

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1102

To amend the Federal Water Pollution Control Act to reserve a portion of the funds made available for capitalization grants for water pollution control revolving funds for the purpose of making grants to States that set aside amounts of State funds for water pollution control in excess of the amounts required under such Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 1995

Mr. PETRI (for himself, Mr. OBEY, Mr. SENSENBRENNER, Mr. ROTH, Mr. GUNDERSON, Mr. KLECZKA, Mr. KLUG, Mr. BARRETT of Wisconsin, and Mr. NEUMANN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Federal Water Pollution Control Act to reserve a portion of the funds made available for capitalization grants for water pollution control revolving funds for the purpose of making grants to States that set aside amounts of State funds for water pollution control in excess of the amounts required under such Act, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Level of Effort Clean  
3 Water Bonus Fund Act of 1995”.

4 **SEC. 2. LEVEL OF EFFORT CAPITALIZATION GRANTS.**

5 (a) IN GENERAL.—Section 604 of the Federal Water  
6 Pollution Control Act (33 U.S.C. 1384) is amended—

7 (1) in subsection (a), by striking “Sums” and  
8 inserting “Subject to subsection (d), sums”; and

9 (2) by adding at the end the following new sub-  
10 section:

11 “(d) LEVEL OF EFFORT CAPITALIZATION GRANTS.—

12 “(1) IN GENERAL.—For each fiscal year, the  
13 Administrator shall reserve 20 percent of the funds  
14 made available for capitalization grants under this  
15 title for making level of effort capitalization grants  
16 to eligible States in accordance with this subsection.  
17 A State that receives grant payments under this  
18 subsection shall deposit all such payments in the  
19 water pollution control revolving fund established by  
20 the State in accordance with this title.

21 “(2) ELIGIBILITY.—A State shall be eligible to  
22 receive a grant under this subsection if the State—

23 “(A) submits an application for the grant  
24 to the Administrator in such form and at such  
25 time as the Administrator shall require; and

1           “(B) for the fiscal year preceding the fiscal  
2 year for which the application is submitted, de-  
3 posits—

4           “(i) an amount of State funds in addi-  
5 tion to the amount required under section  
6 602(b)(2) into the water pollution control  
7 revolving fund of the State established  
8 under this title;

9           “(ii) an amount of State funds into a  
10 non-Federal revolving fund or grant pro-  
11 gram that the Administrator determines is  
12 subject to requirements that are substan-  
13 tially similar to the requirements of the  
14 fund referred to in clause (i); or

15           “(iii) both an amount as described in  
16 clause (i) and an amount as described in  
17 clause (ii).

18           “(3) AMOUNT OF GRANTS.—

19           “(A) IN GENERAL.—Subject to subpara-  
20 graph (B), a grant to a State under this sub-  
21 section shall be in an amount equal to the total  
22 amounts deposited as described in paragraph  
23 (2)(B).

24           “(B) LIMITATIONS.—

1           “(i) STATE MAXIMUM.—For each fis-  
2 cal year, no State may receive a grant  
3 under this subsection in an amount that is  
4 greater than 20 percent of the amount of  
5 funds reserved under paragraph (1).

6           “(ii) INSUFFICIENT FUNDS.—If, for  
7 any fiscal year, the sum of the grant  
8 amounts calculated under subparagraph  
9 (A) for all eligible States is greater than  
10 the amount of funds reserved under para-  
11 graph (1), the Administrator shall make a  
12 grant to each eligible State in an amount  
13 that is equal to the product obtained by  
14 multiplying—

15                 “(I) the amount of funds re-  
16 served under paragraph (1); by

17                 “(II) the quotient obtained by di-  
18 viding—

19                         “(aa) the grant amount cal-  
20 culated under subparagraph (A)  
21 for the State; by

22                         “(bb) the sum of the grant  
23 amounts calculated under sub-  
24 paragraph (A) for all eligible  
25 States.

1           “(4) ALLOTMENT OF EXCESS FUNDS.—If, for  
2           any fiscal year, the sum of the grant amounts cal-  
3           culated under paragraph (3) for all eligible States is  
4           less than the amount of funds reserved under para-  
5           graph (1), the Administrator shall allot the excess  
6           funds in accordance with subsection (a).”.

7           (b) CONFORMING AMENDMENTS.—Section 602(b) of  
8           such Act (33 U.S.C. 1382(b)) is amended—

9           (1) in paragraph (2), by inserting “except with  
10          respect to grants made to the State under section  
11          604(d),” before “the State will deposit”; and

12          (2) in paragraph (3), by inserting “, except that  
13          with respect to grants made to the State under sec-  
14          tion 604(d), the State will enter into binding com-  
15          mitments to provide the assistance in an amount  
16          equal to 100 percent of the amount of each grant  
17          payment” before the semicolon at the end.

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