

Calendar No. 208

103D CONGRESS
1ST SESSION

H. R. 2445

[Report No. 103-147]

AN ACT

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

JUNE 29 (legislative day, JUNE 22), 1993

Received; read twice and referred to the Committee on
Appropriations

SEPTEMBER 23 (legislative day, SEPTEMBER 7), 1993

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

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Reported by Mr. JOHNSTON, with amendments

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

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~~ *\$208,544,000*, 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 *Central Basin Groundwater Project, California,*
8 *\$750,000;*
9 *McCook and Thornton Reservoirs, Illinois,*
10 *\$5,500,000;*
11 *Indianapolis, White River, Central Waterfront,*
12 *Indiana, \$900,000;*
13 *Little Calumet River Basin (Cady Marsh Ditch),*
14 *Indiana, \$310,000;*
15 *Ohio River Shoreline Flood Protection, Indiana,*
16 *\$400,000;*
17 *Hazard, Kentucky, \$250,000;*
18 *Brockton, Massachusetts, \$350,000;*
19 *Passaic River Mainstem, New Jersey,*
20 *\$10,000,000;*
21 *Pocotaligo River and Swamp, South Carolina,*
22 *\$400,000;*
23 *Jennings Randolph Lake, West Virginia,*
24 *\$400,000;*

1 *Monongahela River Comprehensive, West Vir-*
2 *ginia, \$600,000; and*

3 *West Virginia Comprehensive, West Virginia,*
4 *\$500,000:*

5 *Provided, That notwithstanding ongoing studies using pre-*
6 *viously appropriated funds, and using \$2,500,000 of the*
7 *funds appropriated herein, the Secretary of the Army, act-*
8 *ing through the Chief of Engineers, is directed to conduct*
9 *hydraulic modeling, foundations analysis and related de-*
10 *sign, and mapping efforts in continuing preconstruction en-*
11 *gineering and design for the additional lock at Kentucky*
12 *Dam, Kentucky project, in accordance with the Kentucky*
13 *Lock Addition Feasibility Report approved by Report of the*
14 *Chief of Engineers, dated June 1, 1992: Provided further,*
15 *That the Secretary of the Army, acting through the Chief*
16 *of Engineers, is directed to use \$250,000 of available funds*
17 *to complete a detailed project report, and plans and speci-*
18 *fications for a permanent shore erosion protection project*
19 *at Geneva State Park, Ashtabula County, Ohio: Provided*
20 *further, That the Secretary of the Army, acting through the*
21 *Chief of Engineers, is directed to use \$400,000 appropriated*
22 *herein to continue preconstruction engineering and design,*
23 *including preparation of the special design report, initi-*
24 *ation of National Environmental Policy Act document*
25 *preparation, and initiation of hydraulic model studies for*

1 *the Kaunapali Harbor navigation study, Lanai, Hawaii:*
2 *Provided further, That the Secretary of the Army is directed*
3 *to limit the Columbia River Navigation Channel, Oregon*
4 *and Washington feasibility study to investigation of the fea-*
5 *sibility of constructing a navigation channel not to exceed*
6 *43-feet in depth from the Columbia River entrance to Port*
7 *of Portland/Port of Vancouver and to modify the Initial*
8 *Project Management Plan accordingly: Provided further,*
9 *That the Secretary of the Army, acting through the Chief*
10 *of Engineers, is directed to use \$400,000 of funds appro-*
11 *priated herein to initiate a reconnaissance study, including*
12 *economic and environmental studies, for the Pocatigo*
13 *River and Swamp, South Carolina: Provided further, That*
14 *the Secretary of the Army, acting through the Chief of Engi-*
15 *neers, is directed to use \$90,000 of funds appropriated here-*
16 *in to complete the reconnaissance study of the Black Fox*
17 *and Oakland Spring wetland area in Murfreesboro, Ten-*
18 *nessee: Provided further, That the Secretary of the Army,*
19 *acting through the Chief of Engineers, is directed to utilize*
20 *\$200,000 of available funds to initiate the planning and*
21 *design of remedial measures to restore the environmental*
22 *integrity and recreational boating facilities at Old Hickory*
23 *Lake, in the vicinity of Drakes Creek Park, in accordance*
24 *with the reconnaissance study findings dated September,*
25 *1993.*

1 CONSTRUCTION, GENERAL

2 For the prosecution of river and harbor, flood control,
3 shore protection, and related projects authorized by laws;
4 and detailed studies, and plans and specifications, of
5 projects (including those for development with participa-
6 tion or under consideration for participation by States,
7 local governments, or private groups) authorized or made
8 eligible for selection by law (but such studies shall not con-
9 stitute a commitment of the Government to construction),
10 ~~\$1,389,138,000~~ *\$1,296,167,000*, to remain available until
11 expended, of which such sums as are necessary pursuant
12 to Public Law 99-662 shall be derived from the Inland
13 Waterways Trust Fund, for one-half of the costs of con-
14 struction and rehabilitation of inland waterways projects,
15 including rehabilitation costs for the Lock and Dam 25,
16 Mississippi River, Illinois and Missouri, and GIWW-Braz-
17 os River Floodgates, Texas, projects, and of which funds
18 are provided for the following projects in the amounts
19 specified:

20 ~~Rillito River, Arizona, \$4,200,000;~~

21 ~~Red River Emergency Bank Protection, Arkan-~~
22 ~~sas, \$3,500,000;~~

23 ~~Coyote and Berryessa Creeks, California,~~
24 ~~\$4,000,000;~~

1 Sacramento River Flood Control Project
2 (Glenn-Colusa Irrigation District), California,
3 \$400,000;

4 San Timoteo Creek (Santa Ana River
5 Mainstem), California, \$12,000,000;

6 Sonoma Baylands Wetland Demonstration
7 Project, California, \$4,000,000;

8 Central and Southern Florida, Florida,
9 \$17,850,000;

10 Kissimmee River, Florida, \$5,000,000;

11 Melaleuca Quarantine Facility, Florida,
12 \$1,000,000;

13 Casino Beach, Illinois, \$300,000;

14 McCook and Thornton Reservoirs, Illinois,
15 \$13,000,000;

16 O'Hare Reservoir, Illinois, \$5,000,000;

17 Des Moines Recreational River and Greenbelt,
18 Iowa, \$2,700,000;

19 Barbourville (Levisa and Tug Forks of the Big
20 Sandy River and Upper Cumberland River), Ken-
21 tucky, \$3,868,000;

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

- 1 Pike County (Levisa and Tug Forks of the Big
2 Sandy River and Upper Cumberland River), Ken-
3 tucky, \$5,000,000;
- 4 Salyersville, Kentucky, \$1,000,000;
- 5 Williamsburg (Levisa and Tug Forks of the Big
6 Sandy River and Upper Cumberland River), Ken-
7 tucky, \$700,000;
- 8 Lake Pontchartrain and Vicinity (Hurricane
9 Protection), Louisiana, \$24,119,000;
- 10 Lake Pontchartrain and Vicinity (Jefferson
11 Parish), Louisiana, \$200,000;
- 12 Red River Waterway, Mississippi River to
13 Shreveport, Louisiana, \$65,000,000;
- 14 Anacostia River, Maryland and District of Co-
15 lumbia, \$700,000;
- 16 Clinton River Spillway, Michigan, \$2,000,000;
- 17 Silver Bay Harbor, Minnesota, \$2,600,000;
- 18 Stillwater, Minnesota, \$2,400,000;
- 19 Sowshee Creek, Mississippi, \$3,240,000;
- 20 Molly Ann's Brook, New Jersey, \$1,000,000;
- 21 New York Harbor Collection and Removal of
22 Drift, New York and New Jersey, \$3,900,000;
- 23 Rochester Harbor, New York, \$4,000,000;
- 24 Wilmington Harbor Ocean Bar, North Carolina,
25 \$5,266,000;

1 West Columbus, Ohio, \$5,000,000;

2 Lackawanna River Greenway Corridor, Penn-
3 sylvania, \$2,000,000;

4 South Central Pennsylvania Environmental
5 Restoration Infrastructure and Resource Protection
6 Development Pilot Program, Pennsylvania,
7 \$10,000,000;

8 Fort Point, Galveston, Texas, \$1,500,000;

9 Lake O' The Pines-Big Cypress Bayou, Texas,
10 \$300,000;

11 Red River Basin Chloride Control, Texas and
12 Oklahoma, \$4,000,000;

13 Wallisville Lake, Texas, \$1,000,000;

14 Richmond Filtration Plant, Virginia,
15 \$1,000,000;

16 Southern West Virginia Environmental Res-
17 toration Infrastructure and Resource Protection De-
18 velopment Pilot Program, West Virginia,
19 \$3,500,000; and

20 State Road and Ebner Coulees, LaCrosse and
21 Shelby, Wisconsin, \$1,467,000

22 *Rillito River, Arizona, \$4,200,000;*

23 *Coyote and Berryessa Creeks, California,*
24 *\$4,000,000;*

- 1 *Sacramento River Flood Control Project (Glenn-*
2 *Colusa Irrigation District), California, \$400,000;*
- 3 *San Timoteo Creek (Santa Ana River*
4 *Mainstem), California, \$12,000,000;*
- 5 *Sonoma Baylands Wetland Demonstration*
6 *Project, California, \$4,000,000;*
- 7 *Central and Southern Florida, Florida,*
8 *\$9,500,000;*
- 9 *Kissimmee River, Florida, \$5,000,000;*
- 10 *Casino Beach, Illinois, \$300,000;*
- 11 *O'Hare Reservoir, Illinois, \$5,000,000;*
- 12 *Des Moines Recreational River and Greenbelt,*
13 *Iowa, \$1,700,000;*
- 14 *Pike County (Levisa and Tug Forks of the Big*
15 *Sandy River and Upper Cumberland River), Ken-*
16 *tucky, \$5,000,000;*
- 17 *Salyersville, Kentucky, \$1,000,000;*
- 18 *Williamsburg (Levisa and Tug Forks of the Big*
19 *Sandy River and Upper Cumberland River), Ken-*
20 *tucky, \$700,000;*
- 21 *Lake Pontchartrain and Vicinity (Jefferson Par-*
22 *ish), Louisiana, \$200,000;*
- 23 *Anacostia River, Maryland and District of Co-*
24 *lumbia, \$700,000;*
- 25 *Stillwater, Minnesota, \$2,400,000;*

1 *Sowashee Creek, Mississippi, \$3,240,000;*
2 *Molly Ann's Brook, New Jersey, \$1,000,000;*
3 *New York Harbor Collection and Removal of*
4 *Drift, New York and New Jersey, \$2,900,000;*
5 *Lake O' The Pines-Big Cypress Bayou, Texas,*
6 *\$300,000;*
7 *Red River Basin Chloride Control, Texas and*
8 *Oklahoma, \$4,000,000;*
9 *Wallisville Lake, Texas, \$1,000,000; and*
10 *Southern West Virginia Environmental Restora-*
11 *tion Infrastructure and Resource Protection Develop-*
12 *ment Pilot Program, West Virginia, \$3,500,000:*
13 *Provided, That the Secretary of the Army, acting through*
14 *the Chief of Engineers, is directed to use \$3,500,000 of*
15 *available funds to initiate and complete construction of the*
16 *Finn Revetment portion of the Red River Emergency Bank*
17 *Protection, Arkansas and Louisiana project: Provided fur-*
18 *ther, That the Chief of Engineers is directed to use a fully*
19 *funded contract for the construction of the Finn Revetment:*
20 *Provided further, That the Secretary of the Army is directed*
21 *to use \$3,500,000 of funds appropriated herein to continue*
22 *the Red River Levees and Bank Stabilization below Denison*
23 *Dam, Arkansas project, including completion of studies to*
24 *improve the stability of the levee system from Index, Arkan-*
25 *sas to the Louisiana State line and continuation of reha-*

1 *bilitation work underway: Provided further, That with*
2 *\$2,000,000 appropriated herein, the Secretary of the Army,*
3 *acting through the Chief of Engineers, is directed to con-*
4 *tinue construction of the Bethel, Alaska project authorized*
5 *by Public Law 99-662, including but not limited to initiat-*
6 *ing lands and damages, erosion control construction, and*
7 *continued related engineering and construction manage-*
8 *ment: Provided further, That no fully funded allocation pol-*
9 *icy shall apply to the construction of the Bethel, Alaska*
10 *project: Provided further, That the Secretary of the Army,*
11 *acting through the Chief of Engineers, is directed to use*
12 *\$24,119,000 of the funds appropriated herein to continue*
13 *the Lake Pontchartrain and Vicinity, Louisiana, Hurri-*
14 *cane Protection project, including continued construction of*
15 *parallel protection along Orleans and London Avenue*
16 *Outfall Canals and the award of continuing contracts for*
17 *construction of this parallel protection under the same*
18 *terms and conditions specified for such work under this*
19 *heading in Public Law 102-377: Provided further, That the*
20 *Secretary of the Army, acting through the Chief of Engi-*
21 *neers, is directed to use \$450,000 of funds appropriated*
22 *herein to complete the repair and restoration to a safe con-*
23 *dition of the existing Tulsa and West Tulsa local protection*
24 *project, Oklahoma, authorized by the Flood Control Act of*
25 *1941, Public Law 73-228: Provided further, That with*

1 \$19,300,000 of the funds appropriated herein, to remain
2 available until expended, the Secretary of the Army, acting
3 through the Chief of Engineers, is directed to continue to
4 undertake structural and nonstructural work associated
5 with the Barbourville, Kentucky, and the Harlan, Ken-
6 tucky, elements of the Levisa and Tug Forks of the Big
7 Sandy River and Upper Cumberland River project author-
8 ized by section 202 of Public Law 96-367: Provided further,
9 That with \$5,365,000 of the funds appropriated herein, to
10 remain available until expended, the Secretary of the Army,
11 acting through the Chief of Engineers, is directed to con-
12 tinue to undertake structural and nonstructural work asso-
13 ciated with Matewan, West Virginia, element of the Levisa
14 and Tug Forks of the Big Sandy and Upper Cumberland
15 River project authorized by section 202 of Public Law 96-
16 367: Provided further, That with \$3,500,000 of the funds
17 appropriated herein, to remain available until expended,
18 the Secretary of the Army, acting through the Chief of Engi-
19 neers, is directed to continue construction of the Hatfield
20 Bottom, West Virginia, element of the Levisa and Tug Forks
21 of the Big Sandy and Upper Cumberland River project au-
22 thorized by section 202 of Public Law 96-367 using con-
23 tinuing contracts: Provided further, That no fully allocated
24 funding policy shall apply to construction of the Matewan,
25 West Virginia, Hatfield Bottom, West Virginia,

1 *Barbourville, Kentucky, and Harlan, Kentucky, elements of*
2 *the Levisa and Tug Forks of the Big Sandy and Upper*
3 *Cumberland river project: Provided further, That the Sec-*
4 *retary of the Army, acting through the Chief of Engineers,*
5 *is directed to initiate and complete construction of offshore*
6 *breakwaters at Grand Isle, Louisiana, as an integral part*
7 *of the repair of features of the Grand Isle and Vicinity,*
8 *Louisiana, project damaged by Hurricane Andrew using*
9 *funds previously appropriated for the purpose in the fiscal*
10 *year 1992 Dire Emergency Supplemental Appropriations*
11 *Act, Public Law 102-368, which are available for this work:*
12 *Provided further, That the Secretary of the Army, acting*
13 *through the Chief of Engineers, is directed to continue con-*
14 *struction of the section 14 bank stabilization program at*
15 *McGregor Park in Clarksville, Tennessee utilizing heretofore*
16 *appropriated funds until the Federal funds limit of*
17 *\$550,000 is reached or bank protection for the entire park*
18 *is completed: Provided further, That using \$3,800,000 of the*
19 *funds appropriated herein, the Secretary of the Army, act-*
20 *ing through the Chief of Engineers, is directed to continue*
21 *with the authorized Ouachita River Levees, Louisiana*
22 *project in an orderly but expeditious manner; and in addi-*
23 *tion, \$145,000,000, to remain available until expended, is*
24 *hereby appropriated for construction of the Red River Wa-*
25 *terway, Mississippi River to Shreveport, Louisiana, project,*

1 *as authorized by laws, and the Secretary is directed to con-*
2 *tinue the second phase of construction of Locks and Dams*
3 *4 and 5; complete construction of Howard Capout, McDade,*
4 *Elm Grove, Cecile, Curtis, Sunny Point, and Eagle Bend*
5 *Phase I and Phase II revetments in Pools 4 and 5, and*
6 *levee modifications in Pool 5, all of which were previously*
7 *directed to be initiated; and award continuing contracts in*
8 *fiscal year 1994 for construction of the following features*
9 *of the Red River Waterway which are not to be considered*
10 *fully funded: recreation facilities in Pools 4 and 5,*
11 *Piermont/Nicholas and Sunny Point Capouts, Lock and*
12 *Dam 4 Upstream Dikes, Lock and Dam 5 Downstream Ad-*
13 *ditional Control Structure, Wells Island Road Revetment,*
14 *and construction dredging in Pool 4; all as authorized by*
15 *laws, and the Secretary is further directed to provide an-*
16 *nual reimbursement to the projects local sponsor for the*
17 *Federal share of management costs for the Bayou Bodcau*
18 *Mitigation Area as authorized by Public Law 101-640, the*
19 *Water Resources Development Act of 1990.*

20 FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,
21 ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MIS-
22 SISSIPPI, MISSOURI, AND TENNESSEE

23 For expenses necessary for prosecuting work of flood
24 control, and rescue work, repair, restoration, or mainte-
25 nance of flood control projects threatened or destroyed by

1 flood, as authorized by law (33 U.S.C. 702a, 702g-1),
2 ~~\$352,475,000~~ *\$348,875,000*, to remain available until ex-
3 pended, of which \$2,400,000 is provided for the Eastern
4 Arkansas Region, Arkansas, project.

5 OPERATION AND MAINTENANCE, GENERAL

6 For expenses necessary for the preservation, oper-
7 ation, maintenance, and care of existing river and harbor,
8 flood control, and related works, including such sums as
9 may be necessary for the maintenance of harbor channels
10 provided by a State, municipality or other public agency,
11 outside of harbor lines, and serving essential needs of gen-
12 eral commerce and navigation; surveys and charting of
13 northern and northwestern lakes and connecting waters;
14 clearing and straightening channels; and removal of ob-
15 structions to navigation, ~~\$1,691,350,000~~ *\$1,673,704,000*,
16 to remain available until expended, of which such sums
17 as become available in the Harbor Maintenance Trust
18 Fund, pursuant to Public Law 99-662, may be derived
19 from that fund, and of which \$18,000,000 shall be for
20 construction, operation, and maintenance of outdoor recre-
21 ation facilities, to be derived from the special account es-
22 tablished by the Land and Water Conservation Act of
23 1965, as amended (16 U.S.C. 460l), and of which funds
24 are provided for the following projects in the amounts
25 specified:

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

2 Los Angeles River (Sepulveda Basin to Arroyo

3 Seco), California, \$400,000;

4 Oceanside Experimental Sand Bypass, Califor-

5 nia, \$4,000,000;

6 Los Angeles County Drainage Area (Hansen

7 Dam), California, \$2,790,000; and

8 Flint River Flood Control, Michigan,

9 \$2,500,000;

10 Sauk Lake, Minnesota, \$40,000;—and

11 New Madrid County Harbor, Missouri,

12 \$250,000:

13 *Provided, That not to exceed \$7,000,000 shall be available*

14 *for obligation for national emergency preparedness*

15 *programs: Provided further, That the Secretary of the*

16 *Army, acting through the Chief of Engineers, is directed*

17 *to use \$5,000,000 of available funds to undertake and com-*

18 *plete critical maintenance items for water supply of the*

19 *Kentucky River Locks and Dams 5–14 and to transfer such*

20 *facilities to the Commonwealth of Kentucky: Provided fur-*

21 *ther, That the Secretary of the Army is directed during fis-*

22 *cal year 1994 to maintain a minimum conservation pool*

23 *level of 475.5 at Wister Lake in Oklahoma: Provided fur-*

24 *ther, That the Secretary of the Army, acting through the*

25 *Chief of Engineers, is directed to use Operation and Main-*

1 the Coastal Engineering Research Board, the Humphreys
2 Engineer Center Support Activity, and the Water Re-
3 sources Support Center, \$148,500,000, to remain avail-
4 able until expended: *Provided, That not to exceed*
5 *\$54,855,000 of the funds provided in this Act shall be*
6 *available for general administration and related functions*
7 *in the Office of the Chief of Engineers* *Provided, That not*
8 *to exceed \$58,255,000 of the funds provided in this Act shall*
9 *be available for general administration and related func-*
10 *tions in the Office of the Chief of Engineers, unless the Sec-*
11 *retary of the Army determines that additional obligations*
12 *are necessary for such purposes and notifies the Committees*
13 *on Appropriations of both Houses of Congress of the Sec-*
14 *retary's determination and the reasons therefore. Provided*
15 *further, That no part of any other appropriation provided*
16 *in title I of this Act shall be available to fund the activities*
17 *of the Office of the Chief of Engineers.*

18 ADMINISTRATIVE PROVISIONS

19 During the current fiscal year the revolving fund,
20 Corps of Engineers, shall be available for purchase (not
21 to exceed 100 for replacement only) and hire of passenger
22 motor vehicles.

1 GENERAL PROVISIONS

2 CORPS OF ENGINEERS—CIVIL

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

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

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

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

19 SEC. 105. None of the funds provided in this Act
20 shall be used to implement Defense Management Review
21 Decision No. 918, dated September 15, 1992, to transfer
22 from the Corps of Engineers property accountability of
23 automated data processing equipment and software ac-
24 quired with funds from the revolving fund established by
25 the Act of July 27, 1953, chapter 245, 33 U.S.C. 576.

1 *SEC. 106. In fiscal year 1994, the Secretary shall ad-*
2 *vertise for competitive bid at least 7,500,000 cubic yards*
3 *of the hopper dredge volume accomplished with Govern-*
4 *ment-owned dredges in fiscal year 1992.*

5 *Notwithstanding the provisions of this section, the Sec-*
6 *retary is authorized to use the dredge fleet of the Corps of*
7 *Engineers to undertake projects when industry does not per-*
8 *form as required by the contract specifications or when the*
9 *bids are more than 25 percent in excess of what the Sec-*
10 *retary determines to be a fair and reasonable estimated cost*
11 *of a well equipped contractor doing the work or to respond*
12 *to emergency requirements.*

13 *SEC. 107. Notwithstanding any other provision of law,*
14 *the Secretary of the Army, acting through the Chief of Engi-*
15 *neers, is authorized to reprogram, obligate and expend such*
16 *additional sums as necessary to continue construction and*
17 *cover anticipated contract earnings of any water resources*
18 *project which received an appropriation or allowance for*
19 *construction in or through an appropriations Act or resolu-*
20 *tion of a current or last preceding fiscal year, in order to*
21 *prevent the termination of a contract or the delay of sched-*
22 *uled work.*

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TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For the purpose of carrying out provisions of the Central Utah Project Completion Act, Public Law 102-575 (106 Stat. 4605), ~~\$25,770,000~~ \$24,770,000, to remain available until expended, of which ~~\$15,920,000~~ \$14,920,000 shall be *available* to carry out the activities authorized under title II of the Act *and for feasibility studies of alternatives to the Uintah and Upalco Units*, and of which \$9,850,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: *Provided*, That of the amounts deposited into the Account, \$5,000,000 shall be considered the Federal Contribution authorized by paragraph 402(b)(2) of the Act and \$4,850,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out the activities authorized under title III of the Act: *Provided further*, That, notwithstanding any other provision of law, of the amounts available for activities authorized under title II of the Act, ~~not to exceed \$500,000~~ shall be available for necessary expenses incurred in carrying out the responsibilities of the Secretary of the Interior under the Act.

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~~ \$460,898,000 of which \$46,507,000
8 shall be available for transfer to the Upper Colorado River
9 Basin Fund authorized by section 5 of the Act of April
10 11, 1956 (43 U.S.C. 620d), and \$160,470,000 shall be
11 available for transfer to the Lower Colorado River Basin
12 Development Fund authorized by section 403 of the Act
13 of September 30, 1968 (43 U.S.C. 1543), and such
14 amounts as may be necessary shall be considered as
15 though advanced to the Colorado River Dam Fund for the
16 Boulder Canyon Project as authorized by the Act of De-
17 cember 21, 1928, as amended: *Provided*, That of the total
18 appropriated, the amount for program activities which can
19 be financed by the reclamation fund shall be derived from
20 that fund: *Provided further*, That transfers to the Upper
21 Colorado River Basin Fund and Lower Colorado River
22 Basin Development Fund may be increased or decreased
23 by transfers within the overall appropriation under this
24 heading: *Provided further*, That funds contributed by non-
25 Federal entities for purposes similar to this appropriation
26 shall be available for expenditure for the purposes for

1 which contributed as though specifically appropriated for
2 said purposes, and such funds shall remain available until
3 expended: *Provided further*, That no part of the funds
4 herein approved shall be available for construction or oper-
5 ation of facilities to prevent waters of Lake Powell from
6 entering any national monument: *Provided further*, That
7 all costs of the safety of dams modification work at Coo-
8 lidge Dam, San Carlos Irrigation Project, Arizona, per-
9 formed under the authority of the Reclamation Safety of
10 Dams Act of 1978 (43 U.S.C. 506), as amended, are in
11 addition 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~~ \$12,900,000, to remain available until
5 expended, as authorized by the Small Reclamation
6 Projects Act of August 6, 1956, as amended (43 U.S.C.
7 422a-422l): *Provided*, That such costs, including the cost
8 of modifying such loans, shall be as defined in section 502
9 of the Congressional Budget Act of 1974: *Provided fur-*
10 *ther*, That these funds are available to subsidize gross obli-
11 gations for the principal amount of direct loans not to ex-
12 ceed ~~\$18,726,000~~ \$21,000,000.

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, \$3,271,286,000,
12 to remain available until expended.

13 URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

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

19 *For expenses of the Department of Energy in connec-*
20 *tion with operating expenses; the purchase, construction,*
21 *and acquisition of plant and capital equipment and other*
22 *expenses incidental thereto necessary for residual uranium*
23 *supply and enrichment activities in carrying out the pur-*
24 *poses of the Department of Energy Organization Act (42*
25 *U.S.C. 7101, et seq.) and the Energy Policy Act (Public*

1 *Law 102-486, section 901), including the acquisition or*
2 *condemnation of any real property or any facility or for*
3 *plant or facility acquisition, construction, or expansion;*
4 *purchase of electricity as necessary and payment to the*
5 *Tennessee Valley Authority under the settlement agreement*
6 *filed with the United States Claims Court on December 18,*
7 *1987; purchase of passenger motor vehicles (not to exceed*
8 *5, of which 5 are for replacement only), \$247,092,000, to*
9 *remain available until expended: Provided, That revenues*
10 *received by the Department for residual uranium enrich-*
11 *ment activities authorized by section 201 of Public Law 95-*
12 *238, and estimated to total \$70,000,000 in fiscal year 1994,*
13 *shall be retained and used for the specific purpose of offset-*
14 *ting costs incurred by the Department for such activities,*
15 *notwithstanding section 3302(b) of title 31, United States*
16 *Code: Provided further, That the sum herein appropriated*
17 *shall be reduced as revenues are received during fiscal year*
18 *1994 so as to result in a final fiscal year 1994 appropria-*
19 *tion estimated at not more than \$177,092,000.*

20 URANIUM ENRICHMENT DECONTAMINATION AND
21 DECOMMISSIONING FUND
22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses in carrying out uranium en-
24 richment facility decontamination and decommissioning,
25 remedial actions and other activities of title II of the

1 Atomic Energy Act of 1954 and title X, Subtitle A of the
2 Energy Policy Act of 1992, \$286,320,000 to be derived
3 from the fund, to remain available until expended; ~~and in~~
4 ~~addition, \$49,679,000 in unexpended balances, consisting~~
5 ~~of \$6,267,000 of unobligated balances and \$43,412,000~~
6 ~~of obligated~~ *and in addition, an estimated \$49,679,000 in*
7 *unexpended balances, consisting of an estimated \$6,267,000*
8 *of unobligated balances and an estimated \$43,412,000 of*
9 *obligated* balances, are transferred from the Uranium Sup-
10 ply and Enrichment Activities account, to be available for
11 such expenses.

12 GENERAL SCIENCE AND RESEARCH ACTIVITIES

13 For expenses of the Department of Energy activities
14 including the purchase, construction and acquisition of
15 plant and capital equipment and other expenses incidental
16 thereto necessary for general science and research activi-
17 ties in carrying out the purposes of the Department of
18 Energy Organization Act (42 U.S.C. 7101, et seq.), in-
19 cluding the acquisition or condemnation of any real prop-
20 erty or facility or for plant or facility acquisition, construc-
21 tion, or expansion; purchase of passenger motor vehicles
22 (not to exceed 15 for replacement only), ~~\$1,194,114,000,~~
23 ~~to remain available until expended: *Provided,* That no~~
24 ~~funds may be obligated for construction of a B-factory~~
25 ~~until completion, by October 31, 1993, of a technical re-~~

1 view of the Cornell and Stanford linear accelerator propos-
2 als by the Department of Energy and the National Science
3 ~~Foundation: *Provided further, \$1,615,114,000, to remain*~~
4 ~~*available until expended: Provided, That none of the funds*~~
5 made available under this section for Department of En-
6 ergy facilities may be obligated or expended for food, bev-
7 erages, receptions, parties, country club fees, plants or
8 flowers pursuant to any cost-reimbursable contract.

9 NUCLEAR WASTE DISPOSAL FUND

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

1 of the amount herein appropriated, not more than
2 \$7,000,000 may be provided to affected local governments,
3 as defined in the Act, to conduct appropriate activities
4 pursuant to the Act.

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

1 *funds expended from such payments have been expended for*
2 *activities as defined in Public Law 97-425, as amended.*
3 *Failure to provide such certification shall cause such entity*
4 *to be prohibited from any further funding provided for*
5 *similar activities: Provided further, That none of the funds*
6 *herein appropriated may be used directly or indirectly to*
7 *influence legislative action on any matter pending before*
8 *Congress or a State legislature or for any lobbying activity*
9 *as provided in 18 U.S.C. 1913: Provided further, That none*
10 *of the funds herein appropriated may be used for litigation*
11 *expenses: Provided further, That none of the funds herein*
12 *appropriated may be used to support multistate efforts or*
13 *other coalition building activities inconsistent with the re-*
14 *strictions contained in this Act.*

15 ISOTOPE PRODUCTION AND DISTRIBUTION PROGRAM
16 FUND

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

20 ATOMIC ENERGY DEFENSE ACTIVITIES
21 WEAPONS ACTIVITIES

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 weapons activities in carrying out

1 the purposes of the Department of Energy Organization
2 Act (42 U.S.C. 7101, et seq.), including the acquisition
3 or condemnation of any real property or any facility or
4 for plant or facility acquisition, construction, or expansion;
5 the purchase of passenger motor vehicles (not to exceed
6 109 for replacement only, including one police-type vehi-
7 cle), and the purchase of one rotary-wing aircraft,
8 ~~\$3,572,198,000~~ \$3,597,482,000, to remain available until
9 expended.

10 DEFENSE ENVIRONMENTAL RESTORATION AND WASTE

11 MANAGEMENT

12 For Department of Energy expenses, including the
13 purchase, construction and acquisition of plant and capital
14 equipment and other incidental expenses necessary for
15 atomic energy defense environmental restoration and
16 waste management activities in carrying out the purposes
17 of the Department of Energy Organization Act (42 U.S.C.
18 7101, et seq.), including the acquisition or condemnation
19 of any real property or any facility or for plant or facility
20 acquisition, construction, or expansion; and the purchase
21 of passenger motor vehicles (not to exceed 125 of which
22 122 are for replacement only including 9 police-type vehi-
23 cles), ~~\$5,185,877,000~~ \$5,106,855,000, to remain available
24 until expended: *Provided, That a total of \$8,000,000 shall*
25 *be transferred from this account to the Environmental Pro-*
26 *tection Agency for the implementation of the Waste Isola-*

1 *tion Pilot Plan Land Withdrawal Act of 1992 and the de-*
2 *velopment of cleanup standards to guide the Department*
3 *of Energy's environmental restoration efforts.*

4 MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS
5 (INCLUDING TRANSFER OF FUNDS)

6 For Department of Energy expenses, including the
7 purchase, construction and acquisition of plant and capital
8 equipment and other incidental expenses necessary for
9 atomic energy defense materials support, and other de-
10 fense activities in carrying out the purposes of the Depart-
11 ment of Energy Organization Act (42 U.S.C. 7101, et
12 seq.), including the acquisition or condemnation of any
13 real property or any facility or for plant or facility acquisi-
14 tion, construction, or expansion; and the purchase of pas-
15 senger motor vehicles (not to exceed 45 for replacement
16 only), ~~\$2,046,592,000~~ \$1,963,755,000, to remain available
17 until expended: *Provided*, That the New Production Reac-
18 tor Appropriation Account shall be merged with and the
19 balances made available to this appropriation.

20 DEFENSE NUCLEAR WASTE DISPOSAL

21 For nuclear waste disposal activities to carry out the
22 purposes of Public Law 97-425, as amended, including
23 the acquisition of real property or facility construction or
24 expansion, \$120,000,000, to remain available until ex-
25 pended, all of which shall be used in accordance with the
26 terms and conditions of the Nuclear Waste Fund appro-

1 priation of the Department of Energy contained in this
2 title.

3 DEPARTMENTAL ADMINISTRATION

4 For salaries and expenses of the Department of En-
5 ergy necessary for Departmental Administration and other
6 activities in carrying out the purposes of the Department
7 of Energy Organization Act (42 U.S.C. 7101, et seq.), in-
8 cluding the hire of passenger motor vehicles and official
9 reception and representation expenses (not to exceed
10 \$35,000), \$401,238,000 to remain available until ex-
11 pended, plus such additional amounts as necessary to
12 cover increases in the estimated amount of cost of work
13 for others notwithstanding the provisions of the Anti-Defi-
14 ciency Act (31 U.S.C. 1511, et seq.): *Provided*, That such
15 increases in cost of work are offset by revenue increases
16 of the same or greater amount, to remain available until
17 expended: *Provided further*, That moneys received by the
18 Department for miscellaneous revenues estimated to total
19 \$239,209,000 in fiscal year 1994 may be retained and
20 used for operating expenses within this account, and may
21 remain available until expended, as authorized by section
22 201 of Public Law 95-238, notwithstanding the provisions
23 of section 3302 of title 31, United States Code: *Provided*
24 *further*, That the sum herein appropriated shall be reduced
25 by the amount of miscellaneous revenues received during

1 fiscal year 1994 so as to result in a final fiscal year 1994
2 appropriation estimated at not more than \$162,029,000.

3 OFFICE OF THE INSPECTOR GENERAL

4 For necessary expenses of the Office of the Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, as amended, ~~\$31,757,000~~
7 *\$30,362,000*, to remain available until expended.

8 POWER MARKETING ADMINISTRATIONS

9 OPERATION AND MAINTENANCE, ALASKA POWER

10 ADMINISTRATION

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

14 BONNEVILLE POWER ADMINISTRATION FUND

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

19 During fiscal year 1994, 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

1 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as
2 applied to the southeastern power area, \$29,742,000, to
3 remain available until expended.

4 OPERATION AND MAINTENANCE, SOUTHWESTERN
5 POWER ADMINISTRATION

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

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

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
25 U.S.C. 7101, et seq.), and other related activities includ-

1 ing conservation and renewable resources programs as au-
2 thorized, including official reception and representation
3 expenses in an amount not to exceed \$1,500, the purchase,
4 maintenance, and operation of one fixed-wing aircraft for
5 replacement only, ~~\$287,956,000~~ \$272,956,000, to remain
6 available until expended, of which ~~\$275,400,000~~
7 \$260,400,000 shall be derived from the Department of the
8 Interior Reclamation fund; in addition, \$5,000,000 is ap-
9 propriated for deposit into the Utah Reclamation Mitiga-
10 tion and Conservation Account pursuant to title IV of the
11 Reclamation Projects Authorization and Adjustment Act
12 of 1992: *Provided further*, That the Secretary of the
13 Treasury is authorized to transfer from the Colorado
14 River Dam Fund to the Western Area Power Administra-
15 tion \$7,168,000, to carry out the power marketing and
16 transmission activities of the Boulder Canyon project as
17 provided in section 104(a)(4) of the Hoover Power Plant
18 Act of 1984, to remain available until expended.

19 FEDERAL ENERGY REGULATORY COMMISSION

20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Energy Regu-
22 latory Commission to carry out the provisions of the De-
23 partment of Energy Organization Act (42 U.S.C. 7101,
24 et seq.), including services as authorized by 5 U.S.C.
25 3109, including the hire of passenger motor vehicles; offi-

1 cial reception and representation expenses (not to exceed
2 \$3,000); \$165,375,000 to remain available until expended:
3 *Provided*, That hereafter and notwithstanding any other
4 provision of law, not to exceed \$165,375,000 of revenues
5 from fees and annual charges, and other services and col-
6 lections in fiscal year 1994, shall be retained and used
7 for necessary expenses in this account, and shall remain
8 available until expended: *Provided further*, That the sum
9 herein appropriated shall be reduced as revenues are re-
10 ceived during fiscal year 1994, so as to result in a final
11 fiscal year 1994 appropriation estimated at not more than
12 \$0.

13 **TITLE IV**

14 INDEPENDENT AGENCIES

15 APPALACHIAN REGIONAL COMMISSION

16 For expenses necessary to carry out the programs au-
17 thorized by the Appalachian Regional Development Act of
18 1965, as amended, notwithstanding section 405 of said
19 Act, and for necessary expenses for the Federal Cochair-
20 man and the alternate on the Appalachian Regional Com-
21 mission and for payment of the Federal share of the ad-
22 ministrative expenses of the Commission, including serv-
23 ices as authorized by section 3109 of title 5, United States
24 Code, and hire of passenger motor vehicles, to remain
25 available until expended, ~~\$189,000,000~~ \$249,000,000.

1 DEFENSE NUCLEAR FACILITIES SAFETY
2 BOARD
3 SALARIES AND EXPENSES

4 For necessary expenses of the Defense Nuclear Fa-
5 cilities Safety Board in carrying out activities authorized
6 by the Atomic Energy Act of 1954, as amended by Public
7 Law 100-456, section 1441, ~~\$15,060,000~~ *\$18,060,000*, to
8 remain available until expended.

9 DELAWARE RIVER BASIN COMMISSION
10 SALARIES AND EXPENSES

11 For expenses necessary to carry out the functions of
12 the United States member of the Delaware River Basin
13 Commission, as authorized by law (75 Stat. 716),
14 \$333,000.

15 CONTRIBUTION TO DELAWARE RIVER BASIN
16 COMMISSION

17 For payment of the United States share of the cur-
18 rent expenses of the Delaware River Basin Commission,
19 as authorized by law (75 Stat. 706, 707), \$488,000.

20 INTERSTATE COMMISSION ON THE POTOMAC
21 RIVER BASIN
22 CONTRIBUTION TO INTERSTATE COMMISSION ON THE
23 POTOMAC RIVER BASIN

24 To enable the Secretary of the Treasury to pay in
25 advance to the Interstate Commission on the Potomac

1 River Basin the Federal contribution toward the expenses
2 of the Commission during the current fiscal year in the
3 administration of its business in the conservancy district
4 established pursuant to the Act of July 11, 1940 (54
5 Stat. 748), as amended by the Act of September 25, 1970
6 (Public Law 91-407), \$498,000.

7 NUCLEAR REGULATORY COMMISSION

8 SALARIES AND EXPENSES

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of the Commission in carry-
11 ing out the purposes of the Energy Reorganization Act
12 of 1974, as amended, and the Atomic Energy Act of 1954,
13 as amended, including the employment of aliens; services
14 authorized by section 3109 of title 5, United States Code;
15 publication and dissemination of atomic information; pur-
16 chase, repair, and cleaning of uniforms, official represen-
17 tation expenses (not to exceed \$20,000); reimbursements
18 to the General Services Administration for security guard
19 services; hire of passenger motor vehicles and aircraft,
20 \$542,900,000, to remain available until expended, of
21 which \$22,000,000 shall be derived from the Nuclear
22 Waste Fund: *Provided*, That from this appropriation,
23 transfer of sums may be made to other agencies of the
24 Government for the performance of the work for which
25 this appropriation is made, and in such cases the sums

1 so transferred may be merged with the appropriation to
2 which transferred: *Provided further*, That moneys received
3 by the Commission for the cooperative nuclear safety re-
4 search program, services rendered to foreign governments
5 and international organizations, and the material and in-
6 formation access authorization programs, including crimi-
7 nal history checks under section 149 of the Atomic Energy
8 Act of 1954, as amended, may be retained and used for
9 salaries and expenses associated with those activities, not-
10 withstanding the provisions of section 3302 of title 31,
11 United States Code, and shall remain available until ex-
12 pended: *Provided further*, That revenues from licensing
13 fees, inspection services, and other services and collections
14 estimated at \$520,900,000 in fiscal year 1994 shall be re-
15 tained and used for necessary salaries and expenses in this
16 account, notwithstanding the provisions of section 3302
17 of title 31, United States Code, and shall remain available
18 until expended: *Provided further*, That the sum herein ap-
19 propriated shall be reduced by the amount of revenues re-
20 ceived during fiscal year 1994 from licensing fees, inspec-
21 tion services and other services and collections, excluding
22 those moneys received for the cooperative nuclear safety
23 research program, services rendered to foreign govern-
24 ments and international organizations, and the material
25 and information access authorization programs, so as to

1 result in a final fiscal year 1994 appropriation estimated
2 at not more than \$22,000,000.

3 OFFICE OF INSPECTOR GENERAL

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, including services au-
8 thorized by section 3109 of title 5, United States Code,
9 \$4,800,000 to remain available until expended; and in ad-
10 dition, an amount not to exceed 5 percent of this sum may
11 be transferred from Salaries and Expenses, Nuclear Regu-
12 latory Commission: *Provided*, That notice of such trans-
13 fers shall be given to the Committees on Appropriations
14 of the House and Senate: *Provided further*, That from this
15 appropriation, transfers of sums may be made to other
16 agencies of the Government for the performance of the
17 work for which this appropriation is made, and in such
18 cases the sums so transferred may be merged with the
19 appropriation to which transferred: *Provided further*, That
20 revenues from licensing fees, inspection services, and other
21 services and collections shall be retained and used for nec-
22 essary salaries and expenses in this account, notwithstand-
23 ing the provisions of section 3302 of title 31, United
24 States Code, and shall remain available until expended:
25 *Provided further*, That the sum herein appropriated shall

1 be reduced by the amount of revenues received during fis-
2 cal year 1994 from licensing fees, inspection services, and
3 other services and collections, so as to result in a final
4 fiscal year 1994 appropriation estimated at not more than
5 \$0.

6 NUCLEAR WASTE TECHNICAL REVIEW BOARD

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses of the Nuclear Waste Tech-
10 nical Review Board, as authorized by Public Law 100-
11 203, section 5051, \$2,160,000, to be transferred from the
12 Nuclear Waste Fund and to remain available until ex-
13 pended.

14 OFFICE OF THE NUCLEAR WASTE NEGOTIATOR

15 SALARIES AND EXPENSES

16 For necessary expenses of the office of the Nuclear
17 Waste Negotiator in carrying out activities authorized by
18 the Nuclear Waste Policy Act of 1982, as amended by
19 Public Law 102-486, section 802, \$1,000,000 to remain
20 available until expended.

21 SUSQUEHANNA RIVER BASIN COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary to carry out the functions of
24 the United States member of the Susquehanna River

1 Basin Commission as authorized by law (84 Stat. 1541),
 2 \$308,000.

3 CONTRIBUTION TO SUSQUEHANNA RIVER BASIN
 4 COMMISSION

5 For payment of the United States share of the cur-
 6 rent expenses of the Susquehanna River Basin Commis-
 7 sion, as authorized by law (84 Stat. 1530, 1531),
 8 \$298,000.

9 TENNESSEE VALLEY AUTHORITY
 10 TENNESSEE VALLEY AUTHORITY FUND

11 For the purpose of carrying out the provisions of the
 12 Tennessee Valley Authority Act of 1933, as amended (16
 13 U.S.C. ch. 12A), including purchase, hire, maintenance,
 14 and operation of aircraft, and purchase and hire of pas-
 15 senger motor vehicles, ~~\$138,973,000~~ \$140,473,000, to re-
 16 main available until expended.

17 **TITLE V—GENERAL PROVISION**
 18 MINORITY PARTICIPATION IN THE
 19 SUPERCONDUCTING SUPER COLLIDER

20 SEC. 501. (a) PROGRAM IMPROVEMENTS.—Section
 21 304 of the Energy and Water Development Appropriations
 22 Act, 1993 (Public Law 102–377; 106 Stat. 1339) is
 23 amended—

24 (1) in subsection (a)—

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

3 (B) by inserting after “Native Americans”
4 the following: “; or (2) are small business con-
5 cerns that are at least 51 percent owned by 1
6 or more women and whose management and
7 daily business operations are controlled by 1 or
8 more women”; and

9 (C) by striking the last sentence;

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

12 (3) by adding at the end the following new sub-
13 section:

14 “(c) ADMINISTRATION OF PROGRAM.—

15 “(1) CERTIFICATION REQUIREMENT.—A busi-
16 ness concern or other organization shall be eligible
17 for participation under this section only if it has
18 been certified as meeting the requirements specified
19 in subsection (a) by the Small Business Administra-
20 tion, or by a State, local, regional, or other organiza-
21 tion designated by the Small Business Administra-
22 tion.

23 “(2) RECORDS AND REPORTS.—The Secretary
24 of Energy, with respect to the Superconducting
25 Super Collider project, shall—

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

2 “(i) each subcontracting report for in-
3 dividual contracts (SF294) required under
4 the Federal Acquisition Regulation (48
5 CFR chapter 1) to be submitted by a con-
6 tractor or subcontractor with respect to the
7 project; and

8 “(ii) each summary subcontract report
9 (SF295) required under the Federal Ac-
10 quisition Regulation (48 CFR chapter 1)
11 to be submitted by a contractor or sub-
12 contractor with respect to the project; and

13 “(B) maintain accurate information and
14 data on the amount and type of subcontracts
15 awarded by each contractor or subcontractor
16 under the project and the extent of participa-
17 tion in the subcontracts by socially and eco-
18 nomically disadvantaged individuals and eco-
19 nomically disadvantaged women referred to in
20 subsection (b).

21 “(3) CATEGORIES OF WORK TO BE IN-
22 CLUDED.—The Secretary of Energy shall, to the
23 fullest extent possible, ensure that the categories of
24 work performed under contracts entered into pursu-
25 ant to this section are representative of all cat-

1 egories of work performed under contract for the
2 Superconducting Super Collider project.

3 “(4) AUDITS.—The Secretary of Energy shall
4 conduct periodic audits to verify the continuing com-
5 pliance of prime contractors and subcontractors with
6 the requirements of this section. For such purpose,
7 the Secretary shall have access to such reports and
8 records of prime contractors and subcontractors as
9 the Secretary determines to be necessary.”.

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

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

13 No funds appropriated pursuant to this Act may be
14 expended by an entity unless the entity agrees that in ex-
15 pending the assistance the entity will comply with sections
16 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-
17 10c, popularly known as the “Buy American Act”).

18 **SEC. 503. SENSE OF CONGRESS; REQUIREMENT REGARD-**
19 **ING NOTICE.**

20 (a) PURCHASE OF AMERICAN-MADE EQUIPMENT
21 AND PRODUCTS.—In the case of any equipment or prod-
22 ucts that may be authorized to be purchased with financial
23 assistance provided under this Act, it is the sense of the
24 Congress that entities receiving such assistance should, in

1 expending the assistance, purchase only American-made
2 equipment and products.

3 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
4 providing financial assistance under this Act, the head of
5 each Federal agency shall provide to each recipient of the
6 assistance a notice describing the statement made in sub-
7 section (a) by the Congress.

8 **SEC. 504. PROHIBITION OF CONTRACTS.**

9 If it has been finally determined by a court or Federal
10 agency that any person intentionally affixed a label bear-
11 ing a “Made in America” inscription, or any inscription
12 with the same meaning, to any product sold in or shipped
13 to the United States that is not made in the United
14 States, such person shall be ineligible to receive any con-
15 tract or subcontract made with funds provided pursuant
16 to this Act, pursuant to the debarment, suspension, and
17 ineligibility procedures described in section 9.400 through
18 9.409 of title 48, Code of Federal Regulations.

19 **SEC. 505. BONNEVILLE POWER ADMINISTRATION REPAY-**
20 **MENT PROPOSAL**

21 *Utilizing funds made available in this Act, the Sec-*
22 *retary of Energy is directed to submit to the Congress by*
23 *February 1, 1994, a legislative proposal to satisfy the Bon-*
24 *neville Power Administration’s entire repayment obligation*
25 *to the United States Treasury for appropriated investment*

