AMERICAN PRODUCTIVE CAPACITY WATERWAYS RESTORATION AND CONNECTION ACT

Complementary federal bill to the American Productive Capacity Authority Act
Drafted 2026-06-26

UNITED STATES CONGRESS

119th Congress, 2nd Session

2026

H.R. ____

S. ____

BY _____ (Introduced by request)

A BILL FOR AN ACT

CONCERNING THE DIRECTION OF AMERICAN PRODUCTIVE CAPACITY TO A NATIONAL WATER MISSION: THE CONTINUOUS RESTORATION OF THE NATION'S WATERWAYS, THE CONNECTION OF A CONTINUOUS NAVIGABLE WATER ROUTE ACROSS THE CONTINENT BY MULTIPLE ENGINEERED ROUTES OVER AND AROUND THE ROCKY MOUNTAINS, THE CONSTRUCTION OF NEW WATERWAYS UNDER LICENSED HUMAN DESIGN, THE ENGINEERED SOURCING AND MANAGEMENT OF WATER FOR DROUGHT RESILIENCE, THE EXPANSION OF LIVING AREA ALONG THE NEW WATER, THE EXPANSION OF CONTINUOUSLY MANAGED AQUACULTURE OPEN TO AMERICAN BUSINESS WITHIN REGULATION, AND THE BUILDING-IN OF THE HARD LESSONS OF VENICE.

LONG TITLE

AN ACT to direct the American Productive Capacity Authority to deploy its robotic productive capacity to a national water mission; to require, under Title I, the continuous day-and-night restoration of the Nation's navigable and impaired waterways to the integrity standard of the Clean Water Act, in coordination with the Environmental Protection Agency and the Army Corps of Engineers; to authorize, under Title II, the survey, design, and construction of a continuous navigable water crossing of the continent connecting the eastern and Pacific river systems by MULTIPLE candidate routes, both over the Continental Divide by lock staircase, summit tunnel, or mechanical boat lift on the Panama and Falkirk precedents, and around the Rocky Mountains by longer alignments including a southern alignment through the lower terrain of the Southwest, with greater route length expressly deemed acceptable; to authorize, under Title III, the construction of new waterways across the landscape sited, designed, and approved by licensed professionals; to authorize, under Title IV, the engineered sourcing, storage, conveyance, recharge, and recycling of water, including labor-intensive techniques made feasible by robotic labor, both to feed the summit reaches the canals require and to strengthen the Nation against drought; to authorize, under Title V, the expansion of habitable living area along the new and restored water; to authorize, under Title VI, the expansion of continuously managed aquaculture open to American businesses to fish and farm freely within regulation set by the continuing local and State fish-and-wildlife authorities; to require, under Title VII, the building-in of the engineering lessons of Venice; to preserve the human professions; and to provide effective dates and a per-project sunset of the construction authority.

LEGISLATIVE ROUTING NOTE

FILING PROCEDURE: This Act shall be filed with companion bills in the House of Representatives and the United States Senate and referred to the appropriate standing committees.

COMMITTEE ASSIGNMENT:

House of Representatives:

- Committee on Transportation and Infrastructure (navigable waters, Army Corps)
- Committee on Natural Resources (water rights, public lands, Bureau of Reclamation, fisheries, Tribal consultation)
- Committee on Energy and Commerce (Environmental Protection Agency, Clean Water Act)
- Committee on Agriculture (inland aquaculture)

Senate:

- Committee on Environment and Public Works
- Committee on Energy and Natural Resources
- Committee on Commerce, Science, and Transportation (NOAA fisheries)
- Committee on Indian Affairs

FISCAL IMPACT: The Congressional Budget Office shall prepare a fiscal impact statement pursuant to 2 U.S.C. 602. The labor of this mission is supplied by the Authority's robotic capacity; the appropriation funds survey, design, professional oversight, environmental review, material, and the water-management works, not a standing human labor force for the continuous restoration and maintenance work.

CONSTITUTIONAL BASIS: Article I, Section 8, Clause 3 (commerce among the several States, including the long-settled federal authority over navigable waters), Clause 18 (necessary and proper), and Article IV, Section 3, Clause 2 (the power over federal property), exercised in coordination with State water law and State fish-and-wildlife authority.

LEGISLATIVE DECLARATION

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF PRINCIPLE

(I) THE WORK WAS NEVER IMPOSSIBLE, IT WAS NEVER WORTH THE LABOR. The Congress finds that the connection of the continent by water failed for three centuries not because the science was absent but because the continuous labor to build at mountain scale cost more than the railroad later saved. The robotic productive capacity established by the American Productive Capacity Authority Act removes the obstacle that actually stopped the work, which was labor, and abundance restores the reason to do it.

(II) GREATER LENGTH IS ACCEPTABLE. The Congress finds that the shortest line over the Continental Divide is not the only line. A longer route around the Rocky Mountains that reduces the height of the lift, the burden on the summit water supply, or the ecological cost may be the better route, and this Act expressly authorizes the study and construction of longer alignments, including a southern alignment that skirts the lower terrain at the southern end of the Rockies. The Authority is not bound to the steepest path.

(III) THE HUMAN PROFESSIONS HOLD THE MAP. The Congress finds that the judgment of where water shall and shall not go belongs to human beings. The Authority's robotic capacity is the labor of this mission. The licensed civil engineer, the hydrologist, the ecologist, the fisheries scientist, the Tribal authority, and the landowner are the judgment of this mission. No new waterway, and no new body of water, shall be placed on the map of the United States except by a licensed human professional who places it there.

SECTION 1. Legislative findings.

(1) THE THREE-CENTURY OBJECTIVE. The all-water route across the continent was sought from the search for a Northwest Passage through the Lewis and Clark expedition of 1804 to 1806, and was repeatedly proposed and shelved thereafter. The obstacle was elevation, summit water, and the later economy of the railroad, not impossibility.

(2) PANAMA PROVES THE DIVIDE IS CROSSED BY WATER. The Panama Canal lifts ships eighty-five feet to the summit reservoir of Gatun Lake and carries them across a continental divide before lowering them to the far ocean. A continental divide can be crossed by water with a summit lake and locks.

(3) THE NETWORK ALREADY NEARLY SPANS THE NATION. The United States already maintains more than twenty-five thousand miles of navigable inland and intracoastal water, roughly twelve thousand miles of it commercially active. The Mississippi gathers the Ohio, Tennessee, Arkansas, and Red and reaches the Gulf; the Columbia and Snake reach the Pacific in the north; the Colorado, the Gila, the Sacramento, and the San Joaquin reach the Pacific in the west and southwest. The mission completes a network, it does not begin one. The gap to be closed is the arid interior between the eastern and the western systems.

(4) THERE IS MORE THAN ONE WAY ACROSS. A northern alignment follows the Jefferson line, the Missouri system over a Continental Divide pass to the Columbia and Snake. A southern alignment skirts the lower terrain at the southern end of the Rocky Mountains, connecting the Mississippi, Arkansas, and Red system westward by way of the Rio Grande and Pecos to the Gila and Colorado and the Pacific, accepting greater length and an arid corridor in exchange for a lower lift. A central alignment by way of the Platte and the Colorado headwaters is a third candidate. The choice among them is an engineering judgment reserved to the licensed professions. Gage-adjusted average annual streamflow confirms the difficulty of the southern line: the Mississippi and the

Ohio carry the great volume of the Nation's water, while the Colorado, the Rio Grande, and the Gila of the arid corridor run comparatively thin, so the southern alignment leans on the engineered water sourcing of Title IV, including the desalination of ocean water.

(5) SUMMIT WATER IS ENGINEERED, AND DOUBLES AS DROUGHT INFRASTRUCTURE. The Erie Canal fed its Rome summit from constructed reservoirs, and the Panama Canal runs on the engineered reservoir of Gatun Lake. Every summit reach this mission builds requires an engineered water supply, and a southern alignment through dry country requires more of it. That same water infrastructure is national drought infrastructure, and the arid corridor most expensive to supply is the corridor most in need of the water.

(6) MECHANICAL LIFT IS PROVEN. The Falkirk Wheel raises boats twenty-four meters in a single rotating lift, and the Tennessee-Tombigbee Waterway carried navigation across a land divide with ten locks in 1985. The means to raise vessels over height are built and operating.

(7) WHAT CHANGED. The American Productive Capacity Authority supplies continuous robotic labor that does not tire, and the abundance purpose of that Act supplies the reason to spend it on works that pay back over a century rather than a quarter. The equation that defeated this work for three centuries is the equation this Act changes.

(8) THE RISE, AND HOW IT IS GAINED. On the northern line the summit is high. Lewis crossed the Continental Divide at Lemhi Pass at seven thousand three hundred seventy-three feet, and navigable water on the Missouri reaches only to about Fort Benton at roughly two thousand seven hundred feet, so a vessel faces a lift on the order of two to five thousand feet to reach a pass, and a longer descent to the Columbia and Snake. No single structure gains that height, and none needs to. The rise is gained the way the Erie Canal gained its roughly five hundred sixty-eight feet,

by a staircase of many small locks spread over distance; or the way the Panama Canal gains eighty-five feet in three steps; or by mechanical boat lift; or it is avoided by a summit tunnel bored under the pass. The tallest navigable aqueduct ever built, Pontcysyllte in Wales, stands only about one hundred twenty-six feet, because an aqueduct carries water across a gap, it does not lift water up a mountain. The lift is therefore not one impossible structure. It is many proven steps, more of them than any prior canal, which is exactly the kind of work continuous robotic labor makes affordable.

SECTION 2. Definitions.

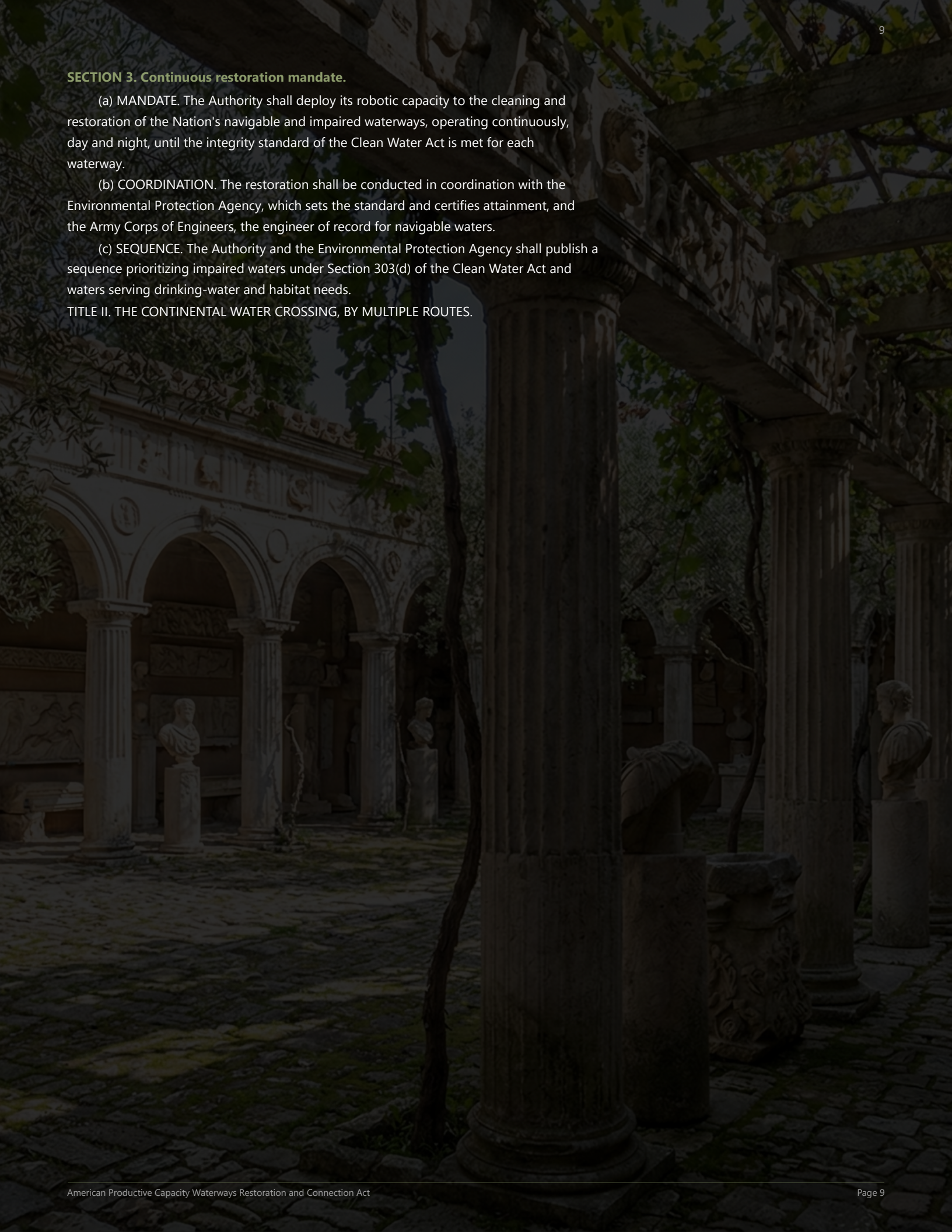
(a) "AUTHORITY" means the American Productive Capacity Authority.

(b) "ROBOTIC CAPACITY" means the robotic productive capacity of the Authority, including its self-replicating closed-loop manufacturing capacity.

(c) "LICENSED PROFESSIONAL" means a civil engineer, hydrologist, ecologist, fisheries scientist, or other professional licensed under State or Federal law to perform the work reserved to human judgment under this Act.

(d) "WILDLIFE AUTHORITY" means the State fish-and-wildlife agency with jurisdiction over the waters in question, and, in Federal waters, the National Oceanic and Atmospheric Administration under the Magnuson-Stevens Fishery Conservation and Management Act.

TITLE I. NATIONAL WATERWAY RESTORATION.



SECTION 3. Continuous restoration mandate.

(a) MANDATE. The Authority shall deploy its robotic capacity to the cleaning and restoration of the Nation's navigable and impaired waterways, operating continuously, day and night, until the integrity standard of the Clean Water Act is met for each waterway.

(b) COORDINATION. The restoration shall be conducted in coordination with the Environmental Protection Agency, which sets the standard and certifies attainment, and the Army Corps of Engineers, the engineer of record for navigable waters.

(c) SEQUENCE. The Authority and the Environmental Protection Agency shall publish a sequence prioritizing impaired waters under Section 303(d) of the Clean Water Act and waters serving drinking-water and habitat needs.

TITLE II. THE CONTINENTAL WATER CROSSING, BY MULTIPLE ROUTES.

SECTION 4. Survey of multiple candidate routes.

(a) SURVEY. The Authority and the Army Corps of Engineers shall survey and design a continuous navigable water crossing of the continent connecting the eastern river systems and the Pacific river systems, and shall study not one route but several, including at a minimum:

(1) THE NORTHERN, OVER ROUTE. The Jefferson line, the Missouri system over a Continental Divide pass to the Columbia and Snake, crossing the Divide by a staircase of locks, a summit tunnel or aqueduct, or a mechanical boat lift on the Panama summit-lake and Falkirk rotating-lift precedents, fed by engineered summit reservoirs. Shortest, highest lift.

(2) THE SOUTHERN, AROUND ROUTE. A longer alignment skirting the lower terrain at the southern end of the Rocky Mountains, connecting the Mississippi, Arkansas, and Red system westward by way of the Rio Grande and Pecos to the Gila and Colorado and the Pacific. Longer, lower lift, arid, and therefore paired with the water works of Title IV.

(3) THE CENTRAL ROUTE. By way of the Platte and the Colorado headwaters, as a third candidate between the two.

(b) GREATER LENGTH ACCEPTABLE. Greater route length is expressly deemed acceptable. The Authority shall select among candidate routes on feasibility, water supply, ecological cost, Tribal and landowner consent, and benefit over a one-hundred-year horizon, and not on shortest distance alone. The Authority may build more than one route.

SECTION 5. Construction.

The Authority's robotic capacity shall construct the selected route or routes under the design and the engineer of record of the Army Corps of Engineers, subject to environmental review under the National Environmental Policy Act, water-rights law, Tribal consultation, and the consent of affected landowners.

TITLE III. NEW WATERWAYS.

SECTION 6. Construction of new waterways.

(a) AUTHORITY. The Authority's robotic capacity may construct new waterways across the landscape to serve navigation, irrigation, drought resilience, habitat, living area, aquaculture, and abundance.

(b) HUMAN DESIGN AND APPROVAL. No new waterway shall be constructed except where a licensed professional has sited it, designed it, and placed it on the map, and where it has cleared environmental review under the National Environmental Policy Act, State and Federal water-rights law, Tribal consultation, and the consent of affected landowners. The robotic capacity executes. The licensed human professional decides.

(c) NO ECOLOGICAL HARM. No new waterway shall be constructed that the Environmental Protection Agency and the responsible ecologists determine would cause net ecological harm.

TITLE IV. WATER SOURCING, MANAGEMENT, AND DROUGHT RESILIENCE.

SECTION 7. Engineered water supply and drought resilience.

(a) THE SUMMIT REQUIRES WATER, AND SO DOES THE NATION. Every summit reach and every new waterway built under this Act requires an engineered water supply, on the model of the Gatun Lake reservoir of the Panama Canal and the Rome summit reservoirs of the Erie Canal, and a southern arid alignment requires more of it. The Authority shall build that supply, and shall design it to serve, at the same time, the resilience of the Nation against drought, with priority to the dry corridors the canals themselves must cross.

(b) AUTHORIZED TECHNIQUES. The Authority may source, store, convey, recharge, and recycle water by any technique the licensed professionals approve, including feeder reservoirs, aquifer recharge, managed conveyance by multiple aqueduct and pipeline techniques, water recycling and reuse, and, where coastal and approved, desalination feeders. Coordination is with the Bureau of Reclamation, the Army Corps of Engineers, the Environmental Protection Agency, and State water-rights law.

(c) LABOR INTENSITY IS NOT A BAR. A water-sourcing, management, or anti-drought technique shall not be rejected solely because it is labor-intensive. The Authority's robotic capacity supplies continuous labor that does not tire, and techniques once ruled out as too laborious for a human workforce are within reach and are expressly authorized where the professionals find them sound.

(d) NO HARM TO EXISTING RIGHTS. Nothing in this Title shall impair an existing water right, an interstate water compact, or a Tribal water right.

(e) SOLAR DESALINATION BUILDS. The Authority shall develop and deploy large-scale passive solar desalination. The build is a structure, sized for reference at about a stadium on stilts, a size reference and not a stadium, comprising an exterior frame, a clear covering, and the other necessary supporting structures, elevated by extension above the sea. Sunlight evaporates the seawater within it, the evaporation lifts the freshwater, and the water is collected at altitude, so the build produces water already at height for the aqueduct and pipeline runs to carry inland. The principle is proven at small scale, from emergency inflatable solar stills, to the passive multistage solar desalination demonstrated by researchers in 2023, to wave-powered desalination buoys, all of which make freshwater from seawater without grid power. What has kept the technique small is that passive desalination is area-intensive and tending-intensive, not energy-intensive. The continuous robotic labor of the Authority is precisely what makes the technique deployable at continental scale, building and tending still fields no human workforce could maintain. The new contribution is the scale, not the principle. The technique is authorized as a primary desalination feeder under this Title, in particular for the arid southern alignment and for national drought resilience, and is manufactured in coordination with the oceanic-systems factory of the American Productive Capacity Oceanic Habitation Act.

(f) ROUTING SURVEY. In siting the builds, the lifts, and the aqueduct and pipeline runs, the licensed professionals shall account for river flow volumes, river flow directions, and the highest mountain elevation points nearest to the sea, so that water is raised where the shortest lift from the coast yields the longest gravity-fed reach inland.

(g) HYDROELECTRIC POINTS OF DEVELOPMENT. Wherever water descends under this Act, on the downhill reaches of the gravity aqueducts, on the descent from each summit, and within the pipelines themselves, the Authority shall develop hydroelectric generation, and the electricity it generates shall feed the pumped pipeline stages, so the energy of descent powers the energy of ascent. This is proven practice. The Los Angeles Aqueduct carries up to fourteen hydroelectric plants on its descent from the Sierra, the California State Water Project recovers power on its drops to offset its pumping, and conduit hydropower set in existing canals, pipelines, and aqueducts is a recognized class under the Federal Energy Regulatory Commission. With solar power at the desalination builds and hydroelectric recapture on the descents, the net pumping energy of the system trends toward zero. Because the solar lift injects free gravitational head, sourced from the sun by evaporation, the greater the solar lift the greater the harvestable descent, so at sufficient lift the system becomes net energy positive and produces electricity as a co-product of the freshwater.

(h) ENTRY POINTS AND GRADUATED DISTRIBUTION. Water shall not be delivered in bulk to a single headwater. Bulk delivery to a river's top would scour the channel and ruin it for good. The Authority shall instead inject water in graduated portions at multiple points, at the headwater tips and at strategic points down each river, each portion sized by the licensed hydrologists and ecologists to the projected flow volume of the receiving reach, so that no reach receives more than its channel and its ecology can carry, and distribution is scaled to gage-adjusted streamflow. Primary candidates include the Colorado headwaters, the Missouri headwaters, the shrinking terminal lakes such as the Great Salt Lake, and graduated points along those rivers and their tributaries. Protected waters such as Lake Tahoe are excluded; national-park headwaters

such as those within Yellowstone are fed from outside the park; the Great Lakes are excluded under the Great Lakes Compact; and waters on Tribal land such as Pyramid Lake require the consent of the Tribe.

TITLE V. EXPANSION OF LIVING AREA.

SECTION 8. New habitable area along the water.

(a) FINDING. New and restored waterways create new waterfront, and waterfront is among the most valued and most livable land. The mission therefore expands the habitable living area of the Nation, opening new frontage rather than competing with the private homebuilder.

(b) AUTHORITY. The Authority may, in coordination with State and local land-use authority, the consent of affected landowners, and Tribal consultation, develop or make available for development habitable living area along the new and restored water, and may coordinate this Title with the housing and oceanic-habitation missions of the American Productive Capacity Authority.

(c) NON-DISPLACEMENT. This Title opens new living area. It does not authorize the displacement of any existing community, and any relocation incident to a water work shall be voluntary and compensated.

TITLE VI. CONTINUOUSLY MANAGED AQUACULTURE.

SECTION 9. Aquaculture open to American business within regulation.

(a) FINDING. A restored and connected water network is a continuously managed aquaculture resource of national scale. American businesses should be free to fish and to farm that water.

(b) OPEN TO AMERICAN BUSINESS. American businesses may fish and conduct aquaculture in the waters built or restored under this Act, freely, within the regulation set by the wildlife authority.

(c) MANAGEMENT STAYS WITH THE WILDLIFE AUTHORITY. The continuing local and State fish-and-wildlife authorities, and the National Oceanic and Atmospheric Administration in Federal waters under the Magnuson-Stevens Fishery Conservation and Management Act, retain full authority to manage the fishery, set seasons and limits, protect native and threatened species, and prevent the spread of invasive species. The Authority builds and maintains the water. The wildlife authority regulates the fishery. The business operates freely within that regulation.

(d) STEWARDSHIP. The Authority shall design and maintain the waters so as to support a healthy, continuously managed fishery, including circulation, habitat, and the barrier works necessary to keep invasive species from spreading through new connections between previously separate watersheds.

TITLE VII. THE LESSONS OF VENICE.

SECTION 10. Building-in the hard lessons of a city built on water.

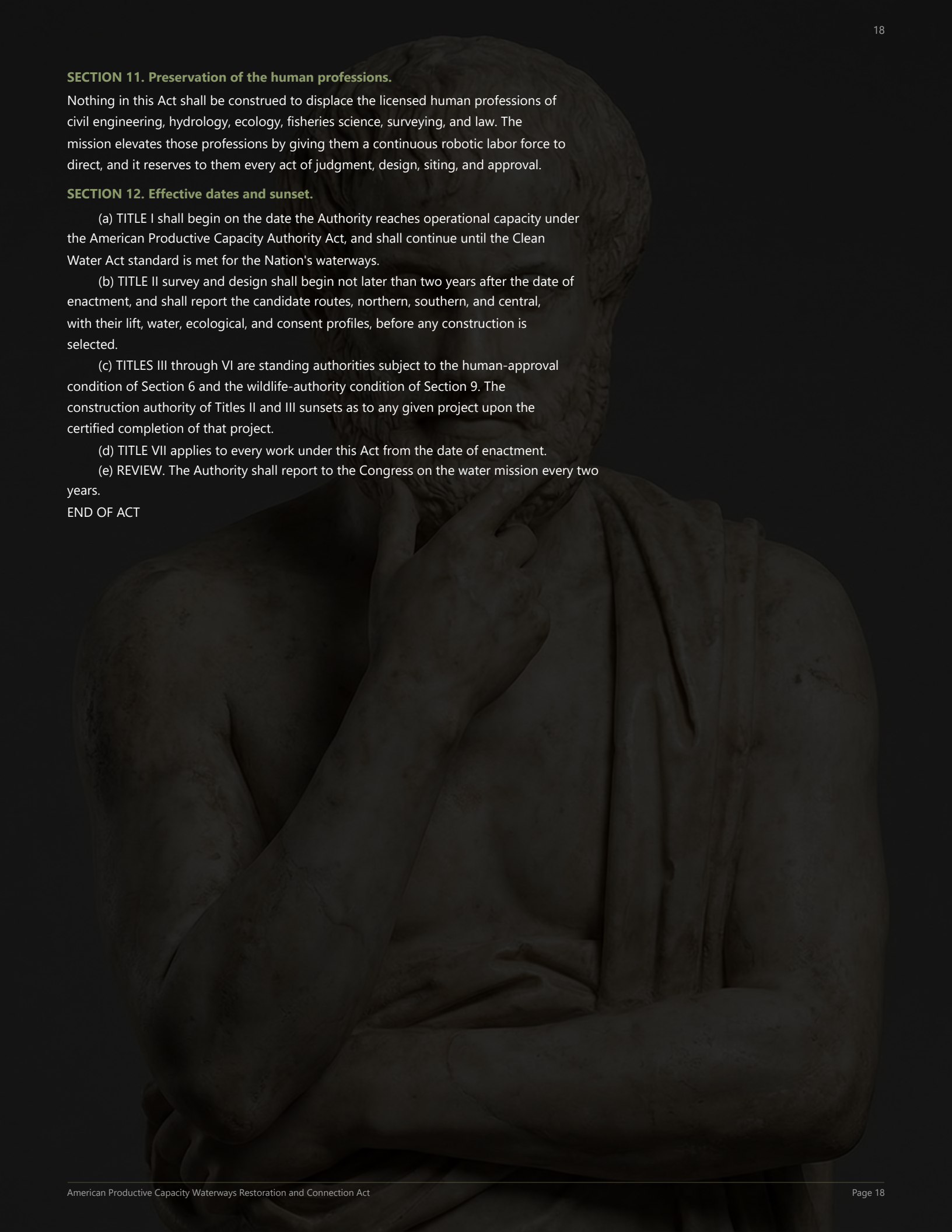
The Congress finds that Venice, the longest-running experiment in living on engineered water, has paid for the failure to design against four problems, and that every water work under this Act shall be designed from the outset to avoid them:

(a) SUBSIDENCE. Venice sank in part because water was drawn from beneath it. No work under this Act shall draw groundwater or load the ground in a way the hydrologists find would cause subsidence, and settlement shall be monitored continuously.

(b) FLOODING. Venice floods, and its movable barrier system, built at great cost, is set to rise at a level higher than the level at which its lowest square begins to flood, so the barrier does not fully answer the harm. Every work under this Act shall be designed with adequate freeboard, and any flood barrier shall be sized to the actual flooding threshold of the lowest protected ground, not to a higher convenience threshold.

(c) WAKE EROSION. In Venice the wake of motorized boats, called moto ondoso, is the primary destroyer of canal walls and building foundations. Every work under this Act shall set wake and speed rules, and shall harden and protect canal walls and the foundations of any structure on the water against wave attack.

(d) STAGNATION AND POLLUTION. Where water does not circulate it grows stagnant and foul. Every work under this Act shall be engineered for circulation and flushing, and the Authority's robotic capacity shall maintain continuous cleaning and dredging so the new water stays living water.



SECTION 11. Preservation of the human professions.

Nothing in this Act shall be construed to displace the licensed human professions of civil engineering, hydrology, ecology, fisheries science, surveying, and law. The mission elevates those professions by giving them a continuous robotic labor force to direct, and it reserves to them every act of judgment, design, siting, and approval.

SECTION 12. Effective dates and sunset.

(a) TITLE I shall begin on the date the Authority reaches operational capacity under the American Productive Capacity Authority Act, and shall continue until the Clean Water Act standard is met for the Nation's waterways.

(b) TITLE II survey and design shall begin not later than two years after the date of enactment, and shall report the candidate routes, northern, southern, and central, with their lift, water, ecological, and consent profiles, before any construction is selected.

(c) TITLES III through VI are standing authorities subject to the human-approval condition of Section 6 and the wildlife-authority condition of Section 9. The construction authority of Titles II and III sunsets as to any given project upon the certified completion of that project.

(d) TITLE VII applies to every work under this Act from the date of enactment.

(e) REVIEW. The Authority shall report to the Congress on the water mission every two years.

END OF ACT