

## Calendar No. 642

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 3687**

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## IN THE SENATE OF THE UNITED STATES

AUGUST 31, 1998

Received; read twice and referred to the Committee on Energy and Natural  
Resources

SEPTEMBER 25, 1998

Reported by Mr. MURKOWSKI, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

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**AN ACT**

To authorize prepayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas.

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

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Canadian River Project  
5        Prepayment Act”.

6        **SEC. 2. DEFINITIONS.**

7        For the purposes of this Act:

1           (1) The term “Authority” means the Canadian  
2 River Municipal Water Authority, a conservation  
3 and reclamation district of the State of Texas.

4           (2) The term “Canadian River Project Author-  
5 ization Act” means the Act entitled “An Act to au-  
6 thorize the construction, operation, and maintenance  
7 by the Secretary of the Interior of the Canadian  
8 River reclamation project, Texas”, approved Decem-  
9 ber 29, 1950 (chapter 1183; 64 Stat. 1124).

10          (3) The term “Project” means all of the right,  
11 title and interest in and to all land and improve-  
12 ments comprising the pipeline and related facilities  
13 of the Canadian River Project authorized by the Ca-  
14 nadian River Project Authorization Act.

15          (4) The term “Secretary” means the Secretary  
16 of the Interior.

17 **SEC. 3. PREPAYMENT AND CONVEYANCE OF PROJECT.**

18          (a) IN GENERAL.—(1) In consideration of the Au-  
19 thority accepting the obligation of the Federal Govern-  
20 ment for the Project and subject to the payment by the  
21 Authority of the applicable amount under paragraph (2)  
22 within the 360-day period beginning on the date of the  
23 enactment of this Act, the Secretary shall convey the  
24 Project to the Authority, as provided in section 2(c)(3)

1 of the Canadian River Project Authorization Act (64 Stat.  
2 1124).

3 (2) For purposes of paragraph (1), the applicable  
4 amount shall be—

5 (A) \$34,806,731, if payment is made by the  
6 Authority within the 270-day period beginning on  
7 the date of enactment of this Act; or

8 (B) the amount specified in subparagraph (A)  
9 adjusted to include interest on that amount since the  
10 date of the enactment of this Act at the appropriate  
11 Treasury bill rate for an equivalent term, if payment  
12 is made by the Authority after the period referred  
13 to in subparagraph (A).

14 (3) If payment under paragraph (1) is not made by  
15 the Authority within the period specified in paragraph (1),  
16 this Act shall have no force or effect.

17 (b) FINANCING.—Nothing in this Act shall be con-  
18 strued to affect the right of the Authority to use a particu-  
19 lar type of financing.

20 **SEC. 4. RELATIONSHIP TO EXISTING OPERATIONS.**

21 (a) IN GENERAL.—Nothing in this Act shall be con-  
22 strued as significantly expanding or otherwise changing  
23 the use or operation of the Project from its current use  
24 and operation.

1 (b) FUTURE ALTERATIONS.—If the Authority alters  
2 the operations or uses of the Project it shall comply with  
3 all applicable laws or regulations governing such alteration  
4 at that time.

5 (c) RECREATION.—The Secretary of the Interior, act-  
6 ing through the National Park Service, shall continue to  
7 operate the Lake Meredith National Recreation Area at  
8 Lake Meredith.

9 (d) FLOOD CONTROL.—The Secretary of the Army,  
10 acting through the Corps of Engineers, shall continue to  
11 prescribe regulations for the use of storage allocated to  
12 flood control at Lake Meredith as prescribed in the Letter  
13 of Understanding entered into between the Corps, the Bu-  
14 reau of Reclamation, and the Authority in March and May  
15 1980.

16 (e) SANFORD DAM PROPERTY.—The Authority ~~shall~~  
17 ~~have the right~~ *may be permitted* to occupy and use without  
18 payment of lease or rental charges or license or use fees  
19 the property retained by the Bureau of Reclamation at  
20 Sanford Dam and all buildings constructed by the United  
21 States thereon for use as the Authority's headquarters and  
22 maintenance facility. Buildings constructed by the Author-  
23 ity on such property, or past and future additions to Gov-  
24 ernment constructed buildings, shall be allowed to remain  
25 on the property. The Authority shall operate and maintain

1 such property and facilities without cost to the United  
2 States.

3 **SEC. 5. RELATIONSHIP TO CERTAIN CONTRACT OBLIGA-**  
4 **TIONS.**

5 (a) PAYMENT OBLIGATIONS EXTINGUISHED.—Provi-  
6 sion of consideration by the Authority in accordance with  
7 section 3(b) shall extinguish all payment obligations under  
8 contract numbered 14–06–500–485 between the Authority  
9 and the Secretary.

10 (b) OPERATION AND MAINTENANCE COSTS.—After  
11 completion of the conveyance provided for in section 3, the  
12 Authority shall have full responsibility for the cost of oper-  
13 ation and maintenance of Sanford Dam, and shall con-  
14 tinue to have full responsibility for operation and mainte-  
15 nance of the Project pipeline and related facilities.

16 (c) GENERAL.—Rights and obligations under the ex-  
17 isting contract No. 14–06–500–485 between the Authority  
18 and the United States, other than provisions regarding re-  
19 payment of construction charge obligation by the Author-  
20 ity and provisions relating to the Project aqueduct, shall  
21 remain in full force and effect for the remaining term of  
22 the contract.

23 **SEC. 6. RELATIONSHIP TO OTHER LAWS.**

24 Upon conveyance of the Project under this Act, the  
25 Reclamation Act of 1902 (82 Stat. 388) and all Acts

1 amendatory thereof or supplemental thereto shall not  
2 apply to the Project.

3 **SEC. 7. LIABILITY.**

4       Except as otherwise provided by law, effective on the  
5 date of conveyance of the Project under this Act, the  
6 United States shall not be liable under any law for dam-  
7 ages of any kind arising out of any act, omission, or occur-  
8 rence relating to the conveyed property.

      Passed the House of Representatives August 7 (leg-  
islative day, August 6), 1998.

Attest:

ROBIN H. CARLE,

*Clerk.*



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