

103^D CONGRESS
1ST SESSION

H. R. 2445

IN THE SENATE OF THE UNITED STATES

JUNE 29 (legislative day, JUNE 22), 1993

Received; read twice and referred to the Committee on Appropriations

AN ACT

Making appropriations for energy and water development for the fiscal year ending September 30, 1994, 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, 1994, for energy and
6 water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, \$207,540,000, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

Central Basin Groundwater Project, California,

\$750,000;

Los Angeles County Water Conservation, Cali-

fornia, \$100,000;

- 1 Los Angeles River Watercourse Improvement,
2 California, \$300,000;
3 Norco Bluffs, California, \$150,000;
4 Rancho Palos Verdes, California, \$80,000;
5 Biscayne Bay, Florida, \$700,000;
6 Tampa Harbor, Alafia River and Big Bend,
7 Florida, \$250,000;
8 Indianapolis, White River, Central Waterfront,
9 Indiana, \$4,000,000;
10 Lake George, Hobart, Indiana, \$200,000;
11 Little Calumet River Basin (Cady Marsh
12 Ditch), Indiana, \$310,000;
13 Ohio River Shoreline Flood Protection, Indiana,
14 \$400,000;
15 Hazard, Kentucky, \$250,000;
16 Brockton, Massachusetts, \$350,000;
17 Passaic River Mainstem, New Jersey,
18 \$17,000,000;
19 Broad Top Region, Pennsylvania, \$400,000;
20 Juniata River Basin, Pennsylvania, \$450,000;
21 Lackawanna River Basin Greenway Corridor,
22 Pennsylvania, \$300,000;
23 Pocotaligo River and Swamp, South Carolina,
24 \$400,000;

1 Jennings Randolph Lake, West Virginia,
2 \$400,000;
3 Monongahela River Comprehensive, West Vir-
4 ginia, \$600,000; and
5 West Virginia Comprehensive, West Virginia,
6 \$500,000.

7 CONSTRUCTION, GENERAL

8 For the prosecution of river and harbor, flood control,
9 shore protection, and related projects authorized by laws;
10 and detailed studies, and plans and specifications, of
11 projects (including those for development with participa-
12 tion or under consideration for participation by States,
13 local governments, or private groups) authorized or made
14 eligible for selection by law (but such studies shall not con-
15 stitute a commitment of the Government to construction),
16 \$1,389,138,000, to remain available until expended, of
17 which such sums as are necessary pursuant to Public Law
18 99-662 shall be derived from the Inland Waterways Trust
19 Fund, for one-half of the costs of construction and reha-
20 bilitation of inland waterways projects, including rehabili-
21 tation costs for the Lock and Dam 25, Mississippi River,
22 Illinois and Missouri, and GIWW-Brazos River Flood-
23 gates, Texas, projects, and of which funds are provided
24 for the following projects in the amounts specified:

25 Rillito River, Arizona, \$4,200,000;

- 1 Red River Emergency Bank Protection, Arkan-
2 sas, \$3,500,000;
- 3 Coyote and Berryessa Creeks, California,
4 \$4,000,000;
- 5 Sacramento River Flood Control Project
6 (Glenn-Colusa Irrigation District), California,
7 \$400,000;
- 8 San Timoteo Creek (Santa Ana River
9 Mainstem), California, \$12,000,000;
- 10 Sonoma Baylands Wetland Demonstration
11 Project, California, \$4,000,000;
- 12 Central and Southern Florida, Florida,
13 \$17,850,000;
- 14 Kissimmee River, Florida, \$5,000,000;
- 15 Melaleuca Quarantine Facility, Florida,
16 \$1,000,000;
- 17 Casino Beach, Illinois, \$820,000;
- 18 McCook and Thornton Reservoirs, Illinois,
19 \$13,000,000;
- 20 O'Hare Reservoir, Illinois, \$5,000,000;
- 21 Des Moines Recreational River and Greenbelt,
22 Iowa, \$2,700,000;
- 23 Barbourville (Levisa and Tug Forks of the Big
24 Sandy River and Upper Cumberland River), Ken-
25 tucky, \$3,868,000;

1 Harlan (Levisa and Tug Forks of the Big
2 Sandy River and Upper Cumberland River), Ken-
3 tucky, \$15,432,000;

4 Pike County (Levisa and Tug Forks of the Big
5 Sandy River and Upper Cumberland River), Ken-
6 tucky, \$5,000,000;

7 Salyersville, Kentucky, \$1,000,000;

8 Williamsburg (Levisa and Tug Forks of the Big
9 Sandy River and Upper Cumberland River), Ken-
10 tucky, \$700,000;

11 Lake Pontchartrain and Vicinity (Hurricane
12 Protection), Louisiana, \$24,119,000;

13 Lake Pontchartrain and Vicinity (Jefferson
14 Parish), Louisiana, \$200,000;

15 Red River Waterway, Mississippi River to
16 Shreveport, Louisiana, \$65,000,000;

17 Anacostia River, Maryland and District of Co-
18 lumbia, \$700,000;

19 Clinton River Spillway, Michigan, \$2,000,000;

20 Silver Bay Harbor, Minnesota, \$2,600,000;

21 Stillwater, Minnesota, \$2,400,000;

22 Sowashee Creek, Mississippi, \$3,240,000;

23 Molly Ann's Brook, New Jersey, \$1,000,000;

24 New York Harbor Collection and Removal of
25 Drift, New York and New Jersey, \$3,900,000;

1 Rochester Harbor, New York, \$4,000,000;
2 Wilmington Harbor Ocean Bar, North Carolina,
3 \$5,266,000;
4 West Columbus, Ohio, \$5,000,000;
5 Lackawanna River Greenway Corridor, Penn-
6 sylvania, \$2,000,000;
7 South Central Pennsylvania Environmental
8 Restoration Infrastructure and Resource Protection
9 Development Pilot Program, Pennsylvania,
10 \$10,000,000;
11 Fort Point, Galveston, Texas, \$1,500,000;
12 Lake O' The Pines-Big Cypress Bayou, Texas,
13 \$300,000;
14 Red River Basin Chloride Control, Texas and
15 Oklahoma, \$4,000,000;
16 Wallisville Lake, Texas, \$1,000,000;
17 Richmond Filtration Plant, Virginia,
18 \$1,000,000;
19 Southern West Virginia Environmental Res-
20 toration Infrastructure and Resource Protection De-
21 velopment Pilot Program, West Virginia,
22 \$3,500,000; and
23 State Road and Ebner Coulees, LaCrosse and
24 Shelby, Wisconsin, \$1,467,000.

1 FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,
2 ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MIS-
3 SSIPI, 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 \$352,475,000, to remain available until expended, of
9 which \$2,400,000 is provided for the Eastern Arkansas
10 Region, Arkansas, project.

11 OPERATION AND MAINTENANCE, GENERAL

12 For expenses necessary for the preservation, oper-
13 ation, maintenance, and care of existing river and harbor,
14 flood control, and related works, including such sums as
15 may be necessary for the maintenance of harbor channels
16 provided by a State, municipality or other public agency,
17 outside of harbor lines, and serving essential needs of gen-
18 eral commerce and navigation; surveys and charting of
19 northern and northwestern lakes and connecting waters;
20 clearing and straightening channels; and removal of ob-
21 structions to navigation, \$1,691,350,000, to remain avail-
22 able until expended, of which such sums as become avail-
23 able in the Harbor Maintenance Trust Fund, pursuant to
24 Public Law 99-662, may be derived from that fund, and
25 of which \$18,000,000 shall be for construction, operation,

1 and maintenance of outdoor recreation facilities, to be de-
2 rived from the special account established by the Land and
3 Water Conservation Act of 1965, as amended (16 U.S.C.
4 460l), and of which funds are provided for the following
5 projects in the amounts specified:

6 Tucson Diversion Channel, Arizona, \$550,000;

7 Los Angeles River (Sepulveda Basin to Arroyo
8 Seco), California, \$400,000;

9 Oceanside Experimental Sand Bypass, Califor-
10 nia, \$4,000,000;

11 Los Angeles County Drainage Area (Hansen
12 Dam), California, \$2,790,000;

13 Flint River Flood Control, Michigan,
14 \$2,500,000;

15 Sauk Lake, Minnesota, \$40,000; and

16 New Madrid County Harbor, Missouri,
17 \$250,000:

18 *Provided*, That not to exceed \$7,000,000 shall be available
19 for obligation for national emergency preparedness
20 programs.

21 REGULATORY PROGRAM

22 For expenses necessary for administration of laws
23 pertaining to regulation of navigable waters and wetlands,
24 \$92,000,000, 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
4 by section 5 of the Flood Control Act approved August
5 18, 1941, as amended, \$20,000,000, to remain available
6 until expended.

7 OIL SPILL RESEARCH

8 For expenses necessary to carry out the purposes of
9 the Oil Spill Liability Trust Fund, pursuant to Title VII
10 of the Oil Pollution Act of 1990, \$350,000, to be derived
11 from the Fund and to remain available until expended.

12 GENERAL EXPENSES

13 For expenses necessary for general administration
14 and related functions in the Office of the Chief of Engi-
15 neers and offices of the Division Engineers; activities of
16 the Coastal Engineering Research Board, the Humphreys
17 Engineer Center Support Activity, and the Water Re-
18 sources Support Center, \$148,500,000, to remain avail-
19 able until expended: *Provided*, That not to exceed
20 \$54,855,000 of the funds provided in this Act shall be
21 available for general administration and related functions
22 in the Office of the Chief of Engineers: *Provided further*,
23 That no part of any other appropriation provided in Title
24 I of this Act shall be available to fund the activities of
25 the Office of the Chief of Engineers.

1 ADMINISTRATIVE PROVISIONS

2 During the current fiscal year the revolving fund,
3 Corps of Engineers, shall be available for purchase (not
4 to exceed 100 for replacement only) and hire of passenger
5 motor vehicles.

6 GENERAL PROVISIONS

7 CORPS OF ENGINEERS—CIVIL

8 SEC. 101. None of the funds provided in this Act may
9 be used to close any Corps of Engineers District Office.

10 SEC. 102. None of the funds provided in this Act may
11 be used to transfer any functions of any Corps of Engi-
12 neers District Office.

13 SEC. 103. None of the funds provided in this Act may
14 be used to fund the activities of the Office of the Assistant
15 Secretary of the Army for Civil Works.

16 SEC. 104. Any funds heretofore appropriated and
17 made available in Public Law 100–202 to carry out the
18 provisions for the harbor modifications of the Cleveland
19 Harbor, Ohio, project contained in Public Law 99–662;
20 and in Public Law 102–104 for the development of Gate-
21 way Park at the Lower Granite Lock and Dam Project,
22 Washington, may be utilized by the Secretary of the Army
23 in carrying out projects and activities funded by this Act.

24 SEC. 105. None of the funds provided in this Act
25 shall be used to implement Defense Management Review

1 Decision No. 918, dated September 15, 1992, to transfer
2 from the Corps of Engineers property accountability of
3 automated data processing equipment and software ac-
4 quired with funds from the revolving fund established by
5 the Act of July 27, 1953, chapter 245, 33 U.S.C. 576.

6 **TITLE II**

7 DEPARTMENT OF THE INTERIOR

8 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

9 For the purpose of carrying out provisions of the
10 Central Utah Project Completion Act, Public Law 102-
11 575 (106 Stat. 4605), \$25,770,000, to remain available
12 until expended, of which \$15,920,000 shall be to carry out
13 the activities authorized under title II of the Act, and of
14 which \$9,850,000 shall be deposited into the Utah Rec-
15 lamation Mitigation and Conservation Account: *Provided,*
16 That of the amounts deposited into the Account,
17 \$5,000,000 shall be considered the Federal Contribution
18 authorized by paragraph 402(b)(2) of the Act and
19 \$4,850,000 shall be available to the Utah Reclamation
20 Mitigation and Conservation Commission to carry out the
21 activities authorized under title III of the Act: *Provided*
22 *further,* That, notwithstanding any other provision of law,
23 of the amounts available for activities authorized under
24 title II of the Act, not to exceed \$500,000 shall be avail-
25 able for necessary expenses incurred in carrying out the

1 responsibilities of the Secretary of the Interior under the
2 Act.

3 BUREAU OF RECLAMATION

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

9 GENERAL INVESTIGATIONS

10 For engineering and economic investigations of pro-
11 posed Federal reclamation projects and studies of water
12 conservation and development plans and activities prelimi-
13 nary to the reconstruction, rehabilitation and betterment,
14 financial adjustment, or extension of existing projects, to
15 remain available until expended, \$13,109,000: *Provided,*
16 That, of the total appropriated, the amount for program
17 activities which can be financed by the reclamation fund
18 shall be derived from that fund: *Provided further,* That
19 funds contributed by non-Federal entities for purposes
20 similar to this appropriation shall be available for expendi-
21 ture for the purposes for which contributed as though spe-
22 cifically appropriated for said purposes, and such amounts
23 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, \$464,423,000 of which \$46,507,000 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 \$160,470,000 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 no part of the funds herein
4 approved shall be available for construction or operation
5 of facilities to prevent waters of Lake Powell from enter-
6 ing any national monument: *Provided further*, That all
7 costs of the safety of dams modification work at Coolidge
8 Dam, San Carlos Irrigation Project, Arizona, performed
9 under the authority of the Reclamation Safety of Dams
10 Act of 1978 (43 U.S.C. 506), as amended, are in addition
11 to the amount authorized in section 5 of said Act.

12 OPERATION AND MAINTENANCE

13 For operation and maintenance of reclamation
14 projects or parts thereof and other facilities, as authorized
15 by law; and for a soil and moisture conservation program
16 on lands under the jurisdiction of the Bureau of Reclama-
17 tion, pursuant to law, to remain available until expended,
18 \$282,898,000: *Provided*, That of the total appropriated,
19 the amount for program activities which can be financed
20 by the reclamation fund shall be derived from that fund,
21 and the amount for program activities which can be de-
22 rived from the special fee account established pursuant to
23 the Act of December 22, 1987 (16 U.S.C. 460l-6a, as
24 amended), may be derived from that fund: *Provided fur-*
25 *ther*, That of the total appropriated, such amounts as may
26 be required for replacement work on the Boulder Canyon

1 Project which would require readvances to the Colorado
2 River Dam Fund shall be readvanced to the Colorado
3 River Dam Fund pursuant to section 5 of the Boulder
4 Canyon Project Adjustment Act of July 19, 1940 (43
5 U.S.C. 618d), and such readvances since October 1, 1984,
6 and in the future shall bear interest at the rate determined
7 pursuant to section 104(a)(5) of Public Law 98-381: *Pro-*
8 *vided further*, That funds advanced by water users for op-
9 eration and maintenance of reclamation projects or parts
10 thereof shall be deposited to the credit of this appropria-
11 tion and may be expended for the same purpose and in
12 the same manner as sums appropriated herein may be ex-
13 pended, and such advances shall remain available until ex-
14 pended: *Provided further*, That revenues in the Upper Col-
15 orado River Basin Fund shall be available for performing
16 examination of existing structures on participating
17 projects of the Colorado River Storage Project.

18 In addition, to remain available until expended, such
19 sums as may be necessary to cover the cost of work associ-
20 ated with rebuilding the Minidoka Powerplant, Minidoka
21 Project, Idaho, to be offset by funds provided by the Bon-
22 neville Power Administrator as authorized by section 2406
23 of Public Law 102-486. Such offset will result in a final
24 appropriation estimated at no more than \$282,898,000.

1 BUREAU OF RECLAMATION LOANS PROGRAM ACCOUNT

2 For the cost, as defined in section 13201 of the
3 Budget Enforcement Act of 1990, of direct loans and/or
4 grants, \$11,563,000, to remain available until expended,
5 as authorized by the Small Reclamation Projects Act of
6 August 6, 1956, as amended (43 U.S.C. 422a-422l): *Pro-*
7 *vided*, That such costs, including the cost of modifying
8 such loans, shall be as defined in section 502 of the Con-
9 gressional Budget Act of 1974: *Provided further*, That
10 these funds are available to subsidize gross obligations for
11 the principal amount of direct loans not to exceed
12 \$18,726,000.

13 In addition, for administrative expenses necessary to
14 carry out the program for direct loans and/or grants,
15 \$600,000: *Provided*, That of the total sums appropriated,
16 the amount of program activities which can be financed
17 by the reclamation fund shall be derived from the fund.

18 CENTRAL VALLEY PROJECT RESTORATION FUND

19 For carrying out the programs, projects, plans, and
20 habitat restoration, improvement, and acquisition provi-
21 sions of the Central Valley Project Improvement Act, to
22 remain available until expended, such sums as may be as-
23 sessed and collected in the Central Valley Project Restora-
24 tion Fund in fiscal year 1993 and such sums as become
25 available in, and may be derived from, the Central Valley

1 Project Restoration Fund in fiscal year 1994, pursuant
2 to sections 3407(d), 3404(c)(3), 3405(f) and 3406(c)(1)
3 of Public Law 102–575: *Provided*, That the Bureau of
4 Reclamation is directed to levy additional mitigation and
5 restoration payments totaling \$30,000,000 (October 1992
6 price levels), as authorized by section 3407(d) of Public
7 Law 102–575: *Provided further*, That the Bureau of Rec-
8 lamation is directed to assess and collect payments, reve-
9 nues and surcharges in the amounts and manner author-
10 ized by sections 3404(c)(3), 3405(f) and 3406(c)(1) of
11 Public Law 102–575, respectively.

12 GENERAL ADMINISTRATIVE EXPENSES

13 For necessary expenses of general administration and
14 related functions in the office of the Commissioner, the
15 Denver office, and offices in the five regions of the Bureau
16 of Reclamation, \$54,034,000, of which \$1,171,000 shall
17 remain available until expended, the total amount to be
18 derived from the reclamation fund and to be
19 nonreimbursable pursuant to the Act of April 19, 1945
20 (43 U.S.C. 377): *Provided*, That no part of any other ap-
21 propriation in this Act shall be available for activities or
22 functions budgeted for the current fiscal year as general
23 administrative expenses.

24 EMERGENCY FUND

25 For an additional amount for the “Emergency fund”,
26 as authorized by the Act of June 26, 1948 (43 U.S.C.

1 502), as amended, to remain available until expended for
2 the purposes specified in said Act, \$1,000,000, to be de-
3 rived from the reclamation fund.

4 SPECIAL FUNDS

5 (TRANSFER OF FUNDS)

6 Sums herein referred to as being derived from the
7 reclamation fund or special fee account are appropriated
8 from the special funds in the Treasury created by the Act
9 of June 17, 1902 (43 U.S.C. 391) or the Act of December
10 22, 1987 (16 U.S.C. 460l-6a, as amended), respectively.
11 Such sums shall be transferred, upon request of the Sec-
12 retary, to be merged with and expended under the heads
13 herein specified; and the unexpended balances of sums
14 transferred for expenditure under the head "General Ad-
15 ministrative Expenses" shall revert and be credited to the
16 reclamation fund.

17 ADMINISTRATIVE PROVISIONS

18 Appropriations for the Bureau of Reclamation shall
19 be available for purchase of not to exceed 13 passenger
20 motor vehicles for replacement only.

21 **TITLE III**

22 DEPARTMENT OF ENERGY

23 ENERGY SUPPLY, RESEARCH AND DEVELOPMENT

24 ACTIVITIES

25 For expenses of the Department of Energy activities
26 including the purchase, construction and acquisition of

1 plant and capital equipment and other expenses incidental
2 thereto necessary for energy supply, research and develop-
3 ment activities, and other activities in carrying out the
4 purposes of the Department of Energy Organization Act
5 (42 U.S.C. 7101, et seq.), including the acquisition or con-
6 demnation of any real property or any facility or for plant
7 or facility acquisition, construction, or expansion; pur-
8 chase of passenger motor vehicles (not to exceed 24, of
9 which 18 are for replacement only), \$3,167,634,000 to re-
10 main available until expended, of which \$10,000,000 shall
11 be for hydrogen research and development.

12 URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

13 For expenses of the uranium program, including pay-
14 ment to the Tennessee Valley Authority under the settle-
15 ment agreement filed with the United States Claims Court
16 on December 18, 1987, \$160,000,000, to remain available
17 until expended.

18 URANIUM ENRICHMENT DECONTAMINATION AND

19 DECOMMISSIONING FUND

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses in carrying out uranium en-
22 richment facility decontamination and decommissioning,
23 remedial actions and other activities of Title II of the
24 Atomic Energy Act of 1954 and Title X, Subtitle A of
25 the Energy Policy Act of 1992, \$286,320,000 to be de-

1 rived from the fund, to remain available until expended;
2 and in addition, \$49,679,000 in unexpended balances,
3 consisting of \$6,267,000 of unobligated balances and
4 \$43,412,000 of obligated balances, are transferred from
5 the Uranium Supply and Enrichment Activities account,
6 to be available for such expenses.

7 GENERAL SCIENCE AND RESEARCH ACTIVITIES

8 For expenses of the Department of Energy activities
9 including the purchase, construction and acquisition of
10 plant and capital equipment and other expenses incidental
11 thereto necessary for general science and research activi-
12 ties in carrying out the purposes of the Department of
13 Energy Organization Act (42 U.S.C. 7101, et seq.), in-
14 cluding the acquisition or condemnation of any real prop-
15 erty or facility or for plant or facility acquisition, construc-
16 tion, or expansion; purchase of passenger motor vehicles
17 (not to exceed 15 for replacement only), \$1,194,114,000,
18 to remain available until expended: *Provided*, That no
19 funds may be obligated for construction of a B-factory
20 until completion, by October 31, 1993, of a technical re-
21 view of the Cornell and Stanford linear accelerator propos-
22 als by the Department of Energy and the National Science
23 Foundation: *Provided further*, That none of the funds
24 made available under this section for Department of En-
25 ergy facilities may be obligated or expended for food, bev-

1 erages, receptions, parties, country club fees, plants or
2 flowers pursuant to any cost-reimbursible contract.

3 NUCLEAR WASTE DISPOSAL FUND

4 For nuclear waste disposal activities to carry out the
5 purposes of Public Law 97-425, as amended, including
6 the acquisition of real property or facility construction or
7 expansion, \$260,000,000, to remain available until ex-
8 pended, to be derived from the Nuclear Waste Fund. To
9 the extent that balances in the fund are not sufficient to
10 cover amounts available for obligation in the account, the
11 Secretary shall exercise her authority pursuant to section
12 302(e)(5) of said Act to issue obligations to the Secretary
13 of the Treasury: *Provided*, That of the amount herein ap-
14 propriated, within available funds, not to exceed
15 \$5,500,000 may be provided to the State of Nevada, for
16 the sole purpose in the conduct of its oversight responsibil-
17 ities pursuant to the Nuclear Waste Policy Act of 1982,
18 Public Law 97-425, as amended: *Provided further*, That
19 of the amount herein appropriated, not more than
20 \$7,000,000 may be provided to affected local governments,
21 as defined in the Act, to conduct appropriate activities
22 pursuant to the Act.

1 ISOTOPE PRODUCTION AND DISTRIBUTION PROGRAM
2 FUND

3 For Department of Energy expenses for isotope pro-
4 duction and distribution activities, \$3,910,000, to remain
5 available until expended.

6 ATOMIC ENERGY DEFENSE ACTIVITIES
7 WEAPONS ACTIVITIES

8 For Department of Energy expenses, including the
9 purchase, construction and acquisition of plant and capital
10 equipment and other incidental expenses necessary for
11 atomic energy defense weapons activities in carrying out
12 the purposes of the Department of Energy Organization
13 Act (42 U.S.C. 7101, et seq.), including the acquisition
14 or condemnation of any real property or any facility or
15 for plant or facility acquisition, construction, or expansion;
16 the purchase of passenger motor vehicles (not to exceed
17 109 for replacement only, including one police-type vehi-
18 cle), and the purchase of one rotary-wing aircraft,
19 \$3,572,198,000, to remain available until expended.

20 DEFENSE ENVIRONMENTAL RESTORATION AND WASTE
21 MANAGEMENT

22 For Department of Energy expenses, including the
23 purchase, construction and acquisition of plant and capital
24 equipment and other incidental expenses necessary for
25 atomic energy defense environmental restoration and
26 waste management activities in carrying out the purposes

1 of the Department of Energy Organization Act (42 U.S.C.
2 7101, et seq.), including the acquisition or condemnation
3 of any real property or any facility or for plant or facility
4 acquisition, construction, or expansion; and the purchase
5 of passenger motor vehicles (not to exceed 125 of which
6 122 are for replacement only including 9 police-type vehi-
7 cles), \$5,185,877,000, to remain available until expended.

8 MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS
9 (INCLUDING TRANSFER OF FUNDS)

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 materials support, and other de-
14 fense activities in carrying out the purposes of the Depart-
15 ment of Energy Organization Act (42 U.S.C. 7101, et
16 seq.), including the acquisition or condemnation of any
17 real property or any facility or for plant or facility acqui-
18 sition, construction, or expansion; and the purchase of pas-
19 senger motor vehicles (not to exceed 45 for replacement
20 only), \$2,046,592,000, to remain available until expended:
21 *Provided*, That the New Production Reactor Appropriation
22 Account shall be merged with and the balances made avail-
23 able to this appropriation.

24 DEFENSE NUCLEAR WASTE DISPOSAL

25 For nuclear waste disposal activities to carry out the
26 purposes of Public Law 97-425, as amended, including

1 the acquisition of real property or facility construction or
2 expansion, \$120,000,000, to remain available until ex-
3 pended, all of which shall be used in accordance with the
4 terms and conditions of the Nuclear Waste Fund appro-
5 priation of the Department of Energy contained in this
6 title.

7 DEPARTMENTAL ADMINISTRATION

8 For salaries and expenses of the Department of En-
9 ergy necessary for Departmental Administration and other
10 activities in carrying out the purposes of the Department
11 of Energy Organization Act (42 U.S.C. 7101, et seq.), in-
12 cluding the hire of passenger motor vehicles and official
13 reception and representation expenses (not to exceed
14 \$35,000), \$401,238,000 to remain available until ex-
15 pended, plus such additional amounts as necessary to
16 cover increases in the estimated amount of cost of work
17 for others notwithstanding the provisions of the Anti-Defi-
18 ciency Act (31 U.S.C. 1511, et seq.): *Provided*, That such
19 increases in cost of work are offset by revenue increases
20 of the same or greater amount, to remain available until
21 expended: *Provided further*, That moneys received by the
22 Department for miscellaneous revenues estimated to total
23 \$239,209,000 in fiscal year 1994 may be retained and
24 used for operating expenses within this account, and may
25 remain available until expended, as authorized by section

1 201 of Public Law 95–238, notwithstanding the provisions
2 of section 3302 of title 31, United States Code: *Provided*
3 *further*, That the sum herein appropriated shall be reduced
4 by the amount of miscellaneous revenues received during
5 fiscal year 1994 so as to result in a final fiscal year 1994
6 appropriation estimated at not more than \$162,029,000.

7 OFFICE OF THE INSPECTOR GENERAL

8 For necessary expenses of the Office of the Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, as amended, \$31,757,000, to remain
11 available until expended.

12 POWER MARKETING ADMINISTRATIONS

13 OPERATION AND MAINTENANCE, ALASKA POWER

14 ADMINISTRATION

15 For necessary expenses of operation and maintenance
16 of projects in Alaska and of marketing electric power and
17 energy, \$4,010,000, to remain available until expended.

18 BONNEVILLE POWER ADMINISTRATION FUND

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

23 During fiscal year 1994, no new direct loan obliga-
24 tions may be made.

1 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
2 ADMINISTRATION

3 For necessary expenses of operation and maintenance
4 of power transmission facilities and of marketing electric
5 power and energy pursuant to the provisions of section
6 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as
7 applied to the southeastern power area, \$29,742,000, to
8 remain available until expended.

9 OPERATION AND MAINTENANCE, SOUTHWESTERN
10 POWER ADMINISTRATION

11 For necessary expenses of operation and maintenance
12 of power transmission facilities and of marketing electric
13 power and energy, and for construction and acquisition of
14 transmission lines, substations and appurtenant facilities,
15 and for administrative expenses, including official recep-
16 tion and representation expenses in an amount not to ex-
17 ceed \$1,500 connected therewith, in carrying out the pro-
18 visions of section 5 of the Flood Control Act of 1944 (16
19 U.S.C. 825s), as applied to the southwestern power area,
20 \$33,587,000, to remain available until expended; in addi-
21 tion, notwithstanding the provisions of 31 U.S.C. 3302,
22 not to exceed \$5,583,000 in reimbursements, to remain
23 available until expended.

1 CONSTRUCTION, REHABILITATION, OPERATION AND
2 MAINTENANCE, WESTERN AREA POWER ADMINIS-
3 TRATION

4 (INCLUDING TRANSFER OF FUNDS)

5 For carrying out the functions authorized by title III,
6 section 302(a)(1)(E) of the Act of August 4, 1977 (42
7 U.S.C. 7101, et seq.), and other related activities includ-
8 ing conservation and renewable resources programs as au-
9 thorized, including official reception and representation
10 expenses in an amount not to exceed \$1,500, the purchase,
11 maintenance, and operation of one fixed-wing aircraft for
12 replacement only, \$287,956,000, to remain available until
13 expended, of which \$275,400,000 shall be derived from
14 the Department of the Interior Reclamation fund; in addi-
15 tion, \$5,000,000 is appropriated for deposit into the Utah
16 Reclamation Mitigation and Conservation Account pursu-
17 ant to Title IV of the Reclamation Projects Authorization
18 and Adjustment Act of 1992: *Provided further*, That the
19 Secretary of the Treasury is authorized to transfer from
20 the Colorado River Dam Fund to the Western Area Power
21 Administration \$7,168,000, to carry out the power mar-
22 keting and transmission activities of the Boulder Canyon
23 project as provided in section 104(a)(4) of the Hoover
24 Power Plant Act of 1984, to remain available until ex-
25 pended.

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); \$165,375,000 to remain available until expended:
10 *Provided*, That hereafter and notwithstanding any other
11 provision of law, not to exceed \$165,375,000 of revenues
12 from fees and annual charges, and other services and col-
13 lections in fiscal year 1994, shall be retained and used
14 for necessary expenses in this account, and shall remain
15 available until expended: *Provided further*, That the sum
16 herein appropriated shall be reduced as revenues are re-
17 ceived during fiscal year 1994, so as to result in a final
18 fiscal year 1994 appropriation estimated at not more than
19 \$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

1 Act, and for necessary expenses for the Federal Cochair-
2 man and the alternate on the Appalachian Regional Com-
3 mission and for payment of the Federal share of the ad-
4 ministrative expenses of the Commission, including serv-
5 ices as authorized by section 3109 of title 5, United States
6 Code, and hire of passenger motor vehicles, to remain
7 available until expended, \$189,000,000.

8 DEFENSE NUCLEAR FACILITIES SAFETY

9 BOARD

10 SALARIES AND EXPENSES

11 For necessary expenses of the Defense Nuclear Fa-
12 cilities Safety Board in carrying out activities authorized
13 by the Atomic Energy Act of 1954, as amended by Public
14 Law 100-456, section 1441, \$15,060,000, to remain
15 available until expended.

16 DELAWARE RIVER BASIN COMMISSION

17 SALARIES AND EXPENSES

18 For expenses necessary to carry out the functions of
19 the United States member of the Delaware River Basin
20 Commission, as authorized by law (75 Stat. 716),
21 \$333,000.

1 publication and dissemination of atomic information; pur-
2 chase, repair, and cleaning of uniforms, official represen-
3 tation expenses (not to exceed \$20,000); reimbursements
4 to the General Services Administration for security guard
5 services; hire of passenger motor vehicles and aircraft,
6 \$542,900,000, to remain available until expended, of
7 which \$22,000,000 shall be derived from the Nuclear
8 Waste Fund: *Provided*, That from this appropriation,
9 transfer of sums may be made to other agencies of the
10 Government for the performance of the work for which
11 this appropriation is made, and in such cases the sums
12 so transferred may be merged with the appropriation to
13 which transferred: *Provided further*, That moneys received
14 by the Commission for the cooperative nuclear safety re-
15 search program, services rendered to foreign governments
16 and international organizations, and the material and in-
17 formation access authorization programs, including crimi-
18 nal history checks under section 149 of the Atomic Energy
19 Act of 1954, as amended, may be retained and used for
20 salaries and expenses associated with those activities, not-
21 withstanding the provisions of section 3302 of title 31,
22 United States Code, and shall remain available until ex-
23 pended: *Provided further*, That revenues from licensing
24 fees, inspection services, and other services and collections
25 estimated at \$520,900,000 in fiscal year 1994 shall be re-

1 tained and used for necessary salaries and expenses in this
2 account, notwithstanding the provisions of section 3302
3 of title 31, United States Code, and shall remain available
4 until expended: *Provided further*, That the sum herein ap-
5 propriated shall be reduced by the amount of revenues re-
6 ceived during fiscal year 1994 from licensing fees, inspec-
7 tion services and other services and collections, excluding
8 those moneys received for the cooperative nuclear safety
9 research program, services rendered to foreign govern-
10 ments and international organizations, and the material
11 and information access authorization programs, so as to
12 result in a final fiscal year 1994 appropriation estimated
13 at not more than \$22,000,000.

14 OFFICE OF INSPECTOR GENERAL

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses of the Office of Inspector
17 General in carrying out the provisions of the Inspector
18 General Act of 1978, as amended, including services au-
19 thorized by section 3109 of title 5, United States Code,
20 \$4,800,000 to remain available until expended; and in ad-
21 dition, an amount not to exceed 5 percent of this sum may
22 be transferred from Salaries and Expenses, Nuclear Regu-
23 latory Commission: *Provided*, That notice of such trans-
24 fers shall be given to the Committees on Appropriations
25 of the House and Senate: *Provided further*, That from this

1 appropriation, transfers of sums may be made to other
2 agencies of the Government for the performance of the
3 work for which this appropriation is made, and in such
4 cases the sums so transferred may be merged with the
5 appropriation to which transferred: *Provided further*, That
6 revenues from licensing fees, inspection services, and other
7 services and collections shall be retained and used for nec-
8 essary salaries and expenses in this account, notwithstand-
9 ing the provisions of section 3302 of title 31, United
10 States Code, and shall remain available until expended:
11 *Provided further*, That the sum herein appropriated shall
12 be reduced by the amount of revenues received during fis-
13 cal year 1994 from licensing fees, inspection services, and
14 other services and collections, so as to result in a final
15 fiscal year 1994 appropriation estimated at not more than
16 \$0.

17 NUCLEAR WASTE TECHNICAL REVIEW BOARD

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses of the Nuclear Waste Tech-
21 nical Review Board, as authorized by Public Law 100-
22 203, section 5051, \$2,160,000, to be transferred from the
23 Nuclear Waste Fund and to remain available until ex-
24 pended.

1 OFFICE OF THE NUCLEAR WASTE NEGOTIATOR
2 SALARIES AND EXPENSES

3 For necessary expenses of the office of the Nuclear
4 Waste Negotiator in carrying out activities authorized by
5 the Nuclear Waste Policy Act of 1982, as amended by
6 Public Law 102-486, section 802, \$1,000,000 to remain
7 available until expended.

8 SUSQUEHANNA RIVER BASIN COMMISSION
9 SALARIES AND EXPENSES

10 For expenses necessary to carry out the functions of
11 the United States member of the Susquehanna River
12 Basin Commission as authorized by law (84 Stat. 1541),
13 \$308,000.

14 CONTRIBUTION TO SUSQUEHANNA RIVER BASIN
15 COMMISSION

16 For payment of the United States share of the cur-
17 rent expenses of the Susquehanna River Basin Commis-
18 sion, as authorized by law (84 Stat. 1530, 1531),
19 \$298,000.

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, \$138,973,000, to remain available
2 until expended.

3 **TITLE V—GENERAL PROVISION**

4 MINORITY PARTICIPATION IN THE
5 SUPERCONDUCTING SUPER COLLIDER

6 SEC. 501. (a) PROGRAM IMPROVEMENTS.—Section
7 304 of the Energy and Water Development Appropriations
8 Act, 1993 (Public Law 102–377; 106 Stat. 1339) is
9 amended—

10 (1) in subsection (a)—

11 (A) by striking “owned or controlled” and
12 inserting “that (1) are owned and controlled”;

13 (B) by inserting after “Native Americans”
14 the following: “; or (2) are small business con-
15 cerns that are at least 51 percent owned by 1
16 or more women and whose management and
17 daily business operations are controlled by 1 or
18 more women”; and

19 (C) by striking the last sentence;

20 (2) by inserting “and (d)” after “(6)” each
21 place it appears; and

22 (3) by adding at the end the following new sub-
23 section:

24 “(c) ADMINISTRATION OF PROGRAM.—

1 “(1) CERTIFICATION REQUIREMENT.—A busi-
2 ness concern or other organization shall be eligible
3 for participation under this section only if it has
4 been certified as meeting the requirements specified
5 in subsection (a) by the Small Business Administra-
6 tion, or by a State, local, regional, or other organiza-
7 tion designated by the Small Business Administra-
8 tion.

9 “(2) RECORDS AND REPORTS.—The Secretary
10 of Energy, with respect to the Superconducting
11 Super Collider project, shall—

12 “(A) submit to the Congress copies of—

13 “(i) each subcontracting report for in-
14 dividual contracts (SF294) required under
15 the Federal Acquisition Regulation (48
16 CFR chapter 1) to be submitted by a con-
17 tractor or subcontractor with respect to the
18 project; and

19 “(ii) each summary subcontract report
20 (SF295) required under the Federal Ac-
21 quisition Regulation (48 CFR chapter 1)
22 to be submitted by a contractor or sub-
23 contractor with respect to the project; and

24 “(B) maintain accurate information and
25 data on the amount and type of subcontracts

1 awarded by each contractor or subcontractor
2 under the project and the extent of participa-
3 tion in the subcontracts by socially and eco-
4 nomically disadvantaged individuals and eco-
5 nomically disadvantaged women referred to in
6 subsection (b).

7 “(3) CATEGORIES OF WORK TO BE IN-
8 CLUDED.—The Secretary of Energy shall, to the
9 fullest extent possible, ensure that the categories of
10 work performed under contracts entered into pursu-
11 ant to this section are representative of all cat-
12 egories of work performed under contract for the
13 Superconducting Super Collider project.

14 “(4) AUDITS.—The Secretary of Energy shall
15 conduct periodic audits to verify the continuing com-
16 pliance of prime contractors and subcontractors with
17 the requirements of this section. For such purpose,
18 the Secretary shall have access to such reports and
19 records of prime contractors and subcontractors as
20 the Secretary determines to be necessary.”.

21 (b) EFFECTIVE DATE.—The amendments made by
22 this section shall apply to fiscal year 1994 and thereafter.

23 **SEC. 502. COMPLIANCE WITH BUY AMERICAN ACT.**

24 No funds appropriated pursuant to this Act may be
25 expended by an entity unless the entity agrees that in ex-

1 pending the assistance the entity will comply with sections
2 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-
3 10c, popularly known as the “Buy American Act”).

4 **SEC. 503. SENSE OF CONGRESS; REQUIREMENT REGARD-**
5 **ING NOTICE.**

6 (a) PURCHASE OF AMERICAN-MADE EQUIPMENT
7 AND PRODUCTS.—In the case of any equipment or prod-
8 ucts that may be authorized to be purchased with financial
9 assistance provided under this Act, it is the sense of the
10 Congress that entities receiving such assistance should, in
11 expending the assistance, purchase only American-made
12 equipment and products.

13 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
14 providing financial assistance under this Act, the head of
15 each Federal agency shall provide to each recipient of the
16 assistance a notice describing the statement made in sub-
17 section (a) by the Congress.

18 **SEC. 504. PROHIBITION OF CONTRACTS.**

19 If it has been finally determined by a court or Federal
20 agency that any person intentionally affixed a label bear-
21 ing a “Made in America” inscription, or any inscription
22 with the same meaning, to any product sold in or shipped
23 to the United States that is not made in the United
24 States, such person shall be ineligible to receive any con-
25 tract or subcontract made with funds provided pursuant

1 to this Act, pursuant to the debarment, suspension, and
2 ineligibility procedures described in section 9.400 through
3 9.409 of title 48, Code of Federal Regulations.

4 This Act may be cited as the “Energy and Water De-
5 velopment Appropriations Act, 1994”.

Passed the House of Representatives June 23, 1993.

Attest: DONNALD K. ANDERSON,
Clerk.

HR 2445 RFS—2

HR 2445 RFS—3

HR 2445 RFS—4