

In the Senate of the United States,

July 28, 1997.

Resolved, That the bill from the House of Representatives (H.R. 2203) entitled “An Act making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for the*
3 *fiscal year ending September 30, 1998, for energy and*
4 *water development, and for other purposes, namely:*

5

TITLE I

6

DEPARTMENT OF DEFENSE—CIVIL

7

DEPARTMENT OF THE ARMY

8

CORPS OF ENGINEERS—CIVIL

9

The following appropriations shall be expended under

10 *the direction of the Secretary of the Army and the super-*

1 *vision of the Chief of Engineers for authorized civil func-*
2 *tions of the Department of the Army pertaining to rivers*
3 *and harbors, flood control, beach erosion, and related pur-*
4 *poses.*

5 *GENERAL INVESTIGATIONS*

6 *For expenses necessary for the collection and study of*
7 *basic information pertaining to river and harbor, flood con-*
8 *trol, shore protection, and related projects, restudy of au-*
9 *thorized projects, miscellaneous investigations, and, when*
10 *authorized by laws, surveys and detailed studies and plans*
11 *and specifications of projects prior to construction,*
12 *\$164,065,000, to remain available until expended, of which*
13 *funds are provided for the following projects in the amounts*
14 *specified:*

15 *Norco Bluffs, California, \$200,000;*

16 *Laulaulei, Hawaii, \$200,000;*

17 *Tahoe Basin Study, Nevada and California,*
18 *\$320,000; and*

19 *Barnegat Inlet to Little Egg Harbor Inlet, New*
20 *Jersey, \$400,000: Provided, That the Secretary of the*
21 *Army, acting through the Chief of Engineers, may use*
22 *\$200,000 of funding appropriated herein to initiate*
23 *preconstruction engineering and design for the Dela-*
24 *ware Coast from Cape Henlopen to Fenwick Island,*
25 *Delaware project.*

CONSTRUCTION, GENERAL

1
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 participation*
6 *or under consideration for participation by States, local*
7 *governments, or private groups) authorized or made eligible*
8 *for selection by law (but such studies shall not constitute*
9 *a commitment of the Government to construction),*
10 *\$1,284,266,000, 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 rehabili-*
14 *tation of inland waterways projects, including rehabilita-*
15 *tion costs for the Lock and Dam 25, Mississippi River, Illi-*
16 *nois and Missouri, Lock and Dam 14, Mississippi River,*
17 *Iowa, Lock and Dam 24, Mississippi River, Illinois and*
18 *Missouri, and Lock and Dam 3, Mississippi River, Min-*
19 *nesota, projects, and of which funds are provided for the*
20 *following projects in the amounts specified:*

21 *Arkansas River, Tucker Creek, Arkansas,*
22 *\$300,000;*

23 *Red River Emergency Bank Protection, Arkan-*
24 *sas, \$3,500,000;*

25 *Panama City Beaches, Florida, \$5,000,000;*

1 *Harlan (Levisa and Tug Forks of the Big Sandy*
2 *River and Upper Cumberland River), Kentucky,*
3 *\$18,000,000;*

4 *Martin County (Levisa and Tug Forks of the*
5 *Big Sandy River and Upper Cumberland River),*
6 *Kentucky, \$5,500,000;*

7 *Middlesboro (Levisa and Tug Forks of the Big*
8 *Sandy River and Upper Cumberland River), Ken-*
9 *tucky, \$7,200,000;*

10 *Pike County (Levisa and Tug Forks of the Big*
11 *Sandy River and Upper Cumberland River), Ken-*
12 *tucky, \$5,800,000;*

13 *Town of Martin (Levisa and Tug Forks of the*
14 *Big Sandy River and Upper Cumberland River),*
15 *Kentucky, \$700,000;*

16 *Williamsburg (Levisa and Tug Forks of the Big*
17 *Sandy River and Upper Cumberland River), Ken-*
18 *tucky, \$4,690,000;*

19 *Lake Ponchartrain Stormwater Discharge, Lou-*
20 *isiana, \$3,000,000;*

21 *Natchez Bluff, Mississippi, \$4,000,000;*

22 *Jackson County, Mississippi (Water Supply),*
23 *\$3,000,000;*

24 *Pearl River, Mississippi (Walkiah Bluff),*
25 *\$2,000,000;*

1 *Wallisville Lake, Texas, \$10,000,000;*

2 *Virginia Beach, Virginia (Reimbursement),*
3 *\$925,000;*

4 *Virginia Beach, Virginia (Hurricane Protec-*
5 *tion), \$15,000,000;*

6 *Hatfield Bottom (Levisa and Tug Forks of the*
7 *Big Sandy River and Upper Cumberland River),*
8 *West Virginia, \$1,000,000;*

9 *Lower Mingo (Kermit) (Levisa and Tug Forks of*
10 *the Big Sandy River and Upper Cumberland River),*
11 *West Virginia, \$6,300,000;*

12 *Lower Mingo, West Virginia, Tributaries Sup-*
13 *plement, \$150,000;*

14 *Upper Mingo County (Levisa and Tug Forks of*
15 *the Big Sandy River and Upper Cumberland River),*
16 *West Virginia, \$3,000,000;*

17 *Levisa Basin Flood Warning System (Levisa*
18 *and Tug Forks of the Big Sandy River and Upper*
19 *Cumberland River), Kentucky, \$400,000;*

20 *Tug Fork Basin Flood Warning System (Levisa*
21 *and Tug Forks of the Big Sandy River and Upper*
22 *Cumberland River), West Virginia, \$400,000; and*

23 *Wayne County (Levisa and Tug Forks of the Big*
24 *Sandy River and Upper Cumberland River), West*
25 *Virginia, \$1,200,000;*

1 *Provided further, That the Secretary of the Army is directed*
2 *to design and implement at full Federal expense an early*
3 *flood warning system for the Tug Fork and Levisa Basins,*
4 *West Virginia and Kentucky, within eighteen months of the*
5 *date of enactment of this Act: Provided further, That the*
6 *Secretary of the Army, acting through the Chief of Engi-*
7 *neers, is directed to combine the Wilmington Harbor-North-*
8 *east Cape Fear River authorized by the Water Resource De-*
9 *velopment Act of 1986, section 202(a), the Wilmington Har-*
10 *bor Channel Widening authorized by the Water Resources*
11 *Development Act of 1986, section 101(a)(23), and the Cape*
12 *Fear-Northeast (Cape Fear) River authorized by the Water*
13 *Resource Development Act of 1996, section 101(a)(22),*
14 *North Carolina projects into one project with one project*
15 *cooperation agreement based on cost sharing as a single*
16 *project and that with \$2,430,000 of the funds appropriated*
17 *herein, is directed to continue design and initiate construc-*
18 *tion of the combined project: Provided further, That the Sec-*
19 *retary of the Army, acting through the Chief of Engineers,*
20 *is directed to use \$15,000,000 of the funds appropriated*
21 *herein to initiate construction of the Houston-Galveston*
22 *Navigation Channels, Texas, project and execute a Project*
23 *Cooperation Agreement for the entire project authorized in*
24 *the Water Resources Development Act of 1996, Public law*
25 *104–303: Provided further, That the Assistant Secretary of*

1 *the Army for Civil Works shall consider the recommenda-*
2 *tions of the Special Reevaluation Report for the McCook*
3 *Reservoir as developed by the Corps of Engineers Chicago*
4 *District: Provided further, That the Secretary of the Army,*
5 *acting through the Chief of Engineers, may use up to*
6 *\$5,000,000 of the funding appropriated herein to initiate*
7 *construction of an emergency outlet from Devils Lake, North*
8 *Dakota, to the Sheyenne River, and that this amount is*
9 *designated by Congress as an emergency requirement pursu-*
10 *ant to section 251(b)(2)(D)(i) of the Balanced Budget and*
11 *Emergency Deficit Control Act of 1985 (2 U.S.C.*
12 *901(b)(2)(D)(i)); except that funds shall not become avail-*
13 *able unless the Secretary of the Army determines that an*
14 *emergency (as defined in section 102 of the Robert T. Staf-*
15 *ford Disaster Relief and Emergency Assistance Act (42*
16 *U.S.C. 5122)) exists with respect to the emergency need for*
17 *the outlet and reports to Congress that the construction is*
18 *technically sound, economically justified, and environ-*
19 *mentally acceptable and in compliance with the National*
20 *Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.):*
21 *Provided further, That the economic justification for the*
22 *emergency outlet shall be prepared in accordance with the*
23 *principles and guidelines for economic evaluation as re-*
24 *quired by regulations and procedures of the Army Corps*
25 *of Engineers for all flood control projects, and that the eco-*

1 *conomic justification be fully described, including the analy-*
2 *sis of the benefits and costs, in the project plan documents:*
3 *Provided further, That the plans for the emergency outlet*
4 *shall be reviewed and, to be effective, shall contain assur-*
5 *ances provided by the Secretary of State, after consultation*
6 *with the International Joint Commission, that the project*
7 *will not violate the requirements or intent of the Treaty*
8 *Between the United States and Great Britain Relating to*
9 *Boundary Waters Between the United States and Canada,*
10 *signed at Washington January 11, 1909 (36 Stat. 2448;*
11 *TS 548) (commonly known as the “Boundary Waters Trea-*
12 *ty of 1909”): Provided further, That the Secretary of the*
13 *Army shall submit the final plans and other documents for*
14 *the emergency outlet to Congress: Provided further, That no*
15 *funds made available under this Act or any other Act for*
16 *any fiscal year may be used by the Secretary of the Army*
17 *to carry out the portion of the feasibility study of the Devils*
18 *Lake Basin, North Dakota, authorized under the Energy*
19 *and Water Development Appropriations Act, 1993 (Public*
20 *Law 102–377), that addresses the needs of the area for sta-*
21 *bilized lake levels through inlet controls, or to otherwise*
22 *study any facility or carry out any activity that would per-*
23 *mit the transfer of water from the Missouri River Basin*
24 *into Devils Lake.*

1 FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,
2 ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MIS-
3 SISSIPPI, 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 *\$289,000,000, to remain available until expended: Pro-*
9 *vided, That notwithstanding the funding limitations set*
10 *forth in Public Law 104-6 (109 Stat. 85), the Secretary*
11 *of the Army, acting through the Chief of Engineers, is au-*
12 *thorized and directed to use additional funds appropriated*
13 *herein or previously appropriated to complete remedial*
14 *measures to prevent slope instability at Hickman Bluff,*
15 *Kentucky.*

16 OPERATION AND MAINTENANCE, GENERAL

17 *For expenses necessary for the preservation, operation,*
18 *maintenance, and care of existing river and harbor, flood*
19 *control, and related works, including such sums as may be*
20 *necessary for the maintenance of harbor channels provided*
21 *by a State, municipality or other public agency, outside*
22 *of harbor lines, and serving essential needs of general com-*
23 *merce and navigation; surveys and charting of northern*
24 *and northwestern lakes and connecting waters; clearing and*
25 *straightening channels; and removal of obstructions to navi-*
26 *gation, \$1,661,203,000, to remain available until expended,*

1 *of which such sums as become available in the Harbor*
2 *Maintenance Trust Fund, pursuant to Public Law 99-662,*
3 *may be derived from that fund, and of which such sums*
4 *as become available from the special account established by*
5 *the Land and Water Conservation Act of 1965, as amended*
6 *(16 U.S.C. 460l), may be derived from that fund for con-*
7 *struction, operation, and maintenance of outdoor recreation*
8 *facilities, and of which funds are provided for the following*
9 *projects in the amounts specified:*

10 *Beverly Shores, Indiana, \$1,700,000:*

11 *Provided, That no funds, whether appropriated, contrib-*
12 *uted, or otherwise provided, shall be available to the United*
13 *States Army Corps of Engineers for the purpose of acquir-*
14 *ing land in Jasper County, South Carolina, in connection*
15 *with the Savannah Harbor navigation project: Provided*
16 *further, That the Secretary of the Army, acting through the*
17 *Chief of Engineers, is authorized and directed to dredge a*
18 *navigational channel in the Chena River at Fairbanks,*
19 *Alaska from its confluence with the Tanana River upstream*
20 *to the University Road Bridge that will allow the safe pas-*
21 *sage during normal water levels of vessels up to 350 feet*
22 *in length, 60 feet in width, and drafting up to 3 feet.*

23 *REGULATORY PROGRAM*

24 *For expenses necessary for administration of laws per-*
25 *taining to regulation of navigable waters and wetlands,*
26 *\$106,000,000, to remain available until expended.*

1 *FLOOD CONTROL AND COASTAL EMERGENCIES*

2 *For expenses necessary for emergency flood control,*
3 *hurricane, and shore protection activities, as authorized by*
4 *section 5 of the Flood Control Act approved August 18,*
5 *1941, as amended, \$10,000,000, to remain available until*
6 *expended: Provided, That, using funds appropriated in this*
7 *Act, the Secretary of the Army may construct the Ten and*
8 *Fifteen Mile Bayou channel enlargement as an integral*
9 *part of the work accomplished on the St. Francis Basis,*
10 *Arkansas and Missouri Project, authorized by the Flood*
11 *Control Act of 1950.*

12 *GENERAL EXPENSES*

13 *For expenses necessary for general administration and*
14 *related functions in the Office of the Chief of Engineers and*
15 *offices of the Division Engineers; activities of the Coastal*
16 *Engineering Research Board, the Humphreys Engineer*
17 *Center Support Activity, the Engineering Strategic Studies*
18 *Center, the Water Resources Support Center, the USACE*
19 *Finance Center and for costs of implementing the Secretary*
20 *of the Army's plan to reduce the number of division offices*
21 *as directed in title I, Public Law 104-46, \$148,000,000,*
22 *to remain available until expended: Provided, That no part*
23 *of any other appropriation provided in title I of this Act*
24 *shall be available to fund the activities of the Office of the*
25 *Chief of Engineers or the executive direction and manage-*
26 *ment activities of the Division Offices.*

1 *REVOLVING FUND*

2 *Amounts in the Revolving Fund may be used to con-*
3 *struct a 17,000 square foot addition to the United States*
4 *Army Corps of Engineers Alaska District main office build-*
5 *ing on Elemendorf Air Force Base. The Revolving Fund*
6 *shall be reimbursed for such funding from the benefitting*
7 *appropriations by collection each year of user fees sufficient*
8 *to repay the capitalized cost of the asset and to operate and*
9 *maintain the asset.*

10 *ADMINISTRATIVE PROVISION*

11 *Appropriations in this title shall be available for offi-*
12 *cial reception and representation expenses (not to exceed*
13 *\$5,000); and during the current fiscal year the revolving*
14 *fund, Corps of Engineers, shall be available for purchase*
15 *(not to exceed 100 for replacement only) and hire of pas-*
16 *senger motor vehicles.*

17 *GENERAL PROVISIONS*18 *CORPS OF ENGINEERS—CIVIL*

19 *SEC. 101. (a) In fiscal year 1998, the Secretary of the*
20 *Army shall advertise for competitive bid at least 8,500,000*
21 *cubic yards of the hopper dredge volume accomplished with*
22 *government owned dredges in fiscal year 1992.*

23 *(b) Notwithstanding the provisions of this section, the*
24 *Secretary is authorized to use the dredge fleet of the Corps*
25 *of Engineers to undertake projects when industry does not*
26 *perform as required by the contract specifications or when*

1 *the bids are more than 25 percent in excess of what the*
2 *Secretary determines to be a fair and reasonable estimated*
3 *cost of a well equipped contractor doing the work or to re-*
4 *spond to emergency requirements.*

5 *SEC. 102. In fiscal year 1998 and thereafter, the Sec-*
6 *retary of the Army is authorized and directed to provide*
7 *planning, design and construction assistance to non-Fed-*
8 *eral interests in carrying out water related environmental*
9 *infrastructure and environmental resources development*
10 *projects, including assistance for wastewater treatment and*
11 *related facilities; water supply, storage, treatment and dis-*
12 *tribution facilities; and development, restoration or im-*
13 *provement of wetlands and other aquatic areas for the pur-*
14 *pose of protection or development of surface water resources:*
15 *Provided, That the non-Federal interest shall enter into a*
16 *binding agreement with the Secretary wherein the non-Fed-*
17 *eral interest will provide all lands, easements, rights-of-*
18 *way, relocations, and dredge material disposal areas re-*
19 *quired for the project, and pay 50 per centum of the costs*
20 *of required feasibility studies, 25 per centum of the costs*
21 *of designing and constructing the project, and 100 per cen-*
22 *tum of the costs of operation, maintenance, repair, replace-*
23 *ment or rehabilitation of the project: Provided further, That*
24 *the value of lands, easements, rights-of-way, relocations and*
25 *dredged material disposal areas provided by the non-Fed-*

1 *eral interest shall be credited toward the non-Federal share,*
2 *not to exceed 25 per centum, of the costs of dredging and*
3 *constructing the project: Provided further, That hereafter*
4 *the Federal share of the costs of each of the individual*
5 *projects undertaken shall not exceed \$5,000,000: Provided*
6 *further, That utilizing \$10,000,000 of the funds appro-*
7 *priated herein, the Secretary is directed to carry out this*
8 *section.*

9 *SEC. 103. GREEN BROOK SUB-BASIN FLOOD CONTROL*
10 *PROJECT, NEW JERSEY.—No funds made available under*
11 *this Act or any other Act for any fiscal year may be used*
12 *by the Secretary of the Army to carry out any plan for,*
13 *or otherwise construct, the Oak Way detention structure or*
14 *the Sky Top detention structure in Berkeley Heights, New*
15 *Jersey, as part of the project for flood control, Green Brook*
16 *Sub-basin, Raritan River Basin, New Jersey, authorized by*
17 *section 401(a) of the Water Resources Development Act of*
18 *1986 (Public Law 99–662; 100 Stat. 4119).*

19 *SEC. 104. GREAT LAKES BASIN.—No funds made*
20 *available under this Act may be used by the Secretary of*
21 *the Army to consider any application for a permit that,*
22 *if granted, would result in the diversion of ground water*
23 *from the Great Lakes Basin.*

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TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central

Utah Project Completion Act, Public Law 102–575 (106

Stat. 4605), and for activities related to the Uintah and

Upalco Units authorized by 43 U.S.C. 620, \$40,353,000,

to remain available until expended, of which \$16,610,000

shall be deposited into the Utah Reclamation Mitigation

and Conservation Account: Provided, That of the amounts

deposited into that account, \$5,000,000 shall be considered

the Federal contribution authorized by paragraph 402(b)(2)

of the Central Utah Project Completion Act and

\$11,610,000 shall be available to the Utah Reclamation

Mitigation and Conservation Commission to carry out ac-

tivities authorized under that Act.

In addition, for necessary expenses incurred in carry-

ing out responsibilities of the Secretary of the Interior

under that Act, \$800,000, to remain available until ex-

pended.

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Rec-

lamation as provided in the Federal reclamation laws (Act

of June 17, 1902, 32 Stat. 388, and Acts amendatory there-

1 *of or supplementary thereto) and other Acts applicable to*
2 *that Bureau as follows:*

3 *WATER AND RELATED RESOURCES*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For management, development, and restoration of*
6 *water and related natural resources and for related activi-*
7 *ties, including the operation, maintenance and rehabilita-*
8 *tion of reclamation and other facilities, participation in*
9 *fulfilling related Federal responsibilities to Native Ameri-*
10 *cans, and related grants to, and cooperative and other*
11 *agreements with, state and local governments, Indian tribes,*
12 *and others, to remain available until expended,*
13 *\$688,379,000, of which \$18,758,000 shall be available for*
14 *transfer to the Upper Colorado River Basin Fund and*
15 *\$55,920,000 shall be available for transfer to the Lower Col-*
16 *orado River Basin Development Fund, and of which such*
17 *amounts as may be necessary may be advanced to the Colo-*
18 *rado River Dam Fund: Provided, That such transfers may*
19 *be increased or decreased within the overall appropriation*
20 *under this heading: Provided further, That of the total ap-*
21 *propriated, the amount for program activities that can be*
22 *financed by the Reclamation Fund or the Bureau of Rec-*
23 *lamation special fee account established by 16 U.S.C. 460l-*
24 *6a(i) shall be derived from that Fund or account: Provided*
25 *further, That funds contributed under 43 U.S.C. 395 are*
26 *available until expended for the purposes for which contrib-*

1 *uted: Provided further, That funds advanced under 43*
2 *U.S.C. 397a shall be credited to this account and are avail-*
3 *able until expended for the same purposes as the sums ap-*
4 *propriated under this heading: Provided further, That*
5 *using \$500,000 of funds appropriated herein, the Secretary*
6 *of the Interior shall undertake a non-reimbursable project*
7 *to install drains in the Pena Blanca area of New Mexico*
8 *to prevent seepage from Cochiti Dam: Provided further,*
9 *That funds available for expenditure for the Departmental*
10 *Irrigation Drainage Program may be expended by the Bu-*
11 *reau of Reclamation for site remediation on a nonreimburs-*
12 *able basis: Provided further, That section 10 of Public Law*
13 *89–108 as amended by section 8 of Public Law 99–294 and*
14 *section 1701(b) of Public Law 102–575, is further amended*
15 *by striking “\$61,000,000” and inserting in lieu thereof*
16 *“\$62,300,000”: Provided further, That the unexpended bal-*
17 *ances of the Bureau of Reclamation appropriation accounts*
18 *for “Construction Program (Including Transfer of Funds),”*
19 *“General Investigations,” “Emergency Fund,” and “Oper-*
20 *ation and Maintenance” shall be transferred to and merged*
21 *with this account, to be available for the purposes for which*
22 *they originally were appropriated: Provided further, That*
23 *the Secretary of the Interior may use \$80,000 of funding*
24 *appropriated herein to complete the feasibility study of al-*
25 *ternatives for meeting the drinking water needs on the*

1 *Cheyenne River Sioux Reservation and surrounding com-*
2 *munities in South Dakota: Provided further, That the Sec-*
3 *retary of the Interior may use \$2,500,000 of funds appro-*
4 *priated herein to initiate construction of the McCall Area*
5 *Wastewater Reclamation and Reuse, Idaho project: Pro-*
6 *vided further, That the Secretary of the Interior may use*
7 *\$300,000 of funding appropriated herein to undertake fea-*
8 *sibility planning studies and other activities for the Ute*
9 *Reservoir Pipeline (Quay County portion), New Mexico*
10 *project: Provided further, That the Secretary of the Interior*
11 *may use \$185,000 of the funding appropriated herein for*
12 *a feasibility study of alternatives for the Crow Creek Rural*
13 *Water Supply System to meet the drinking water needs on*
14 *the Crow Creek Sioux Indian Reservation.*

15 *BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT*

16 *For the cost of direct loans and/or grants, \$10,000,000,*
17 *to remain available until expended, as authorized by the*
18 *Small Reclamation Projects Act of August 6, 1956, as*
19 *amended (43 U.S.C. 422a-422l): Provided, That such costs,*
20 *including the cost of modifying such loans, shall be as de-*
21 *finied in section 502 of the Congressional Budget Act of*
22 *1974: Provided further, That these funds are available to*
23 *subsidize gross obligations for the principal amount of di-*
24 *rect loans not to exceed \$31,000,000.*

25 *In addition, for administrative expenses necessary to*
26 *carry out the program for direct loans and/or grants, to*

1 *remain available until expended, \$425,000: Provided, That*
2 *of the total sums appropriated, the amount of program ac-*
3 *tivities that can be financed by the Reclamation Fund shall*
4 *be derived from that Fund.*

5 *CALIFORNIA BAY-DELTA ECOSYSTEM RESTORATION*

6 *For necessary expenses of the Department of the Inte-*
7 *rior and other participating Federal agencies in carrying*
8 *out the California Bay-Delta Environmental Enhancement*
9 *and Water Security Act consistent with plans to be ap-*
10 *proved by the Secretary of the Interior, in consultation with*
11 *such Federal agencies, \$50,000,000, to remain available*
12 *until expended, of which such amounts as may be necessary*
13 *to conform with such plans shall be transferred to appro-*
14 *priate accounts of such Federal agencies: Provided, That*
15 *such funds may be obligated only as non-Federal sources*
16 *provide their share in accordance with the cost-sharing*
17 *agreement required under section 102(d) of such Act: Pro-*
18 *vided further, That such funds may be obligated prior to*
19 *the completion of a final programmatic environmental im-*
20 *pact statement only if (1) consistent with 40 C.F.R.*
21 *1506.1(c), and (2) used for purposes that the Secretary finds*
22 *are of sufficiently high priority to warrant such an expend-*
23 *iture.*

24 *CENTRAL VALLEY PROJECT RESTORATION FUND*

25 *For carrying out the programs, projects, plans, and*
26 *habitat restoration, improvement, and acquisition provi-*

1 *sions of the Central Valley Project Improvement Act, such*
2 *sums as may be collected in the Central Valley Project Res-*
3 *toration Fund pursuant to sections 3407(d), 3404(c)(3),*
4 *3405(f), and 3406(c)(1) of Public Law 102-575, to remain*
5 *available until expended: Provided, That the Bureau of Rec-*
6 *lamation is directed to levy additional mitigation and res-*
7 *toration payments totaling \$25,130,000 (October 1992 price*
8 *levels) on a three-year rolling average basis, as authorized*
9 *by section 3407(d) of Public Law 102-575.*

10 *POLICY AND ADMINISTRATION*

11 *For necessary expenses of policy, administration and*
12 *related functions in the office of the Commissioner, the Den-*
13 *ver office, and offices in the five regions of the Bureau of*
14 *Reclamation, to remain available until expended,*
15 *\$47,558,000, to be derived from the Reclamation Fund and*
16 *be nonreimbursable as provided in 43 U.S.C. 377: Provided,*
17 *That no part of any other appropriation in this Act shall*
18 *be available for activities or functions budgeted as policy*
19 *and administration expenses.*

20 *SPECIAL FUNDS*

21 *(TRANSFER OF FUNDS)*

22 *Sums herein referred to as being derived from the rec-*
23 *lamation fund or special fee account are appropriated from*
24 *the special funds in the Treasury created by the Act of June*
25 *17, 1902 (43 U.S.C. 391) or the Act of December 22, 1987*
26 *(16 U.S.C. 460l-6a, as amended), respectively. Such sums*

1 *shall be transferred, upon request of the Secretary, to be*
2 *merged with and expended under the heads herein specified.*

3 *ADMINISTRATIVE PROVISION*

4 *Appropriations for the Bureau of Reclamation shall*
5 *be available for purchase of not to exceed 6 passenger motor*
6 *vehicles for replacement only.*

7 *TITLE III*

8 *DEPARTMENT OF ENERGY*

9 *NON-DEFENSE PROGRAMS*

10 *ENERGY RESEARCH*

11 *For expenses of the Department of Energy activities*
12 *including the purchase, construction and acquisition of*
13 *plant and capital equipment and other expenses necessary*
14 *for energy research in carrying out the purposes of the De-*
15 *partment of Energy Organization Act (42 U.S.C. 7101, et*
16 *seq.), including the acquisition or condemnation of any real*
17 *property or any facility or for plant or facility acquisition,*
18 *construction, or expansion; purchase of passenger motor ve-*
19 *hicles (not to exceed 13 for replacement only), \$953,915,000,*
20 *to remain available until expended; and, in addition,*
21 *\$13,025,000 for energy assets acquisition, to remain avail-*
22 *able until expended: Provided, That \$1,500,000 of the funds*
23 *appropriated herein may be used to continue the cost-*
24 *shared, fish-friendly turbine program.*

1 ENVIRONMENTAL MANAGEMENT

2 (NONDEFENSE)

3 *For Department of Energy expenses, including the*
4 *purchase, construction and acquisition of plant and capital*
5 *equipment and other expenses necessary for nondefense en-*
6 *vironmental management activities in carrying out the*
7 *purposes of the Department of Energy Organization Act (42*
8 *U.S.C. 7101, et seq.), including the acquisition or con-*
9 *demnation of any real property or any facility or for plant*
10 *or facility acquisition, construction, or expansion,*
11 *\$664,684,000, to remain available until expended: Pro-*
12 *vided, That from funds available herein, the Department*
13 *of Energy will assess the cost of decommissioning the South-*
14 *west Experimental Fast Oxide Reactor site.*

15 URANIUM ENRICHMENT DECONTAMINATION AND

16 DECOMMISSIONING FUND

17 *For necessary expenses in carrying out uranium en-*
18 *richment facility decontamination and decommissioning,*
19 *remedial actions and other activities of title II of the Atom-*
20 *ic Energy Act of 1954 and title X, subtitle A of the Energy*
21 *Policy Act of 1992, \$230,000,000, to be derived from the*
22 *Fund, to remain available until expended.*

23 NUCLEAR WASTE DISPOSAL FUND

24 *For nuclear waste disposal activities to carry out the*
25 *purposes of Public Law 97-425, as amended, including the*
26 *acquisition of real property or facility construction or ex-*

1 *pansion, \$160,000,000, to remain available until expended,*
2 *to be derived from the Nuclear Waste Fund; of which*
3 *\$4,000,000 shall be available to the Nuclear Regulatory*
4 *Commission to license a multi-purpose cannister design;*
5 *and of which not to exceed \$1,500,000 may be provided to*
6 *the State of Nevada, solely to conduct scientific oversight*
7 *responsibilities pursuant to the Nuclear Waste Policy Act*
8 *of 1982, (Public Law 97-425), as amended; and of which*
9 *not to exceed \$6,175,000 may be provided to affected local*
10 *governments, as defined in Public Law 97-425, to conduct*
11 *appropriate activities pursuant to the Act: Provided fur-*
12 *ther, That the distribution of the funds to the units of local*
13 *government shall be determined by the Department of En-*
14 *ergy: Provided further, That the funds shall be made avail-*
15 *able to the State and units of local government by direct*
16 *payment: Provided further, That within ninety days of the*
17 *completion of each Federal fiscal year, each State or local*
18 *entity shall provide certification to the Department of En-*
19 *ergy, that all funds expended from such payments have been*
20 *expended for activities as defined in Public Law 97-425.*
21 *Failure to provide such certification shall cause such entity*
22 *to be prohibited from any further funding provided for*
23 *similar activities: Provided further, That none of the funds*
24 *herein appropriated may be: (1) used directly or indirectly*
25 *to influence legislative action on any matter pending before*

1 *Congress or a State legislature or for lobbying activity as*
2 *provided in 18 U.S.C. 1913; (2) used for litigation expenses;*
3 *or (3) used to support multistate efforts or other coalition*
4 *building activities inconsistent with the restrictions con-*
5 *tained in this Act.*

6

SCIENCE

7 *For expenses of the Department of Energy activities*
8 *including the purchase, construction and acquisition of*
9 *plant and capital equipment and other expenses necessary*
10 *for general science and research activities in carrying out*
11 *the purposes of the Department of Energy Organization Act*
12 *(42 U.S.C. 7101, et seq.), including the acquisition or con-*
13 *demnation of any real property or facility or for plant or*
14 *facility acquisition, construction, or expansion; and the*
15 *purchase of 5 passenger motor vehicles for replacement only,*
16 *\$2,084,567,000, to remain available until expended; and,*
17 *in addition, \$138,510,000 science assets acquisition, to re-*
18 *main available until expended.*

19

DEPARTMENTAL ADMINISTRATION

20 *For salaries and expenses of the Department of Energy*
21 *necessary for Departmental Administration in carrying out*
22 *the purposes of the Department of Energy Organization Act*
23 *(42 U.S.C. 7101, et seq.), including the hire of passenger*
24 *motor vehicles and official reception and representation ex-*
25 *penses (not to exceed \$35,000), \$220,847,000, to remain*
26 *available until expended, plus such additional amounts as*

1 *necessary to cover increases in the estimated amount of cost*
2 *of work for others notwithstanding the provisions of the*
3 *Anti-Deficiency Act (31 U.S.C. 1511, et seq.): Provided,*
4 *That such increases in cost of work are offset by revenue*
5 *increases of the same or greater amount, to remain avail-*
6 *able until expended: Provided further, That moneys received*
7 *by the Department for miscellaneous revenues estimated to*
8 *total \$131,330,000 in fiscal year 1998 may be retained and*
9 *used for operating expenses within this account, and may*
10 *remain available until expended, as authorized by section*
11 *201 of Public Law 95-238, notwithstanding the provisions*
12 *of 31 U.S.C. 3302: Provided further, That the sum herein*
13 *appropriated shall be reduced by the amount of miscellane-*
14 *ous revenues received during fiscal year 1998 so as to result*
15 *in a final fiscal year 1998 appropriation from the General*
16 *Fund estimated at not more than \$89,517,000.*

17 *OFFICE OF THE INSPECTOR GENERAL*

18 *For necessary expenses of the Office of the Inspector*
19 *General in carrying out the provisions of the Inspector Gen-*
20 *eral Act of 1978, as amended, \$27,500,000, to remain avail-*
21 *able until expended.*

22 *ATOMIC ENERGY DEFENSE ACTIVITIES*

23 *WEAPONS ACTIVITIES*

24 *For Department of Energy expenses, including the*
25 *purchase, construction and acquisition of plant and capital*
26 *equipment and other expenses necessary for atomic energy*

1 *defense weapons activities in carrying out the purposes of*
2 *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 70 for replacement*
7 *only), \$4,302,450,000, to remain available until expended,*
8 *of which \$2,000,000 is provided for improvements to Green-*
9 *ville Road in Livermore, California: Provided, That fund-*
10 *ing for any ballistic missile defense program undertaken*
11 *by the Department of Energy for the Department of Defense*
12 *shall be provided by the Department of Defense according*
13 *to procedures established for Work for Others by the Depart-*
14 *ment of Energy.*

15 *DEFENSE ENVIRONMENTAL RESTORATION AND WASTE*

16 *MANAGEMENT*

17 *For Department of Energy expenses, including the*
18 *purchase, construction and acquisition of plant and capital*
19 *equipment and other expenses necessary for atomic energy*
20 *defense environmental restoration and waste management*
21 *activities in carrying out the purposes of the Department*
22 *of Energy Organization Act (42 U.S.C. 7101, et seq.), in-*
23 *cluding the acquisition or condemnation of any real prop-*
24 *erty or any facility or for plant or facility acquisition, con-*
25 *struction, or expansion; and the purchase of passenger*
26 *motor vehicles (not to exceed 6 for replacement only),*

1 \$5,311,974,000, to remain available until expended, of
2 which \$65,000,000 shall be available only for “Closure
3 Projects” to accelerate closure of specific facilities and there-
4 by significantly reduce outyear costs; and, in addition,
5 \$343,000,000 for privatization projects, to remain available
6 until expended.

7 *OTHER DEFENSE ACTIVITIES*

8 *For Department of Energy expenses, including the*
9 *purchase, construction and acquisition of plant and capital*
10 *equipment and other expenses necessary for atomic energy*
11 *defense, other defense activities, in carrying out the pur-*
12 *poses of the Department of Energy Organization Act (42*
13 *U.S.C. 7101, et seq.), including the acquisition or con-*
14 *demnation of any real property or any facility or for plant*
15 *or facility acquisition, construction, or expansion, and the*
16 *purchase of passenger motor vehicles (not to exceed 2 for*
17 *replacement only), \$1,637,981,000, to remain available*
18 *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 the*
22 *acquisition of real property or facility construction or ex-*
23 *pansion, \$190,000,000, to remain available until expended.*

1 *POWER MARKETING ADMINISTRATIONS*
2 *OPERATION AND MAINTENANCE, ALASKA POWER*
3 *ADMINISTRATION*

4 *For necessary expenses of operation and maintenance*
5 *of projects in Alaska and of marketing electric power and*
6 *energy, \$3,500,000, to remain available until expended;*
7 *and, in addition, \$20,000,000 for capital assets acquisition,*
8 *to remain available until expended.*

9 *BONNEVILLE POWER ADMINISTRATION FUND*

10 *Expenditures from the Bonneville Power Administra-*
11 *tion Fund, established pursuant to Public Law 93-454, are*
12 *approved for the anadromous fish supplementation facili-*
13 *ties in the Yakima River Basin, Methow River Basin and*
14 *Upper Snake River Basin, for the Billy Shaw Reservoir*
15 *resident fish substitution project, and for the resident trout*
16 *fish culture facility in southeast Idaho; and for official re-*
17 *ception and representation expenses in an amount not to*
18 *exceed \$3,000.*

19 *During fiscal year 1998, no new direct loan obliga-*
20 *tions may be made.*

21 *OPERATION AND MAINTENANCE, SOUTHEASTERN POWER*
22 *ADMINISTRATION*

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

1 *plied to the southeastern power area, \$12,222,000, to re-*
 2 *main available until expended; in addition, notwithstand-*
 3 *ing 31 U.S.C. 3302, not to exceed \$20,000,000 in reimburse-*
 4 *ments for transmission wheeling and ancillary services, to*
 5 *remain available until expended.*

6 *OPERATION AND MAINTENANCE, SOUTHWESTERN POWER*
 7 *ADMINISTRATION*

8 *For necessary expenses of operation and maintenance*
 9 *of power transmission facilities and of marketing electric*
 10 *power and energy, and for construction and acquisition of*
 11 *transmission lines, substations and appurtenant facilities,*
 12 *and for administrative expenses, including official recep-*
 13 *tion and representation expenses in an amount not to ex-*
 14 *ceed \$1,500 in carrying out the provisions of section 5 of*
 15 *the Flood Control Act of 1944 (16 U.S.C. 825s), as applied*
 16 *to the southwestern power area, \$26,500,000, to remain*
 17 *available until expended; in addition, notwithstanding the*
 18 *provisions of 31 U.S.C. 3302, not to exceed \$4,650,000 in*
 19 *reimbursements, to remain available until expended.*

20 *CONSTRUCTION, REHABILITATION, OPERATION AND*
 21 *MAINTENANCE, WESTERN AREA POWER ADMINISTRATION*
 22 *(INCLUDING TRANSFER OF FUNDS)*

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

1 *including the replacement of not more than 2 helicopters*
2 *through transfers, exchange, or sale, and official reception*
3 *and representation expenses in an amount not to exceed*
4 *\$1,500, \$180,334,000, to remain available until expended,*
5 *of which \$174,935,000 shall be derived from the Department*
6 *of the Interior Reclamation Fund: Provided, That of the*
7 *amount herein appropriated, \$5,592,000 is for deposit into*
8 *the Utah Reclamation Mitigation and Conservation Ac-*
9 *count pursuant to title IV of the Reclamation Projects Au-*
10 *thorization and Adjustment Act of 1992: Provided further,*
11 *That the Secretary of the Treasury is authorized to transfer*
12 *from the Colorado River Dam Fund to the Western Area*
13 *Power Administration \$5,592,000 to carry out the power*
14 *marketing and transmission activities of the Boulder Can-*
15 *yon project as provided in section 104(a)(4) of the Hoover*
16 *Power Plant Act of 1984, to remain available until ex-*
17 *pended.*

18 *FALCON AND AMISTAD OPERATING AND MAINTENANCE*

19 *FUND*

20 *For operation, maintenance, and emergency costs for*
21 *the hydroelectric facilities at the Falcon and Amistad*
22 *Dams, \$1,065,000, to remain available until expended, and*
23 *to be derived from the Falcon and Amistad Operating and*
24 *Maintenance Fund of the Western Area Power Administra-*
25 *tion, as provided in section 423 of the Foreign Relations*
26 *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, et*
6 *seq.), including services as authorized by 5 U.S.C. 3109,*
7 *the hire of passenger motor vehicles, and official reception*
8 *and representation expenses (not to exceed \$3,000),*
9 *\$162,141,000, to remain available until expended: Pro-*
10 *vided, That notwithstanding any other provision of law, not*
11 *to exceed \$162,141,000 of revenues from fees and annual*
12 *charges, and other services and collections in fiscal year*
13 *1998 shall be retained and used for necessary expenses in*
14 *this account, and shall remain available until expended:*
15 *Provided further, That the sum herein appropriated from*
16 *the General Fund shall be reduced as revenues are received*
17 *during fiscal year 1998 so as to result in a final fiscal year*
18 *1998 appropriation from the General Fund estimated at*
19 *not more than \$0.*

20 *TITLE IV*21 *INDEPENDENT AGENCIES*22 *APPALACHIAN REGIONAL COMMISSION*

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

1 *and for necessary expenses for the Federal Co-Chairman*
2 *and the alternate on the Appalachian Regional Commission*
3 *and for payment of the Federal share of the administrative*
4 *expenses of the Commission, including services as author-*
5 *ized by 5 U.S.C. 3109, and hire of passenger motor vehicles,*
6 *\$160,000,000, to remain available until expended.*

7 *DEFENSE NUCLEAR FACILITIES SAFETY BOARD*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Defense Nuclear Facili-*
10 *ties Safety Board in carrying out activities authorized by*
11 *the Atomic Energy Act of 1954, as amended by Public Law*
12 *100-456, section 1441, \$17,500,000, to remain available*
13 *until expended.*

14 *NUCLEAR REGULATORY COMMISSION*

15 *SALARIES AND EXPENSES*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For necessary expenses of the Commission in carrying*
18 *out the purposes of the Energy Reorganization Act of 1974,*
19 *as amended, and the Atomic Energy Act of 1954, as amend-*
20 *ed, including the employment of aliens; services authorized*
21 *by 5 U.S.C. 3109; publication and dissemination of atomic*
22 *information; purchase, repair, and cleaning of uniforms; of-*
23 *ficial representation expenses (not to exceed \$20,000); reim-*
24 *bursements to the General Services Administration for secu-*
25 *rity guard services; hire of passenger motor vehicles and*
26 *aircraft, \$476,500,000, to remain available until expended:*

1 *Provided, That of the amount appropriated herein,*
2 *\$17,000,000 shall be derived from the Nuclear Waste Fund:*
3 *Provided further, That from this appropriation, transfer of*
4 *sums may be made to other agencies of the Government for*
5 *the performance of the work for which this appropriation*
6 *is made, and in such cases the sums so transferred may*
7 *be merged with the appropriation to which transferred: Pro-*
8 *vided further, That moneys received by the Commission for*
9 *the cooperative nuclear safety research program, services*
10 *rendered to State governments, foreign governments and*
11 *international organizations, and the material and informa-*
12 *tion access authorization programs, including criminal his-*
13 *tory checks under section 149 of the Atomic Energy Act may*
14 *be retained and used for salaries and expenses associated*
15 *with those activities, notwithstanding 31 U.S.C. 3302, and*
16 *shall remain available until expended: Provided further,*
17 *That revenues from licensing fees, inspection services, and*
18 *other services and collections estimated at \$457,500,000 in*
19 *fiscal year 1998 shall be retained and used for necessary*
20 *salaries and expenses in this account, notwithstanding 31*
21 *U.S.C. 3302, and shall remain available until expended:*
22 *Provided further, That the funds herein appropriated for*
23 *regulatory reviews and other assistance provided to the De-*
24 *partment of Energy and other Federal agencies shall be ex-*
25 *cluded from license fee revenues, notwithstanding 42 U.S.C.*

1 2214: *Provided further, That the sum herein appropriated*
2 *shall be reduced by the amount of revenues received during*
3 *fiscal year 1998 from licensing fees, inspection services and*
4 *other services and collections, excluding those moneys re-*
5 *ceived for the cooperative nuclear safety research program,*
6 *services rendered to State governments, foreign governments*
7 *and international organizations, and the material and in-*
8 *formation access authorization programs, so as to result in*
9 *a final fiscal year 1997 appropriation estimated at not*
10 *more than \$19,000,000.*

11 *OFFICE OF INSPECTOR GENERAL*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For necessary expenses of the Office of Inspector Gen-*
14 *eral in carrying out the provisions of the Inspector General*
15 *Act of 1978, as amended, including services authorized by*
16 *5 U.S.C. 3109, \$4,800,000, to remain available until ex-*
17 *pended; and in addition, an amount not to exceed 5 percent*
18 *of this sum may be transferred from Salaries and Expenses,*
19 *Nuclear Regulatory Commission: Provided, That notice of*
20 *such transfers shall be given to the Committees on Appro-*
21 *priations of the House and Senate: Provided further, That*
22 *from this appropriation, transfers of sums may be made*
23 *to other agencies of the Government for the performance of*
24 *the work for which this appropriation is made, and in such*
25 *cases the sums so transferred may be merged with the ap-*

1 *proprietion 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 received*
8 *during fiscal year 1998 from licensing fees, inspection serv-*
9 *ices, and other services and collections, so as to result in*
10 *a final fiscal year 1998 appropriation estimated at not*
11 *more than \$0.*

12 *NUCLEAR WASTE TECHNICAL REVIEW BOARD*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the Nuclear Waste Technical*
15 *Review Board, as authorized by Public Law 100–203, sec-*
16 *tion 5051, \$3,200,000, to be derived from the Nuclear Waste*
17 *Fund, and to remain available until expended.*

18 *TENNESSEE VALLEY AUTHORITY*

19 *For the purpose of carrying out the provisions of the*
20 *Tennessee Valley Authority Act of 1933, as amended (16*
21 *U.S.C. ch. 12A), including hire, maintenance, and oper-*
22 *ation of aircraft, and purchase and hire of passenger motor*
23 *vehicles, \$86,000,000, to remain available until expended:*

TITLE V

GENERAL PROVISIONS

1
2
3 *SEC. 501. (a) PURCHASE OF AMERICAN-MADE EQUIP-*
4 *MENT AND PRODUCTS.—It is the sense of the Congress that,*
5 *to the greatest extent practicable, all equipment and prod-*
6 *ucts purchased with funds made available in this Act should*
7 *be American-made.*

8 *(b) NOTICE REQUIREMENT.—In providing financial*
9 *assistance to, or entering into any contract with, any entity*
10 *using funds made available in this Act, the head of each*
11 *Federal agency, to the greatest extent practicable, shall pro-*
12 *vide to such entity a notice describing the statement made*
13 *in subsection (a) by the Congress.*

14 *(c) PROHIBITION OF CONTRACTS WITH PERSONS*
15 *FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—*
16 *If it has been finally determined by a court or Federal agen-*
17 *cy that any person intentionally affixed a label bearing a*
18 *“Made in America” inscription, or any inscription with*
19 *the same meaning, to any product sold in or shipped to*
20 *the United States that is not made in the United States,*
21 *the person shall be ineligible to receive any contract or sub-*
22 *contract made with funds made available in this Act, pur-*
23 *suant to the debarment, suspension, and ineligibility proce-*
24 *dures described in sections 9.400 through 9.409 of title 48,*
25 *Code of Federal Regulations.*

1 *SEC. 502. Section 1621 of title XVI of the Reclamation*
2 *Wastewater and Groundwater Act, Public Law 104–266, is*
3 *amended by—*

4 (1) *striking “Study” in the section title, and in-*
5 *serting “Project”;*

6 (2) *inserting in subsection (a) “planning, design,*
7 *and construction of the” following “to participate in*
8 *the”;* and

9 (3) *inserting in subsection (a) “and nonpotable*
10 *surface water” following “impaired ground water”.*

11 *SEC. 503. Section 1208(a)(2) of the Yavapai-Prescott*
12 *Indian Treaty Settlement Act of 1994 (Public Law 103–*
13 *434) is amended by striking “\$4,000,000 for construction”*
14 *and inserting in lieu thereof “\$13,000,000, at 1997 prices,*
15 *for construction plus or minus such amounts as may be*
16 *justified by reason of ordinary fluctuations of applicable*
17 *cost indexes”.*

18 *SEC. 504. (a) The State of West Virginia shall receive*
19 *credit towards its required contribution under Contract No.*
20 *DACW59–C–0071 for the cost of recreational facilities to*
21 *be constructed by a joint venture of the State in cooperation*
22 *with private interests for recreation development at Stone-*
23 *wall Jackson Lake, West Virginia, except that the State*
24 *shall receive no credit for costs associated with golf course*

1 *development and the amount of the credit may not exceed*
2 *the amount owed by the State under the Contract.*

3 *(b) The Corps of Engineers shall revise both the 1977*
4 *recreation cost-sharing agreement and the Park and Recre-*
5 *ation Lease dated October 2, 1995 to remove the require-*
6 *ment that such recreation facilities are to be owned by the*
7 *Government at the time of their completion as contained*
8 *in Article 2–06 of the cost-sharing agreement and Article*
9 *36 of the lease.*

10 *(c) Nothing in this section shall reduce the amount of*
11 *funds owed the United States Government pursuant to the*
12 *1977 recreation cost-sharing agreement.*

13 *SEC. 505. (a) IN GENERAL.—For fiscal year 1998 and*
14 *each fiscal year thereafter, appropriations, made for the Bu-*
15 *reau of Reclamation may be used by the Secretaries of the*
16 *Interior for the purpose of entering into cooperative agree-*
17 *ments with willing private landowners for restoration and*
18 *enhancement of fish, wildlife, and other resources on public*
19 *or private land or both that benefit the water and lands*
20 *within a watershed that contains a Bureau of Reclamation*
21 *project.*

22 *(b) DIRECT AND INDIRECT WATERSHED AGREE-*
23 *MENTS.—The Secretary of the Interior may enter into a*
24 *watershed restoration and enhancement agreement—*

25 *(1) directly with a willing private landowner, or*

1 (2) *indirectly through an agreement with a*
2 *State, local, or tribal government or other public en-*
3 *tity, educational institution, or private nonprofit or-*
4 *ganization.*

5 (c) *TERMS AND CONDITIONS.—In order for the Sec-*
6 *retary to enter into a watershed restoration and enhance-*
7 *ment agreement—*

8 (1) *the agreement shall—*

9 (A) *include such terms and conditions mu-*
10 *tually agreed to by the Secretary and the land-*
11 *owner;*

12 (B) *improve the viability of and otherwise*
13 *benefit the fish, wildlife, and other resources on,*
14 *in the watershed;*

15 (C) *authorize the provision of technical as-*
16 *sistance by the Secretary in the planning of ac-*
17 *tivities that will further the purposes of the*
18 *agreement;*

19 (D) *provide for the sharing of costs of im-*
20 *plementing the agreement among the Federal*
21 *Government, the landowner, and other entities,*
22 *as mutually agreed on by the affected interests;*
23 *and*

24 (E) *ensure that any expenditures by the*
25 *Secretary pursuant to the agreement is deter-*

1 *mined by the Secretary to be in the public inter-*
2 *est; and*

3 *(2) the Secretary may require such other terms*
4 *and conditions as are necessary to protect the public*
5 *investment on private lands: Provided, That such*
6 *terms and conditions are mutually agreed to by the*
7 *Secretary and the landowner.*

8 *This Act may be cited as the “Energy and Water De-*
9 *velopment Appropriations Act, 1998”.*

Attest:

Secretary.

105TH CONGRESS
1ST SESSION

H. R. 2203

AMENDMENT

HR 2203 EAS—2

HR 2203 EAS—3

HR 2203 EAS—4

HR 2203 EAS—5