

119TH CONGRESS
2D SESSION

S. _____

To amend the Water Infrastructure Improvements for the Nation Act to authorize assistance under the storage program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. GALLEGO introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Water Infrastructure Improvements for the Nation Act to authorize assistance under the storage program, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Water Security and
5 Drought Resilience Act”.

6 **SEC. 2. AUTHORIZATION TO PROVIDE ASSISTANCE FOR**
7 **STORAGE PROGRAM.**

8 Section 4007 of the Water Infrastructure Improve-
9 ments for the Nation Act (43 U.S.C. 390b note; Public

1 Law 114–322) is amended by striking subsection (d) and
2 inserting the following:

3 “(d) AUTHORITY TO PROVIDE ASSISTANCE.—

4 “(1) IN GENERAL.—The Secretary of the Inte-
5 rior may provide financial assistance under this sub-
6 title to carry out projects within any Reclamation
7 State.

8 “(2) ADDITIONAL PROJECT.—Notwithstanding
9 subsection (i) or section 4013, any project for which
10 a feasibility study is authorized under subsection
11 (a)(1)(B)(i) of section 40902 of the Infrastructure
12 Investment and Jobs Act (43 U.S.C. 3202) shall,
13 pursuant to the construction funding requirements
14 under subsection (a)(2) of that section, as applica-
15 ble, be eligible for funding under this section.

16 “(3) DISTRIBUTION AMONG MULTIPLE REC-
17 LAMATION STATES.—In providing financial assist-
18 ance under this subtitle, the Secretary of the Inte-
19 rior shall ensure that the financial assistance is dis-
20 tributed among projects across multiple Reclamation
21 States.”.

22 **SEC. 3. REAUTHORIZATION OF SMALL STORAGE PROGRAM.**

23 (a) ELIGIBILITY AND SELECTION.—Section 40903(b)
24 of the Infrastructure Investment and Jobs Act (43 U.S.C.
25 3203(b)) is amended—

1 (1) in paragraph (1), by striking subparagraph
2 (B) and inserting the following:

3 “(B) ELIGIBLE PROJECTS.—A project
4 shall be considered eligible for consideration for
5 a grant under this section if the project—

6 “(i)(I) has water storage capacity of
7 not less than 200 acre-feet and not more
8 than 30,000 acre-feet; and

9 “(II)(aa) increases surface water or
10 groundwater storage; or

11 “(bb) conveys water, directly or indi-
12 rectly, to or from surface water or ground-
13 water storage; or

14 “(ii)(I) has water storage capacity for
15 recharges of not less than 200 acre-feet
16 and not more than 150,000 acre-feet on an
17 average annual basis over the life of the
18 project for storage or use; and

19 “(II)(aa) increases groundwater aqui-
20 fer storage;

21 “(bb) conveys water, directly or indi-
22 rectly, to, or recovers water from, ground-
23 water storage;

24 “(cc) both increases groundwater aq-
25 uifer storage and conveys water, directly or

1 indirectly, to or recovers water from
2 groundwater storage; and

3 “(dd) stabilizes groundwater levels.”;

4 and

5 (2) by adding at the end the following:

6 “(6) DISTRIBUTION AMONG MULTIPLE REC-
7 LAMATION STATES.—In awarding grants to projects
8 under this section, the Secretary shall ensure that
9 grants are distributed across multiple Reclamation
10 States.”.

11 (b) TERMINATION OF AUTHORITY.—Section 40903
12 of the Infrastructure Investment and Jobs Act (43 U.S.C.
13 3203) is amended—

14 (1) by redesignating subsection (e) as sub-
15 section (g); and

16 (2) in subsection (g) (as so redesignated), by
17 striking “5” and inserting “10”.

18 (c) AUTHORIZATION OF APPROPRIATIONS; EF-
19 FECT.—Section 40903 of the Infrastructure Investment
20 and Jobs Act (43 U.S.C. 3203) is amended by inserting
21 after subsection (d) the following:

22 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated to the Secretary to carry
24 out this section \$20,000,000 for each of fiscal years 2027
25 through 2033.

1 “(f) EFFECT.—Nothing in this section—

2 “(1) supersedes or in any manner affects or
3 conflicts with State water law, Federal water law,
4 interstate compacts, or treaty obligations;

5 “(2) authorizes any acquisition of water by the
6 Federal Government; or

7 “(3) supersedes or infringes on any water
8 rights.”.

9 **SEC. 4. NATURAL WATER RETENTION AND RELEASE**
10 **PROJECT GRANTS.**

11 (a) DEFINITIONS.—In this section:

12 (1) ELIGIBLE ENTITY.—The term “eligible enti-
13 ty” means—

14 (A) a State, Indian Tribe, municipality, ir-
15 rigation district, water district, wastewater dis-
16 trict, or other organization with water or power
17 delivery authority;

18 (B) a State, regional, or local authority,
19 the members of which include 1 or more organi-
20 zations with water or power delivery authority;
21 or

22 (C) a qualified partner.

23 (2) NATURAL WATER RETENTION AND RE-
24 LEASE PROJECT.—The term “natural water reten-
25 tion and release project” means a project that is de-

1 signed and developed to increase water availability
2 for optimal management through aquifer recharge,
3 floodplain retention, the alteration of the timing of
4 runoff to allow increased utilization of existing stor-
5 age facilities, or another mechanism that—

6 (A) uses primarily natural materials appro-
7 priate to the specific site and landscape setting;

8 (B) substantially mimics natural riverine,
9 wetland, ecosystem, or hydrologic processes;
10 and

11 (C) may include multiple distributed nat-
12 ural water retention and release projects across
13 a watershed.

14 (3) QUALIFIED PARTNER.—The term “qualified
15 partner” means a nonprofit organization operating
16 in a Reclamation State that is acting with the writ-
17 ten support of an eligible entity described in sub-
18 paragraph (A) or (B) of paragraph (1).

19 (4) RECLAMATION STATE.—The term “Rec-
20 lamation State” has the meaning given the term in
21 section 4014 of the Water Infrastructure Improve-
22 ments for the Nation Act (43 U.S.C. 390b note;
23 Public Law 114–322).

1 (5) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior, acting through the
3 Commissioner of Reclamation.

4 (b) AUTHORIZATION FOR GRANTS.—The Secretary
5 may award to an eligible entity a grant for a natural water
6 retention and release project under this section, if—

7 (1) in the case of a natural water retention and
8 release project that costs not more than
9 \$20,000,000, the eligible entity demonstrates that
10 the natural water retention and release project
11 would help optimize the storage or delivery of water
12 in a watershed in which a Bureau of Reclamation fa-
13 cility is located; and

14 (2) in the case of a natural water retention and
15 release project that costs more than \$20,000,000—

16 (A) the requirements described in para-
17 graph (1) have been met with respect to the
18 natural water retention and release project; and

19 (B) the eligible entity determines, and the
20 Secretary concurs, that—

21 (i) the natural water retention and re-
22 lease project would produce or allow addi-
23 tional retention or delivery of water in a
24 watershed in which a Bureau of Reclama-
25 tion facility is located; and

1 (ii) there is a credible estimate of the
2 quantity of the storage benefit of the nat-
3 ural water retention and release project
4 during each of a wet year, a normal year,
5 and a dry year.

6 (c) DISTRIBUTION AMONG MULTIPLE RECLAMATION
7 STATES.—In providing grants for natural water retention
8 and release projects under this section, the Secretary shall
9 ensure that grants are distributed across multiple Rec-
10 lamation States.

11 (d) FEDERAL COST-SHARE.—The Federal share of
12 the cost of a natural water retention and release project
13 provided a grant under this section shall not exceed 90
14 percent of the total cost of the natural water retention
15 and release project.

16 (e) REIMBURSABILITY.—Any Federal funds provided
17 by the Secretary to an eligible entity under this section
18 shall be considered nonreimbursable to the United States.

19 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to the Secretary to carry
21 out this section \$15,000,000 for each of fiscal years 2027
22 through 2031.