboundary aquifer assessment program established under section 4(a).

"(7) RESERVATION.—The term 'reservation' means land that has been set aside or that has been acknowledged as having been set aside by the United States for the use of an Indian tribe, the exterior boundaries of which are more particularly defined in a final tribal treaty, agreement, executive order, Federal statute, secretarial order, or judicial determination.

"(8) SECRETARY.—The term 'Secretary' means the Secretary of the Interior, acting through the Director of the United States Geological Survey.

"(9) TRANSBOUNDARY AQUIFER.—The term 'transboundary aquifer' means an aquifer that underlies the boundary between a Participating State and Mexico.

"(10) TRI-REGIONAL PLANNING GROUP.—The term 'Tri-Regional Planning Group' means the binational planning group comprised of—

"(A) the Junta Municipal de Agua y Saneamiento de Ciudad Juarez;

"(B) the El Paso Water Utilities Public Service Board; and

"(C) the Lower Rio Grande Water Users Organization.

"(11) WATER RESOURCES RESEARCH INSTITUTES.—The term 'water resources research institutes' means the institutes within the Participating States established under section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303).

"SEC. 4. ESTABLISHMENT OF PROGRAM.

"(a) IN GENERAL.—The Secretary, in consultation and cooperation with the Participating States, the water resources research institutes, Sandia National Labora-

tories, and other appropriate entities in the United States and Mexico, and the IBWC, as appropriate, shall carry out the United States-Mexico transboundary aquifer assessment program to characterize, map, and model priority transboundary aquifers along the United States-Mexico border at a level of detail determined to be appropriate for the particular aquifer.

“(b) OBJECTIVES.—The objectives of the program are to—

“(1) develop and implement an integrated scientific approach to identify and assess priority transboundary aquifers, including—

“(A) for purposes of subsection (c)(2), specifying priority transboundary aquifers for further analysis by assessing—

“(i) the proximity of a proposed priority transboundary aquifer to areas of high population density;

“(ii) the extent to which a proposed priority transboundary aquifer would be used;

“(iii) the susceptibility of a proposed priority transboundary aquifer to contamination; and

“(iv) any other relevant criteria;

“(B) evaluating all available data and publications as part of the development of study plans for each priority transboundary aquifer;

“(C) creating a new, or enhancing an existing, geographic information system database to characterize the spatial and temporal aspects of each priority transboundary aquifer; and

“(D) using field studies, including support for and expansion of ongoing monitoring and metering efforts, to develop—

“(i) the additional data necessary to adequately define aquifer characteristics; and

“(ii) scientifically sound groundwater flow models to assist with State and local water management and administration, including modeling of relevant groundwater and surface water interactions;

“(2) consider the expansion or modification of existing agreements, as appropriate, between the United States Geological Survey, the Participating States, the water resources research institutes, and appropriate authorities in the United States and Mexico, to—

“(A) conduct joint scientific investigations;

“(B) archive and share relevant data; and

“(C) carry out any other activities consistent with the program; and

“(3) produce scientific products for each priority transboundary aquifer that—

“(A) are capable of being broadly distributed; and

“(B) provide the scientific information needed by water managers and natural resource agencies on both sides of the United States-Mexico border to effectively accomplish the missions of the managers and agencies.

“(c) DESIGNATION OF PRIORITY TRANSBOUNDARY AQUIFERS.—

“(1) IN GENERAL.—For purposes of the program, the Secretary shall designate as priority transboundary aquifers—

“(A) the Hueco Bolson and Mesilla aquifers underlying parts of Texas, New Mexico, and Mexico;

“(B) the Santa Cruz River Valley aquifers underlying Arizona and Sonora, Mexico; and

“(C) the San Pedro aquifers underlying Arizona and Sonora, Mexico.

“(2) ADDITIONAL AQUIFERS.—The Secretary may, using the criteria under subsection (b)(1)(A), evaluate and designate additional priority transboundary aquifers which underlie New Mexico or Texas.

“(d) COOPERATION WITH MEXICO.—To ensure a comprehensive assessment of priority transboundary aquifers, the Secretary shall, to the maximum extent practicable, work with appropriate Federal agencies and other organizations to develop partnerships with, and receive input from, relevant organizations in Mexico to carry out the program.

“(e) GRANTS AND COOPERATIVE AGREEMENTS.—The Secretary may provide grants or enter into cooperative agreements and other agreements with the water resources research institutes and other Participating State entities to carry out the program.

“SEC. 5. IMPLEMENTATION OF PROGRAM.

“(a) COORDINATION WITH STATES, TRIBES, AND OTHER ENTITIES.—The Secretary shall coordinate the activities carried out under the program with—

“(1) the appropriate water resource agencies in the Participating States;

“(2) any affected Indian tribes;

“(3) any other appropriate entities that are conducting monitoring and metering activity with respect to a priority transboundary aquifer; and

“(4) the IBWC, as appropriate.

“(b) NEW ACTIVITY.—After the date of enactment of this Act [Dec. 22, 2006], the Secretary shall not initiate any new field studies or analyses under the program before consulting with, and coordinating the activity with, any Participating State water resource agencies that have jurisdiction over the aquifer.

“(c) STUDY PLANS; COST ESTIMATES.—

“(1) IN GENERAL.—The Secretary shall work closely with appropriate Participating State water resource agencies, water resources research institutes, and other relevant entities to develop a study plan, timeline, and cost estimate for each priority transboundary aquifer to be studied under the program.

“(2) REQUIREMENTS.—A study plan developed under paragraph (1) shall, to the maximum extent practicable—

“(A) integrate existing data collection and analyses conducted with respect to the priority transboundary aquifer;

“(B) if applicable, improve and strengthen existing groundwater flow models developed for the priority transboundary aquifer; and

“(C) be consistent with appropriate State guidelines and goals.

“SEC. 6. EFFECT.

“(a) IN GENERAL.—Nothing in this Act affects—

“(1) the jurisdiction or responsibility of a Participating State with respect to managing surface or groundwater resources in the Participating State;

“(2) the water rights of any person or entity using water from a transboundary aquifer; or

“(3) State water law, or an interstate compact or international treaty governing water.

“(b) TREATY.—Nothing in this Act shall delay or alter the implementation or operation of any works constructed, modified, acquired, or used within the territorial limits of the United States relating to the waters governed by the Treaty Between the United States and Mexico Regarding Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, Treaty Series 994 (59 Stat. 1219).

“SEC. 7. REPORTS.

“Not later than 5 years after the date of enactment of this Act [Dec. 22, 2006], and on completion of the program in fiscal year 2016, the Secretary shall submit to the appropriate water resource agency in the Participating States, an interim and final report, respectively, that describes—

“(1) any activities carried out under the program;

“(2) any conclusions of the Secretary relating to the status of priority transboundary aquifers; and

“(3) the level of participation in the program of entities in Mexico.

“SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act \$50,000,000 for the period of fiscal years 2007 through 2016.

“(b) DISTRIBUTION OF FUNDS.—Of the amounts made available under subsection (a), 50 percent shall be made available to the water resources research institutes to

provide funding to appropriate entities in the Participating States (including Sandia National Laboratories, State agencies, universities, the Tri-Regional Planning Group, and other relevant organizations) and to implement cooperative agreements entered into with appropriate entities in Mexico to conduct specific authorized activities in furtherance of the program, including the binational collection and exchange of scientific data.

“(c) CRITERIA.—Funding provided to an appropriate entity in Mexico pursuant to subsection (b) shall be contingent on that entity providing 50 percent of the necessary resources (including in-kind services) to further assist in carrying out the authorized activity.

“SEC. 9. SUNSET OF AUTHORITY.

“The authority of the Secretary to carry out any provisions of this Act shall terminate 10 years after the date of enactment of this Act [Dec. 22, 2006].”

WATERSHED PROTECTION AND FLOOD PREVENTION PROJECTS EXEMPT FROM REQUIREMENTS FOR INDEPENDENT WATER PROJECT REVIEW

Provisions exempting watershed projects under the Watershed Protection and Flood Prevention Act, Aug. 4, 1954, ch. 656, 68 Stat. 666, which is classified generally to chapter 18 (§1001 et seq.) of Title 16, Conservation, from the requirements of Executive Orders 12113 and 12141, formerly set out below, were contained in the following appropriation acts:

Pub. L. 97-370, title VI, §619, Dec. 18, 1982, 96 Stat. 1811.

Pub. L. 97-103, title VI, §619, Dec. 23, 1981, 95 Stat. 1490.

Pub. L. 96-528, title VI, §622, Dec. 15, 1980, 94 Stat. 3118.

**Executive Documents**

EXECUTIVE ORDER NO. 12113

Ex. Ord. No. 12113, Jan. 4, 1979, 44 F.R. 1955, as amended by Ex. Ord. No. 12141, June 5, 1979, 44 F.R. 32635, which provided for independent review of Federal water resources programs and projects by the Water Resources Council, was revoked by section 4 of Ex. Ord. No. 12322, Sept. 17, 1981, 46 F.R. 46561, set out below.

EX. ORD. NO. 12322. WATER RESOURCES PROGRAMS AND PROJECTS REVIEW

Ex. Ord. No. 12322, Sept. 17, 1981, 46 F.R. 46561, as amended by Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to ensure efficient and coordinated planning and review of water resources programs and projects, it is hereby ordered as follows:

SECTION 1. Before any agency or officer thereof submits to the Congress, or to any committee or member thereof, for approval, appropriations, or legislative action any report, proposal, or plan relating to a Federal or Federally assisted water and related land resources project or program, such report, proposal, or plan shall be submitted to the Director of the Office of Management and Budget.

SEC. 2. The Director of the Office of Management and Budget shall examine each report, proposal, or plan for consistency with, and shall advise the agency of the relationship of the project to, the following:

- (a) the policy and programs of the President;
- (b) the Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies or other such planning guidelines for water and related land resources planning, as shall hereafter be issued; and
- (c) other applicable laws, regulations, and requirements relevant to the planning process.

SEC. 3. When such report, proposal, or plan is thereafter submitted to the Congress, or to any committee or member thereof, it shall include a statement of the

advice received from the Office of Management and Budget.

SEC. 4. Executive Order No. 12113, as amended [formerly set out above], is revoked.

RONALD REAGAN.

EX. ORD. NO. 13956. MODERNIZING AMERICA'S WATER RESOURCE MANAGEMENT AND WATER INFRASTRUCTURE

Ex. Ord. No. 13956, Oct. 13, 2020, 85 F.R. 65647, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. *Purpose.* Abundant, safe, and reliable supplies of water are critical to quality of life for all Americans, fueling our economy, providing food for our citizens and the world, generating energy, protecting public health, supporting rich and diverse wildlife and plant species, and affording recreational opportunities. While America is blessed with abundant natural resources, those resources must be effectively managed, and our water infrastructure must be modernized to meet the needs of current and future generations.

Executive departments and agencies (agencies) that engage in water-related matters, including water storage and supply, water quality and restoration activities, water infrastructure, transportation on our rivers and inland waterways, and water forecasting, must work together where they have joint or overlapping responsibilities. This order will ensure that agencies do that more efficiently and effectively to improve our country's water resource management, modernize our water infrastructure, and prioritize the availability of clean, safe, and reliable water supplies.

SEC. 2. *Policy.* It is the policy of the United States to:

- (a) Improve coordination among agencies on water resource management and water infrastructure issues;
- (b) Reduce unnecessary duplication across the Federal Government by coordinating and consolidating existing water-related task forces, working groups, and other formal cross-agency initiatives, as appropriate;
- (c) Efficiently and effectively manage America's water resources and promote resilience of America's water-related infrastructure;
- (d) Promote integrated planning among agencies for Federal investments in water-related infrastructure; and
- (e) Support workforce development and efforts to recruit, train, and retain professionals to operate and maintain America's essential drinking water, wastewater, flood control, hydropower, and delivery and storage facilities.

SEC. 3. *Interagency Water Subcabinet.* To promote efficient and effective coordination across agencies engaged in water-related matters, and to prioritize actions to modernize and safeguard our water resources and infrastructure, an interagency Water Policy Committee (to be known as the Water Subcabinet) is hereby established. The Water Subcabinet shall be co-chaired by the Secretary of the Interior and the Administrator of the Environmental Protection Agency (Co-Chairs), and shall include the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Energy, the Secretary of the Army, and the heads of such other agencies as the Co-Chairs deem appropriate. The Department of the Interior or the Environmental Protection Agency (EPA) shall, to the extent permitted by law and subject to the availability of appropriations, provide administrative support as needed for the Water Subcabinet to implement this order.

SEC. 4. *Reducing Inefficiencies and Duplication.* Currently, hundreds of Federal water-related task forces, working groups, and other formal cross-agency initiatives (Federal interagency working groups) exist to address water resource management. Within 90 days of the date of this order [Oct. 13, 2020], the Water Subcabinet shall, to the extent practicable, identify all such Federal interagency working groups and provide recommendations to the Chairman of the Council on Envi-

ronmental Quality (CEQ), the Director of the Office of Management and Budget (OMB), and the Director of the Office of Science and Technology Policy (OSTP) on coordinating and consolidating these Federal inter-agency working groups, as appropriate and consistent with applicable law.

**SEC. 5. *Improving Water Resource Management.*** Federal agencies engage in a wide range of activities relating to water resource management. Within 120 days of the date of this order, the Water Subcabinet shall submit to the Chairman of CEQ, the Director of OMB, and the Director of OSTP a report that recommends actions to address the issues described below, and for each recommendation identifies a lead agency, other relevant agencies, and agency milestones for fiscal years 2021 through 2025:

(a) Actions to increase water storage, water supply reliability, and drought resiliency, including through:

(i) developing additional storage capacity, including an examination of operational changes and opportunities to update dam water control manuals for existing facilities during routine operations, maintenance, and safety assessments;

(ii) coordinating agency reviews when there are multi-agency permitting and other regulatory requirements;

(iii) increasing engagement with State, local, and tribal partners regarding the ongoing drought along the Colorado River and regarding irrigated agriculture in the Colorado Basin;

(iv) implementing the “Priority Actions Supporting Long-Term Drought Resilience” document issued on July 31, 2019, by the National Drought Resilience Partnership; and

(v) improving coordination among State, local, tribal, and territorial governments and rural communities, including farmers, ranchers, and landowners, to develop voluntary, market-based water and land management practices and programs that improve conservation efforts, economic viability, and water supply, sustainability, and security;

(b) Actions to improve water quality, source water protection, and nutrient management; to promote restoration activities; and to examine water quality challenges facing our Nation’s minority and low-income communities, including through:

(i) implementing the “Great Lakes Restoration Initiative (GLRI) Action Plan III” issued on October 22, 2019, by the EPA for the GLRI Interagency Task Force and Regional Working Group, established pursuant to the Water Infrastructure Improvements for the Nation Act (Public Law 114-322);

(ii) enhancing coordination among the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force partners to support State implementation of nutrient reduction strategies;

(iii) increasing coordination between agencies and members of the South Florida Ecosystem Restoration Task Force, established pursuant to the Water Resources Development Act of 1996 (Public Law 104-303), and implementing and completing the activities included in the Comprehensive Everglades Restoration Plan, established pursuant to the Water Resources Development Act of 2000 (Public Law 106-541); and

(iv) continuing implementation of the EPA’s memorandum entitled “Updating the Environmental Protection Agency’s Water Quality Trading Policy to Promote Market-Based Mechanisms for Improving Water Quality” issued on February 6, 2019;

(c) Actions to improve water systems, including for drinking water, desalination, water reuse, wastewater, and flood control, including through:

(i) finalizing and implementing, as appropriate and consistent with applicable law, the proposed rule entitled “National Primary Drinking Water Regulations: Proposed Lead and Copper Rule Revisions,” 84 Fed. Reg. 61684 (Nov. 13, 2019);

(ii) implementing the “National Water Reuse Action Plan” issued on February 27, 2020, by the EPA;

(iii) coordinating with the Federal Interagency Floodplain Management Task Force, established pursu-

ant to the National Flood Insurance Act of 1968 ([title XIII of] Public Law 90-448 [42 U.S.C. 4001 et seq.]), on Federal flood risk management policies and programs to better support community needs; and

(iv) continuing coordination among agencies concerning the Department of Energy’s Water Security Grand Challenge to advance transformational technology and innovation to provide safe, secure, and affordable water; and

(d) Actions to improve water data management, research, modeling, and forecasting, including through:

(i) aligning efforts and developing research plans among the Secretary of the Interior, the Secretary of Agriculture, the Administrator of the National Oceanic and Atmospheric Administration, and the Secretary of the Army, through the Assistant Secretary of the Army (Civil Works), to ensure that America remains a global leader for water-related science and technology capabilities;

(ii) implementing common methods of water forecasting, including the use of snow monitoring tools, on a national and basin scale, supported by weather forecasting on all scales;

(iii) developing state-of-the-art geospatial data tools, including maps, through Federal, State, tribal, and territorial partnerships to depict the scope of waters regulated under the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500); and

(iv) implementing actions identified in the “Federal Action Plan for Improving Forecasts of Water Availability” issued on October 18, 2019, by the Department of the Interior and the Department of Commerce pursuant to section 3 of the Presidential Memorandum of October 19, 2018 (Promoting the Reliable Supply and Delivery of Water in the West) [33 U.S.C. 2201 note].

**SEC. 6. *Report.*** Within 1 year of submitting the report required by section 5 of this order, and annually thereafter, the Water Subcabinet shall update the Chairman of CEQ, the Director of OMB, and the Director of OSTP on the status of the actions identified in the report.

**SEC. 7. *Integrated Infrastructure Planning.*** Agencies oversee a number of programs to enhance coordination of cross-agency water infrastructure planning and to protect taxpayer investments. Within 150 days of the date of this order, the Water Subcabinet shall identify and recommend actions and priorities to the Director of OMB, the Chairman of CEQ, and the Assistant to the President for Economic Policy to support integrated planning and coordination among agencies to maintain and modernize our Nation’s water infrastructure, including for drinking water, desalination, water reuse, wastewater, irrigation, flood control, transportation on our rivers and inland waterways, and water storage and conveyance. The recommendations shall consider water infrastructure programs that are funded by the Department of Defense through the Army Corps of Engineers, and by the Department of the Interior, the Department of Agriculture, the Department of Energy, the EPA, the Federal Emergency Management Agency, the Economic Development Administration, and other agencies, as appropriate. Such programs include the EPA’s Water Infrastructure Finance and Innovation Act program, established pursuant to the Water Resources Reform and Development Act of 2014 (Public Law 113-121) and amended by the America’s Water Infrastructure Act of 2018 (Public Law 115-270), which modernizes the aging water infrastructure of the United States, improves public health protections, and creates jobs; the Department of Agriculture’s rural development programs, which make and support investments in water infrastructure; and the Department of Agriculture’s Natural Resources Conservation Service programs, which promote source water protection, improve water quality, and assist with developing new water infrastructure projects.

**SEC. 8. *Water Sector Workforce.*** Trained water-sector professionals are vital to protecting public health and the environment through strategic planning, operation and maintenance of treatment facilities, and implementation of water management programs. Within 150

days of the date of this order, the Water Subcabinet, in consultation with the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Education, the Secretary of Veterans Affairs, and the heads of other agencies, as appropriate, shall identify actions and develop recommendations to improve inter-agency coordination and provide assistance and technical support to State, local, tribal, and territorial governments in order to enhance the recruitment, training, and retention of water professionals within drinking water, desalination, water reuse, wastewater, flood control, hydropower, and delivery and storage sectors. Such recommendations shall be submitted to the Chairman of CEQ, the Assistant to the President for Domestic Policy, the Assistant to the President for Economic Policy, and the Chairman of the Council of Economic Advisers.

SEC. 9. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented in a manner consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP.

#### § 1962-1. Effect on existing laws

Nothing in this chapter shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this chapter with respect to the preparation and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects;

(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources or to exercise licensing or regulatory functions in relation thereto, except as required to carry out the provisions of this chapter; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico;

(d) as authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters be-

tween areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

(Pub. L. 89-80, § 3, July 22, 1965, 79 Stat. 244.)

#### Editorial Notes

##### REFERENCES IN TEXT

The International Joint Commission, United States and Canada, referred to in subsec. (c), was organized in 1911 pursuant to article VII of the treaty of January 11, 1909, with Great Britain, 36 Stat. 2448. Provisions relating to such Commission are contained in sections 267b and 268 of Title 22, Foreign Relations and Intercourse.

#### § 1962-2. Congressional statement of objectives

It is the intent of Congress that the objectives of enhancing regional economic development, the quality of the total environment, including its protection and improvement, the well-being of the people of the United States, and the national economic development are the objectives to be included in federally financed water resource projects (including shore protection projects such as projects for beach nourishment, including the replacement of sand), and in the evaluation of benefits and cost attributable thereto, giving due consideration to the most feasible alternative means of accomplishing these objectives.

(Pub. L. 91-611, title II, § 209, Dec. 31, 1970, 84 Stat. 1829; Pub. L. 104-303, title II, § 227(f), Oct. 12, 1996, 110 Stat. 3703.)

#### Editorial Notes

##### CODIFICATION

Section was enacted as a part of the Flood Control Act of 1970 and not as a part of the Water Resources Planning Act which comprises this chapter.

##### AMENDMENTS

1996—Pub. L. 104-303 inserted “(including shore protection projects such as projects for beach nourishment, including the replacement of sand)” after “water resource projects”.

#### § 1962-3. Water resources principles and guidelines

##### (a) National water resources planning policy

It is the policy of the United States that all water resources projects should reflect national priorities, encourage economic development, and protect the environment by—

(1) seeking to maximize sustainable economic development;

(2) seeking to avoid the unwise use of floodplains and flood-prone areas and minimizing adverse impacts and vulnerabilities in any case in which a floodplain or flood-prone area must be used; and

(3) protecting and restoring the functions of natural systems and mitigating any unavoidable damage to natural systems.

##### (b) Principles and guidelines

###### (1) Principles and guidelines defined

In this subsection, the term “principles and guidelines” means the principles and guidelines contained in the document prepared by