

Union Calendar No. 494

106TH CONGRESS
2^D SESSION

H. R. 3595

[Report No. 106–836]

To increase the authorization of appropriations for the Reclamation Safety of Dams Act of 1978, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2000

Mr. GEORGE MILLER of California (by request) introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 12, 2000

Additional sponsor: Mr. SCHAFFER

SEPTEMBER 12, 2000

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 8, 2000]

A BILL

To increase the authorization of appropriations for the Reclamation Safety of Dams Act of 1978, and for other purposes.

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

1 **SECTION 1. INCREASED AUTHORIZATION OF APPROPRIA-**
2 **TIONS FOR THE RECLAMATION SAFETY OF**
3 **DAMS ACT OF 1978.**

4 *The Reclamation Safety of Dams Act of 1978 is*
5 *amended—*

6 *(1) in section 4 (43 U.S.C. 508)—*

7 *(A) in subsection (a), by striking “or from*
8 *nonperformance of reasonable and normal main-*
9 *tenance of the structure by the operating entity”;*

10 *(B) in subsection (c), by—*

11 *(i) inserting after “1984” the fol-*
12 *lowing: “and the additional \$380,000,000*
13 *further authorized to be appropriated by*
14 *amendments to that Act in 2000”;*

15 *(ii) striking paragraph (2) and redes-*
16 *ignating paragraphs (3) and (4) as para-*
17 *graphs (2) and (3), respectively; and*

18 *(iii) in the first sentence of paragraph*
19 *(3), as so redesignated, inserting “irriga-*
20 *tion,” after “Costs allocated to the purpose*
21 *of”, and inserting “without regard to water*
22 *users’ ability to pay” before the period at*
23 *the end; and*

24 *(C) in subsection (d), by inserting before the*
25 *period at the end the following: “: Provided fur-*
26 *ther, That the Secretary is authorized to expend*

1 *payments of such reimbursable costs made pur-*
2 *suant to a repayment contract at any time prior*
3 *to completion of construction”;*

4 (2) *in section 5 (43 U.S.C. 509), by—*

5 (A) *inserting after “levels)” the following:*
6 *“and, effective October 1, 1997, not to exceed an*
7 *additional \$380,000,000 (October 1, 2000, price*
8 *levels),”;*

9 (B) *striking “\$750,000” and inserting*
10 *“\$1,200,000 (October 1, 2000, price levels), plus*
11 *or minus such amounts, if any, as may be justi-*
12 *fied by reason of ordinary fluctuations in con-*
13 *struction costs as indicated by engineering cost*
14 *indexes applicable to the types of construction*
15 *involved herein,”; and*

16 (C) *striking “sixty days (which” and all*
17 *that follows through “day certain)” and insert-*
18 *ing “30 calendar days”; and*

19 (3) *in section 2 (43 U.S.C. 506), by inserting*
20 *“(a)” before “In order to”, and by adding at the end*
21 *the following:*

22 “(b) *Prior to selecting a Bureau of Reclamation facil-*
23 *ity for modification, the Secretary shall notify project bene-*
24 *ficiaries in writing of such selection and solicit their inter-*
25 *est in participating in evaluating the facility for modifica-*

1 tion. If requested by the project beneficiaries, the Secretary,
2 acting through the Commissioner of the Bureau of Reclama-
3 tion, is authorized to negotiate an agreement with project
4 beneficiaries for the cooperative oversight of planning, de-
5 sign, cost containment, procurement, construction, and
6 management of the modifications. Prior to submitting the
7 modification reports required by section 5, the Secretary
8 shall consider, and where appropriate implement, alter-
9 natives recommended by project beneficiaries. Within 30
10 days after receiving such recommendations, the Secretary
11 shall provide to the project beneficiaries a written response
12 detailing proposed actions to address the recommendations.
13 The Secretary's response to the project beneficiaries shall
14 be included in the modification reports required by section
15 5.

16 “(c) Following submission of the reports required by
17 section 5, project beneficiaries who wish to receive regular
18 information concerning the status and costs of modifica-
19 tions shall notify the Secretary in writing. During the con-
20 struction phase of the modifications, the Secretary shall
21 keep such beneficiaries informed of the costs and status of
22 such modifications. The Secretary shall consider, and where
23 appropriate implement, alternatives recommended by
24 project beneficiaries concerning the cost containment meas-

- 1 *ures and construction management techniques needed to*
- 2 *carry out such modifications.”.*

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