

Union Calendar No. 69104TH CONGRESS
1ST SESSION**H. R. 1905****[Report No. 104-149]**

Making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 1995

Mr. MYERS, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for energy and water development for the fiscal year ending September 30, 1996, 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 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1996, for energy and
6 water development, and for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF DEFENSE—CIVIL
3 DEPARTMENT OF THE ARMY
4 CORPS OF ENGINEERS—CIVIL

5 The following appropriations shall be expended under
6 the direction of the Secretary of the Army and the super-
7 vision of the Chief of Engineers for authorized civil func-
8 tions of the Department of the Army pertaining to rivers
9 and harbors, flood control, beach erosion, and related pur-
10 poses.

11 GENERAL INVESTIGATIONS

12 For expenses necessary for the collection and study
13 of basic information pertaining to river and harbor, flood
14 control, shore protection, and related projects, restudy of
15 authorized projects, miscellaneous investigations, and,
16 when authorized by laws, surveys and detailed studies and
17 plans and specifications of projects prior to construction,
18 \$129,906,000, to remain available until expended, of
19 which funds are provided for the following projects in the
20 amounts specified:

21 Norco Bluffs, California, \$375,000;
22 Indianapolis Central Waterfront, Indiana,
23 \$2,000,000;
24 Ohio River Greenway, Indiana, \$1,000,000; and
25 Mussers Dam, Middle Creek, Snyder County,
26 Pennsylvania, \$300,000.

1 CONSTRUCTION, GENERAL

2 For the prosecution of river and harbor, flood control,
3 shore protection, and related projects authorized by laws;
4 and detailed studies, and plans and specifications, of
5 projects (including those for development with participa-
6 tion or under consideration for participation by States,
7 local governments, or private groups) authorized or made
8 eligible for selection by law (but such studies shall not con-
9 stitute a commitment of the Government to construction),
10 \$807,846,000, to remain available until expended, of
11 which such sums as are necessary pursuant to Public Law
12 99-662 shall be derived from the Inland Waterways Trust
13 Fund, for one-half of the costs of construction and reha-
14 bilitation of inland waterways projects, including rehabili-
15 tation costs for the Lock and Dam 25, Mississippi River,
16 Illinois and Missouri, Lock and Dam 14, Mississippi
17 River, Iowa, Lock and Dam 24, Mississippi River, Illinois
18 and Missouri, and GIWW-Brazos River Floodgates,
19 Texas, projects, and of which funds are provided for the
20 following projects in the amounts specified:

21 Red River Emergency Bank Protection, Arkan-
22 sas and Louisiana, \$6,600,000;

23 Sacramento River Flood Control Project
24 (Glenn-Colusa Irrigation District), California,
25 \$300,000;

- 1 San Timoteo Creek (Santa Ana River
2 Mainstem), California, \$5,000,000;
- 3 Indiana Shoreline Erosion, Indiana,
4 \$1,500,000;
- 5 Harlan (Levisa and Tug Forks of the Big
6 Sandy River and Upper Cumberland River), Ken-
7 tucky, \$12,000,000;
- 8 Williamsburg (Levisa and Tug Forks of the Big
9 Sandy River and Upper Cumberland River), Ken-
10 tucky, \$4,100,000;
- 11 Middlesboro (Levisa and Tug Forks of the Big
12 Sandy River and Upper Cumberland River), Ken-
13 tucky, \$1,600,000;
- 14 Salyersville, Kentucky, \$500,000;
- 15 Lake Pontchartrain and Vicinity (Hurricane
16 Protection), Louisiana, \$11,848,000;
- 17 Red River below Denison Dam Levee and Bank
18 Stabilization, Louisiana, Arkansas, and Texas,
19 \$3,800,000;
- 20 Broad Top Region, Pennsylvania, \$4,100,000;
- 21 Glen Foerd, Pennsylvania, \$200,000; and
- 22 Wallisville Lake, Texas, \$5,000,000.

1 FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBU-
2 TARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISI-
3 ANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

4 For expenses necessary for prosecuting work of flood
5 control, and rescue work, repair, restoration, or mainte-
6 nance of flood control projects threatened or destroyed by
7 flood, as authorized by law (33 U.S.C. 702a, 702g-1),
8 \$307,885,000, to remain available until expended.

9 OPERATION AND MAINTENANCE, GENERAL

10 For expenses necessary for the preservation, oper-
11 ation, maintenance, and care of existing river and harbor,
12 flood control, and related works, including such sums as
13 may be necessary for the maintenance of harbor channels
14 provided by a State, municipality or other public agency,
15 outside of harbor lines, and serving essential needs of gen-
16 eral commerce and navigation; surveys and charting of
17 northern and northwestern lakes and connecting waters;
18 clearing and straightening channels; and removal of ob-
19 structions to navigation, \$1,712,123,000, to remain avail-
20 able until expended, of which such sums as become avail-
21 able in the Harbor Maintenance Trust Fund, pursuant to
22 Public Law 99-662, may be derived from that fund, and
23 of which such sums as become available from the special
24 account established by the Land and Water Conservation
25 Act of 1965, as amended (16 U.S.C. 460l), may be derived
26 from that fund for construction, operation, and mainte-

1 nance of outdoor recreation facilities: *Provided*, That not
2 to exceed \$5,000,000 shall be available for obligation for
3 national emergency preparedness programs: *Provided fur-*
4 *ther*, That \$5,926,000 of the funds appropriated herein
5 are provided for the Raystown Lake, Pennsylvania,
6 project: *Provided further*, That the Secretary of the Army
7 is authorized to transfer an appropriate amount of land
8 at the Cooper Lake and Channels, Texas, project, not to
9 exceed 300 acres, from mitigation or low-density recre-
10 ation to high-density recreation, and is further authorized
11 to take whatever actions are necessary, including the ac-
12 quisition of additional mitigation lands, to accomplish
13 such transfer.

14 REGULATORY PROGRAM

15 For expenses necessary for administration of laws
16 pertaining to regulation of navigable waters and wetlands,
17 \$101,000,000, to remain available until expended.

18 FLOOD CONTROL AND COASTAL EMERGENCIES

19 For expenses necessary for emergency flood control,
20 hurricane, and shore protection activities, as authorized
21 by section 5 of the Flood Control Act approved August
22 18, 1941, as amended, \$10,000,000, to remain available
23 until expended.

24 OIL SPILL RESEARCH

25 For expenses necessary to carry out the purposes of
26 the Oil Spill Liability Trust Fund, pursuant to Title VII

1 of the Oil Pollution Act of 1990, \$850,000, to be derived
2 from the Fund and to remain available until expended.

3 GENERAL EXPENSES

4 For expenses necessary for general administration
5 and related functions in the Office of the Chief of Engi-
6 neers and offices of the Division Engineers; activities of
7 the Coastal Engineering Research Board, the Humphreys
8 Engineer Center Support Activity, the Engineering Stra-
9 tegic Studies Center, and the Water Resources Support
10 Center, \$150,000,000: *Provided*, That not to exceed
11 \$60,000,000 of the funds provided in this Act shall be
12 available for general administration and related functions
13 in the Office of the Chief of Engineers: *Provided further*,
14 That no part of any other appropriation provided in title
15 I of this Act shall be available to fund the activities of
16 the Office of the Chief of Engineers or the executive direc-
17 tion and management activities of the Division Offices:
18 *Provided further*, That with funds provided herein and not-
19 withstanding any other provision of law, the Secretary of
20 the Army shall develop and submit to the Congress within
21 60 days of enactment of this Act, a plan which reduces
22 the number of division offices within the United States
23 Army Corps of Engineers to no less than 6 and no more
24 than 8, with each division responsible for at least 4 district
25 offices, but does not close or change the function of any
26 district office: *Provided further*, That notwithstanding any

1 other provision of law, the Secretary of the Army is di-
2 rected to begin implementing the division office plan on
3 May 1, 1996, and such plan shall be implemented prior
4 to October 1, 1997.

5 ADMINISTRATIVE PROVISIONS

6 Appropriations in this title shall be available for offi-
7 cial reception and representation expenses (not to exceed
8 \$5,000); and during the current fiscal year the revolving
9 fund, Corps of Engineers, shall be available for purchase
10 (not to exceed 100 for replacement only) and hire of pas-
11 senger motor vehicles.

12 GENERAL PROVISION

13 CORPS OF ENGINEERS—CIVIL

14 SEC. 101. (a) In fiscal year 1996, the Secretary of
15 the Army shall advertise for competitive bid at least
16 7,500,000 cubic yards of the hopper dredge volume accom-
17 plished with government-owned dredges in fiscal year
18 1992.

19 (b) Notwithstanding the provisions of this section, the
20 Secretary is authorized to use the dredge fleet of the Corps
21 of Engineers to undertake projects when industry does not
22 perform as required by the contract specifications or when
23 the bids are more than 25 percent in excess of what the
24 Secretary determines to be a fair and reasonable estimated
25 cost of a well equipped contractor doing the work or to
26 respond to emergency requirements.

1 (c) None of the funds appropriated herein or other-
2 wise made available to the Army Corps of Engineers, in-
3 cluding amounts contained in the Revolving Fund of the
4 Army Corps of Engineers, may be used to study, design
5 or undertake improvement or major repair of the Federal
6 vessel, McFARLAND, or for any use of the
7 McFARLAND to perform work other than emergency
8 dredging work.

9 TITLE II

10 DEPARTMENT OF THE INTERIOR

11 CENTRAL UTAH PROJECT

12 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

13 For the purpose of carrying out provisions of the
14 Central Utah Project Completion Act, Public Law 102-
15 575 (106 Stat. 4605), and for feasibility studies of alter-
16 natives to the Uintah and Upalco Units, \$42,893,000, to
17 remain available until expended, of which \$23,503,000
18 shall be deposited into the Utah Reclamation Mitigation
19 and Conservation Account: *Provided*, That of the amounts
20 deposited into the Account, \$5,000,000 shall be considered
21 the Federal Contribution authorized by paragraph
22 402(b)(2) of the Act and \$18,503,000 shall be available
23 to the Utah Reclamation Mitigation and Conservation
24 Commission to carry out activities authorized under the
25 Act.

1 In addition, for necessary expenses incurred in carry-
2 ing out responsibilities of the Secretary of the Interior
3 under the Act, \$1,246,000, to remain available until ex-
4 pended.

5 BUREAU OF RECLAMATION

6 For carrying out the functions of the Bureau of Rec-
7 lamation as provided in the Federal reclamation laws (Act
8 of June 17, 1902, 32 Stat. 388, and Acts amendatory
9 thereof or supplementary thereto) and other Acts applica-
10 ble to that Bureau as follows:

11 GENERAL INVESTIGATIONS

12 For engineering and economic investigations of pro-
13 posed Federal reclamation projects and studies of water
14 conservation and development plans and activities prelimi-
15 nary to the reconstruction, rehabilitation and betterment,
16 financial adjustment, or extension of existing projects, to
17 remain available until expended, \$13,114,000: *Provided*,
18 That, of the total appropriated, the amount for program
19 activities which can be financed by the reclamation fund
20 shall be derived from that fund: *Provided further*, That
21 funds contributed by non-Federal entities for purposes
22 similar to this appropriation shall be available for expendi-
23 ture for the purposes for which contributed as though spe-
24 cifically appropriated for said purposes, and such amounts
25 shall remain available until expended.

1 CONSTRUCTION PROGRAM
2 (INCLUDING TRANSFER OF FUNDS)

3 For construction and rehabilitation of projects and
4 parts thereof (including power transmission facilities for
5 Bureau of Reclamation use) and for other related activi-
6 ties as authorized by law, to remain available until ex-
7 pended, \$417,301,000, of which \$27,049,000 shall be
8 available for transfer to the Upper Colorado River Basin
9 Fund authorized by section 5 of the Act of April 11, 1956
10 (43 U.S.C. 620d), and \$94,225,000 shall be available for
11 transfer to the Lower Colorado River Basin Development
12 Fund authorized by section 403 of the Act of September
13 30, 1968 (43 U.S.C. 1543), and such amounts as may
14 be necessary shall be considered as though advanced to
15 the Colorado River Dam Fund for the Boulder Canyon
16 Project as authorized by the Act of December 21, 1928,
17 as amended: *Provided*, That of the total appropriated, the
18 amount for program activities which can be financed by
19 the reclamation fund shall be derived from that fund: *Pro-*
20 *vided further*, That transfers to the Upper Colorado River
21 Basin Fund and Lower Colorado River Basin Develop-
22 ment Fund may be increased or decreased by transfers
23 within the overall appropriation under this heading: *Pro-*
24 *vided further*, That funds contributed by non-Federal enti-
25 ties for purposes similar to this appropriation shall be
26 available for expenditure for the purposes for which con-

1 tributed as though specifically appropriated for said pur-
2 poses, and such funds shall remain available until ex-
3 pended: *Provided further*, That all costs of the safety of
4 dams modification work at Coolidge Dam, San Carlos Irri-
5 gation Project, Arizona, performed under the authority of
6 the Reclamation Safety of Dams Act of 1978 (43 U.S.C.
7 506), as amended, are in addition to the amount author-
8 ized in section 5 of said Act.

9 OPERATION AND MAINTENANCE

10 For operation and maintenance of reclamation
11 projects or parts thereof and other facilities, as authorized
12 by law; and for a soil and moisture conservation program
13 on lands under the jurisdiction of the Bureau of Reclama-
14 tion, pursuant to law, to remain available until expended,
15 \$278,759,000: *Provided*, That of the total appropriated,
16 the amount for program activities which can be financed
17 by the reclamation fund shall be derived from that fund,
18 and the amount for program activities which can be de-
19 rived from the special fee account established pursuant to
20 the Act of December 22, 1987 (16 U.S.C. 460l-6a, as
21 amended), may be derived from that fund: *Provided fur-*
22 *ther*, That funds advanced by water users for operation
23 and maintenance of reclamation projects or parts thereof
24 shall be deposited to the credit of this appropriation and
25 may be expended for the same purpose and in the same
26 manner as sums appropriated herein may be expended,

1 and such advances shall remain available until expended:
2 *Provided further*, That revenues in the Upper Colorado
3 River Basin Fund shall be available for performing exam-
4 ination of existing structures on participating projects of
5 the Colorado River Storage Project.

6 BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

7 For the cost of direct loans and/or grants,
8 \$11,243,000, to remain available until expended, as au-
9 thorized by the Small Reclamation Projects Act of August
10 6, 1956, as amended (43 U.S.C. 422a-422l): *Provided*,
11 That such costs, including the cost of modifying such
12 loans, shall be as defined in section 502 of the Congres-
13 sional Budget Act of 1974: *Provided further*, That these
14 funds are available to subsidize gross obligations for the
15 principal amount of direct loans not to exceed
16 \$37,000,000.

17 In addition, for administrative expenses necessary to
18 carry out the program for direct loans and/or grants,
19 \$425,000: *Provided*, That of the total sums appropriated,
20 the amount of program activities which can be financed
21 by the reclamation fund shall be derived from the fund.

22 CENTRAL VALLEY PROJECT RESTORATION FUND

23 For carrying out the programs, projects, plans, and
24 habitat restoration, improvement, and acquisition provi-
25 sions of the Central Valley Project Improvement Act, to
26 remain available until expended, such sums as may be col-

1 lected in the Central Valley Project Restoration Fund pur-
2 suant to sections 3407(d), 3404(c)(3), 3405(f) and
3 3406(c)(1) of Public Law 102-575: *Provided*, That the
4 Bureau of Reclamation is directed to levy additional miti-
5 gation and restoration payments totaling \$30,000,000
6 (October 1992 price levels) on a three-year rolling average
7 basis, as authorized by section 3407(d) of Public Law
8 102-575.

9 GENERAL ADMINISTRATIVE EXPENSES

10 For necessary expenses of general administration and
11 related functions in the office of the Commissioner, the
12 Denver office, and offices in the five regions of the Bureau
13 of Reclamation, \$48,630,000, of which \$1,400,000 shall
14 remain available until expended, the total amount to be
15 derived from the reclamation fund and to be
16 nonreimbursable pursuant to the Act of April 19, 1945
17 (43 U.S.C. 377): *Provided*, That no part of any other ap-
18 propriation in this Act shall be available for activities or
19 functions budgeted for the current fiscal year as general
20 administrative expenses.

21 SPECIAL FUNDS

22 (TRANSFER OF FUNDS)

23 Sums herein referred to as being derived from the
24 reclamation fund or special fee account are appropriated
25 from the special funds in the Treasury created by the Act
26 of June 17, 1902 (43 U.S.C. 391) or the Act of December

1 22, 1987 (16 U.S.C. 4601-6a, as amended), respectively.
2 Such sums shall be transferred, upon request of the Sec-
3 retary, to be merged with and expended under the heads
4 herein specified; and the unexpended balances of sums
5 transferred for expenditure under the head "General Ad-
6 ministrative Expenses" shall revert and be credited to the
7 reclamation fund.

8 ADMINISTRATIVE PROVISION

9 Appropriations for the Bureau of Reclamation shall
10 be available for purchase of not to exceed 9 passenger
11 motor vehicles for replacement only.

12 TITLE III

13 DEPARTMENT OF ENERGY

14 ENERGY SUPPLY, RESEARCH AND DEVELOPMENT

15 ACTIVITIES

16 For expenses of the Department of Energy activities
17 including the purchase, construction and acquisition of
18 plant and capital equipment and other expenses incidental
19 thereto necessary for energy supply, research and develop-
20 ment activities, and other activities in carrying out the
21 purposes of the Department of Energy Organization Act
22 (42 U.S.C. 7101, et seq.), including the acquisition or con-
23 demnation of any real property or any facility or for plant
24 or facility acquisition, construction, or expansion; pur-
25 chase of passenger motor vehicles (not to exceed 25, of

1 which 19 are for replacement only), \$2,596,700,000, to
2 remain available until expended.

3 URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

4 For expenses of the Department of Energy in connec-
5 tion with operating expenses; the purchase, construction,
6 and acquisition of plant and capital equipment and other
7 expenses incidental thereto necessary for uranium supply
8 and enrichment activities in carrying out the purposes of
9 the Department of Energy Organization Act (42 U.S.C.
10 7101, et seq.) and the Energy Policy Act (Public Law
11 102-486, section 901), including the acquisition or con-
12 demnation of any real property or any facility or for plant
13 or facility acquisition, construction, or expansion; pur-
14 chase of electricity as necessary; \$64,197,000, to remain
15 available until expended: *Provided*, That revenues received
16 by the Department for uranium programs and estimated
17 to total \$34,903,000 in fiscal year 1996 shall be retained
18 and used for the specific purpose of offsetting costs in-
19 curred by the Department for such activities notwith-
20 standing the provisions of 31 U.S.C. 3302(b) and 42
21 U.S.C. 2296(b)(2): *Provided further*, That the sum herein
22 appropriated shall be reduced as revenues are received
23 during fiscal year 1996 so as to result in a final fiscal
24 year 1996 appropriation estimated at not more than
25 \$29,294,000.

1 URANIUM ENRICHMENT DECONTAMINATION AND
2 DECOMMISSIONING FUND

3 For necessary expenses in carrying out uranium en-
4 richment facility decontamination and decommissioning,
5 remedial actions and other activities of title II of the
6 Atomic Energy Act of 1954 and title X, subtitle A of the
7 Energy Policy Act of 1992, \$278,807,000, to be derived
8 from the fund, to remain available until expended: *Pro-*
9 *vided*, That at least \$42,000,000 of amounts derived from
10 the fund for such expenses shall be expended in accord-
11 ance with title X, subtitle A, of the Energy Policy Act
12 of 1992.

13 GENERAL SCIENCE AND RESEARCH ACTIVITIES

14 For expenses of the Department of Energy activities
15 including the purchase, construction and acquisition of
16 plant and capital equipment and other expenses incidental
17 thereto necessary for general science and research activi-
18 ties in carrying out the purposes of the Department of
19 Energy Organization Act (42 U.S.C. 7101, et seq.), in-
20 cluding the acquisition or condemnation of any real prop-
21 erty or facility or for plant or facility acquisition, construc-
22 tion, or expansion; purchase of passenger motor vehicles
23 (not to exceed 12 for replacement only), \$991,000,000,
24 to remain available until expended.

1 NUCLEAR WASTE DISPOSAL FUND

2 For nuclear waste disposal activities to carry out the
3 purposes of Public Law 97-425, as amended, including
4 the acquisition of real property or facility construction or
5 expansion, \$226,600,000, to remain available until ex-
6 pended, to be derived from the Nuclear Waste Fund.

7 ATOMIC ENERGY DEFENSE ACTIVITIES

8 WEAPONS ACTIVITIES

9 For Department of Energy expenses, including the
10 purchase, construction and acquisition of plant and capital
11 equipment and other incidental expenses necessary for
12 atomic energy defense weapons activities in carrying out
13 the purposes of the Department of Energy Organization
14 Act (42 U.S.C. 7101, et seq.), including the acquisition
15 or condemnation of any real property or any facility or
16 for plant or facility acquisition, construction, or expansion;
17 and the purchase of passenger motor vehicles (not to ex-
18 ceed 79, of which 76 are for replacement only, including
19 one police-type vehicle), \$3,273,014,000, to remain avail-
20 able until expended.

21 DEFENSE ENVIRONMENTAL RESTORATION AND WASTE

22 MANAGEMENT

23 For Department of Energy expenses, including the
24 purchase, construction and acquisition of plant and capital
25 equipment and other incidental expenses necessary for
26 atomic energy defense environmental restoration and

1 waste management activities in carrying out the purposes
2 of the Department of Energy Organization Act (42 U.S.C.
3 7101, et seq.), including the acquisition or condemnation
4 of any real property or any facility or for plant or facility
5 acquisition, construction, or expansion; and the purchase
6 of passenger motor vehicles (not to exceed 7 for replace-
7 ment only), \$5,265,478,000, to remain available until ex-
8 pended.

9 OTHER DEFENSE ACTIVITIES

10 For Department of Energy expenses, including the
11 purchase, construction and acquisition of plant and capital
12 equipment and other incidental expenses necessary for
13 atomic energy defense, other defense activities in carrying
14 out the purposes of the Department of Energy Organiza-
15 tion Act (42 U.S.C. 7101, et seq.), including the acquisi-
16 tion or condemnation of any real property or any facility
17 or for plant or facility acquisition, construction, or expan-
18 sion \$1,323,841,000, to remain available until expended.

19 DEFENSE NUCLEAR WASTE DISPOSAL

20 For nuclear waste disposal activities to carry out the
21 purposes of Public Law 97-425, as amended, including
22 the acquisition of real property or facility construction or
23 expansion, \$198,400,000, to remain available until ex-
24 pended.

1 DEPARTMENTAL ADMINISTRATION

2 For salaries and expenses of the Department of En-
3 ergy necessary for Departmental Administration and other
4 activities in carrying out the purposes of the Department
5 of Energy Organization Act (42 U.S.C. 7101, et seq.), in-
6 cluding the hire of passenger motor vehicles and official
7 reception and representation expenses (not to exceed
8 \$35,000), \$362,250,000, to remain available until ex-
9 pended, plus such additional amounts as necessary to
10 cover increases in the estimated amount of cost of work
11 for others notwithstanding the provisions of the Anti-Defi-
12 ciency Act (31 U.S.C. 1511, et seq.): *Provided*, That such
13 increases in cost of work are offset by revenue increases
14 of the same or greater amount, to remain available until
15 expended: *Provided further*, That moneys received by the
16 Department for miscellaneous revenues estimated to total
17 \$122,306,000 in fiscal year 1996 may be retained and
18 used for operating expenses within this account, and may
19 remain available until expended, as authorized by section
20 201 of Public Law 95-238, notwithstanding the provisions
21 of section 3302 of title 31, United States Code: *Provided*
22 *further*, That the sum herein appropriated shall be reduced
23 by the amount of miscellaneous revenues received during
24 fiscal year 1996 so as to result in a final fiscal year 1996
25 appropriation estimated at not more than \$239,944,000.

1 OFFICE OF THE INSPECTOR GENERAL

2 For necessary expenses of the Office of the Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended, \$26,000,000, to remain
5 available until expended.

6 POWER MARKETING ADMINISTRATIONS

7 OPERATION AND MAINTENANCE, ALASKA POWER

8 ADMINISTRATION

9 For necessary expenses of operation and maintenance
10 of projects in Alaska and of marketing electric power and
11 energy, \$4,260,000, to remain available until expended.

12 BONNEVILLE POWER ADMINISTRATION FUND

13 Expenditures from the Bonneville Power Administra-
14 tion Fund, established pursuant to Public Law 93-454,
15 are approved for official reception and representation ex-
16 penses in an amount not to exceed \$3,000.

17 During fiscal year 1996, no new direct loan obliga-
18 tions may be made.

19 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER

20 ADMINISTRATION

21 For necessary expenses of operation and maintenance
22 of power transmission facilities and of marketing electric
23 power and energy pursuant to the provisions of section
24 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as

1 applied to the southeastern power area, \$19,843,000, to
2 remain available until expended.

3 OPERATION AND MAINTENANCE, SOUTHWESTERN
4 POWER ADMINISTRATION

5 For necessary expenses of operation and maintenance
6 of power transmission facilities and of marketing electric
7 power and energy, and for construction and acquisition of
8 transmission lines, substations and appurtenant facilities,
9 and for administrative expenses, including official recep-
10 tion and representation expenses in an amount not to ex-
11 ceed \$1,500 connected therewith, in carrying out the pro-
12 visions of section 5 of the Flood Control Act of 1944 (16
13 U.S.C. 825s), as applied to the southwestern power area,
14 \$29,778,000, to remain available until expended; in addi-
15 tion, notwithstanding the provisions of 31 U.S.C. 3302,
16 not to exceed \$4,272,000 in reimbursements, to remain
17 available until expended.

18 CONSTRUCTION, REHABILITATION, OPERATION AND
19 MAINTENANCE, WESTERN AREA POWER ADMINIS-
20 TRATION

21 (INCLUDING TRANSFER OF FUNDS)

22 For carrying out the functions authorized by title III,
23 section 302(a)(1)(E) of the Act of August 4, 1977 (42
24 U.S.C. 7101, et seq.), and other related activities includ-
25 ing conservation and renewable resources programs as au-

1 thorized, including official reception and representation
2 expenses in an amount not to exceed \$1,500,
3 \$257,652,000, to remain available until expended, of
4 which \$245,151,000 shall be derived from the Department
5 of the Interior Reclamation fund: *Provided*, That of the
6 amount herein appropriated, \$5,283,000 is for deposit
7 into the Utah Reclamation Mitigation and Conservation
8 Account pursuant to title IV of the Reclamation Projects
9 Authorization and Adjustment Act of 1992: *Provided fur-*
10 *ther*, That the Secretary of the Treasury is authorized to
11 transfer from the Colorado River Dam Fund to the West-
12 ern Area Power Administration \$4,556,000 to carry out
13 the power marketing and transmission activities of the
14 Boulder Canyon project as provided in section 104(a)(4)
15 of the Hoover Power Plant Act of 1984, to remain avail-
16 able until expended.

17 FALCON AND AMISTAD OPERATING AND MAINTENANCE
18 FUND

19 For operation, maintenance, and emergency costs for
20 the hydroelectric facilities at the Falcon and Amistad
21 Dams, \$1,000,000, to remain available until expended and
22 to be derived from the Falcon and Amistad Operating and
23 Maintenance Fund of the Western Area Power Adminis-
24 tration, as provided in section 423 of the Foreign Rela-
25 tions Authorization Act, fiscal years 1994 and 1995.

1 FEDERAL ENERGY REGULATORY COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Energy Regu-
4 latory Commission to carry out the provisions of the De-
5 partment of Energy Organization Act (42 U.S.C. 7101,
6 et seq.), including services as authorized by 5 U.S.C.
7 3109, including the hire of passenger motor vehicles; offi-
8 cial reception and representation expenses (not to exceed
9 \$3,000); \$132,290,000, to remain available until ex-
10 pended: *Provided*, That notwithstanding any other provi-
11 sion of law, not to exceed \$132,290,000 of revenues from
12 fees and annual charges, and other services and collections
13 in fiscal year 1996, shall be retained and used for nec-
14 essary expenses in this account, and shall remain available
15 until expended: *Provided further*, That the sum herein ap-
16 propriated shall be reduced as revenues are received dur-
17 ing fiscal year 1996 so as to result in a final fiscal year
18 1996 appropriation estimated at not more than \$0.

19 TITLE IV
20 INDEPENDENT AGENCIES
21 APPALACHIAN REGIONAL COMMISSION

22 For expenses necessary to carry out the programs au-
23 thorized by the Appalachian Regional Development Act of
24 1965, as amended, notwithstanding section 405 of said
25 Act, and for necessary expenses for the Federal Co-Chair-

1 man and the alternate on the Appalachian Regional Com-
2 mission and for payment of the Federal share of the ad-
3 ministrative expenses of the Commission, including serv-
4 ices as authorized by section 3109 of title 5, United States
5 Code, and hire of passenger motor vehicles, to remain
6 available until expended, \$142,000,000.

7 DEFENSE NUCLEAR FACILITIES SAFETY

8 BOARD

9 SALARIES AND EXPENSES

10 For necessary expenses of the Defense Nuclear Fa-
11 cilities Safety Board in carrying out activities authorized
12 by the Atomic Energy Act of 1954, as amended by Public
13 Law 100-456, section 1441, \$17,000,000, to remain
14 available until expended.

15 NUCLEAR REGULATORY COMMISSION

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Commission in carry-
19 ing out the purposes of the Energy Reorganization Act
20 of 1974, as amended, and the Atomic Energy Act of 1954,
21 as amended, including the employment of aliens; services
22 authorized by section 3109 of title 5, United States Code;
23 publication and dissemination of atomic information; pur-
24 chase, repair, and cleaning of uniforms, official represen-
25 tation expenses (not to exceed \$20,000); reimbursements

1 to the General Services Administration for security guard
2 services; hire of passenger motor vehicles and aircraft,
3 \$468,300,000, to remain available until expended, of
4 which \$11,000,000 shall be derived from the Nuclear
5 Waste Fund: *Provided*, That from this appropriation,
6 transfer of sums may be made to other agencies of the
7 Government for the performance of the work for which
8 this appropriation is made, and in such cases the sums
9 so transferred may be merged with the appropriation to
10 which transferred: *Provided further*, That moneys received
11 by the Commission for the cooperative nuclear safety re-
12 search program, services rendered to foreign governments
13 and international organizations, and the material and in-
14 formation access authorization programs, including crimi-
15 nal history checks under section 149 of the Atomic Energy
16 Act of 1954, as amended, may be retained and used for
17 salaries and expenses associated with those activities, not-
18 withstanding 31 U.S.C. 3302, and shall remain available
19 until expended: *Provided further*, That revenues from li-
20 censing fees, inspection services, and other services and
21 collections estimated at \$457,300,000 in fiscal year 1996
22 shall be retained and used for necessary salaries and ex-
23 penses in this account, notwithstanding 31 U.S.C. 3302,
24 and shall remain available until expended: *Provided fur-*
25 *ther*, That the sum herein appropriated shall be reduced

1 by the amount of revenues received during fiscal year
2 1996 from licensing fees, inspection services and other
3 services and collections, excluding those moneys received
4 for the cooperative nuclear safety research program, serv-
5 ices rendered to foreign governments and international or-
6 ganizations, and the material and information access au-
7 thorization programs, so as to result in a final fiscal year
8 1996 appropriation estimated at not more than
9 \$11,000,000.

10 OFFICE OF INSPECTOR GENERAL
11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses of the Office of Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, as amended, including services au-
15 thorized by section 3109 of title 5, United States Code,
16 \$5,000,000, to remain available until expended; and in ad-
17 dition, an amount not to exceed 5 percent of this sum may
18 be transferred from Salaries and Expenses, Nuclear Regu-
19 latory Commission: *Provided*, That notice of such trans-
20 fers shall be given to the Committees on Appropriations
21 of the House and Senate: *Provided further*, That from this
22 appropriation, transfers of sums may be made to other
23 agencies of the Government for the performance of the
24 work for which this appropriation is made, and in such
25 cases the sums so transferred may be merged with the

1 appropriation to which transferred: *Provided further*, That
2 revenues from licensing fees, inspection services, and other
3 services and collections shall be retained and used for nec-
4 essary salaries and expenses in this account, notwithstand-
5 ing 31 U.S.C. 3302, and shall remain available until ex-
6 pended: *Provided further*, That the sum herein appro-
7 priated shall be reduced by the amount of revenues re-
8 ceived during fiscal year 1996 from licensing fees, inspec-
9 tion services, and other services and collections, so as to
10 result in a final fiscal year 1996 appropriation estimated
11 at not more than \$0.

12 NUCLEAR WASTE TECHNICAL REVIEW BOARD

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses of the Nuclear Waste Tech-
16 nical Review Board, as authorized by Public Law 100-
17 203, section 5051, \$2,531,000, to be transferred from the
18 Nuclear Waste Fund and to remain available until ex-
19 pended.

20 TENNESSEE VALLEY AUTHORITY

21 TENNESSEE VALLEY AUTHORITY FUND

22 For the purpose of carrying out the provisions of the
23 Tennessee Valley Authority Act of 1933, as amended (16
24 U.S.C. ch. 12A), including purchase, hire, maintenance,
25 and operation of aircraft, and purchase and hire of pas-

1 senger motor vehicles, \$103,339,000, to remain available
2 until expended.

3 TITLE V

4 GENERAL PROVISIONS

5 SEC. 501. Sec. 505 of Public Law 102–377, the Fis-
6 cal Year 1993 Energy and Water Development Appropria-
7 tions Act, and section 208 of Public Law 99–349, the Ur-
8 gent Supplemental Appropriations Act, 1986, are re-
9 pealed.

10 SEC. 502. Sec. 510 of Public Law 101–514, the Fis-
11 cal Year 1991 Energy and Water Development Appropria-
12 tions Act, is repealed.

13 SEC. 503. Without fiscal year limitation and notwith-
14 standing section 502(b)(5) of the Nuclear Waste Policy
15 Act, as amended, or any other provision of law, a member
16 of the Nuclear Waste Technical Review Board whose term
17 has expired may continue to serve as a member of the
18 Board until such member’s successor has taken office.

19 SEC. 504. None of the funds made available in this
20 Act may be used for any program, project, or activity,
21 when it is made known to the Federal entity or official
22 to which the funds are made available that the program,
23 project, or activity is not in compliance with any applicable
24 Federal law relating to risk assessment, the protection of
25 private property rights, or unfunded mandates.

1 This Act may be cited as the “Energy and Water De-
2 velopment Appropriations Act, 1996”.

HR 1905 RH—2

Union Calendar No. 69

104TH CONGRESS
1ST SESSION

H. R. 1905

[Report No. 104-149]

A BILL

Making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.

JUNE 20, 1995

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed