

Calendar No. 484103^D CONGRESS
2^D SESSION**H. R. 4506****[Report No. 103-291]**

IN THE SENATE OF THE UNITED STATES

JUNE 15 (legislative day, JUNE 7), 1994

Received; read twice and referred to the Committee on Appropriations

JUNE 23 (legislative day, JUNE 7), 1994

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, 1995, 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, 1995, and for other pur-
6 poses, namely:

1 TITLE I
2 DEPARTMENT OF DEFENSE—CIVIL
3 DEPARTMENT OF THE ARMY
4 CORPS OF ENGINEERS—CIVIL

5 The following appropriations shall be expended under
6 the direction of the Secretary of the Army and the super-
7 vision of the Chief of Engineers for authorized civil func-
8 tions of the Department of the Army pertaining to rivers
9 and harbors, flood control, beach erosion, and related pur-
10 poses.

11 GENERAL INVESTIGATIONS

12 For expenses necessary for the collection and study
13 of basic information pertaining to river and harbor, flood
14 control, shore protection, and related projects, restudy of
15 authorized projects, miscellaneous investigations, and,
16 when authorized by laws, surveys and detailed studies and
17 plans and specifications of projects prior to construction,
18 ~~\$179,062,000~~ *\$181,199,000*, to remain available until ex-
19 pended, of which funds are provided for the following
20 projects in the amounts specified:

21 Los Angeles County Water Conservation and
22 Supply, California, \$700,000;

23 Norco Bluffs, California, \$400,000;

24 Indianapolis, White River, Central Waterfront,
25 Indiana, \$4,000,000;

26 Ohio River Greenway, Indiana, \$900,000;

1 Lake George, Hobart, Indiana, \$260,000;
2 Little Calumet River Basin (Cady Marsh
3 Ditch), Indiana, \$150,000;
4 Kentucky Lock and Dam, Kentucky,
5 \$2,000,000;
6 Hazard, Kentucky, \$500,000;
7 Mussers Dam, Pennsylvania, \$200,000;
8 Hartsville, Trousdale County, Tennessee,
9 \$95,000;
10 West Virginia Comprehensive, West Virginia,
11 \$350,000; and
12 West Virginia Port Development, West Vir-
13 ginia, \$800,000
14 *Red River Navigation Study, Arkansas,*
15 *\$500,000;*
16 *Indianapolis, White River, Central Waterfront,*
17 *Indiana, \$4,000,000;*
18 *Little Calumet River Basin (Cady Marsh Ditch),*
19 *Indiana, \$150,000;*
20 *Kentucky Lock and Dam, Kentucky, \$2,000,000;*
21 *Hazard, Kentucky, \$500,000;*
22 *Hartsville, Trousdale County, Tennessee,*
23 *\$95,000;*
24 *West Virginia Comprehensive, West Virginia,*
25 *\$350,000; and*

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

4 Sacramento River Flood Control Project (Defi-
5 ciency Correction), California, \$3,700,000;

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

8 Central and Southern Florida, Florida,
9 \$11,315,000;

10 Kissimmee River, Florida, \$9,000,000;

11 Casino Beach, Illinois, \$1,000,000;

12 Des Moines Recreational River and Greenbelt,
13 Iowa, \$4,000,000;

14 Harlan (Levisa and Tug Forks of the Big
15 Sandy River and Upper Cumberland River), Ken-
16 tucky, \$20,000,000;

17 Middlesborough (Levisa and Tug Forks of the
18 Big Sandy River and Upper Cumberland River),
19 Kentucky, \$1,200,000;

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

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

1 Lake Pontchartrain and Vicinity (Jefferson
2 Parish), Louisiana, \$800,000;
3 Lake Pontchartrain and Vicinity (Hurricane
4 Protection), Louisiana, \$12,500,000;
5 Ste. Genevieve, Missouri, \$3,000,000;
6 Hackensack Meadowlands Area, New Jersey,
7 \$2,500,000;
8 Ramapo River at Oakland, New Jersey,
9 \$600,000;
10 Salem River, New Jersey, \$1,000,000;
11 Carolina Beach and Vicinity, North Carolina,
12 \$2,800,000;
13 Fort Fisher and Vicinity, North Carolina,
14 \$900,000;
15 Broad Top Region, Pennsylvania, \$1,000,000;
16 Lackawanna River, Olyphant, Pennsylvania,
17 \$1,100,000;
18 Lackawanna River, Scranton, Pennsylvania,
19 \$1,000,000;
20 South Central Pennsylvania Environmental
21 Restoration Infrastructure and Resource Protection
22 Development Pilot Program, Pennsylvania,
23 \$7,000,000;
24 Wallisville, Lake, Texas, \$1,000,000;

1 Richmond Filtration Plant, Virginia,
2 \$2,000,000; and

3 Southern West Virginia Environmental Res-
4 toration Infrastructure and Resource Protection De-
5 velopment Pilot Program, West Virginia, \$1,500,000

6 *Red River Emergency Bank Protection, Arkan-*
7 *sas and Louisiana, \$6,000,000;*

8 *Red River below Denison Dam Levee and Bank*
9 *Stabilization, Arkansas and Louisiana, \$1,500,000;*

10 *West Sacramento, California, \$500,000;*

11 *Sacramento River Flood Control Project (Glenn-*
12 *Colusa Irrigation District), California, \$400,000;*

13 *Sacramento River Flood Control Project (Defi-*
14 *ciency Correction), California, \$3,700,000;*

15 *San Timoteo Creek (Santa Ana River*
16 *Mainstem), California, \$5,000,000;*

17 *Kissimmee River, Florida, \$3,000,000;*

18 *Savannah Harbor Deepening, Georgia (Reim-*
19 *bursement), \$11,585,000, of which \$2,083,000 is for a*
20 *cost-shared Savannah River recreation enhancement*
21 *and public access project along 900 linear feet of*
22 *shoreline in the City of Savannah;*

23 *Casino Beach, Illinois, \$1,000,000;*

24 *Des Moines Recreational River and Greenbelt,*
25 *Iowa, \$2,000,000;*

1 *Harlan (Levisa and Tug Forks of the Big Sandy*
2 *River and Upper Cumberland River), Kentucky,*
3 *\$20,000,000;*

4 *Middlesborough (Levisa and Tug Forks of the*
5 *Big Sandy River and Upper Cumberland River),*
6 *Kentucky, \$1,200,000;*

7 *Williamsburg (Levisa and Tug Forks of the Big*
8 *Sandy River and Upper Cumberland River), Ken-*
9 *tucky, \$3,000,000;*

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

13 *Lake Pontchartrain and Vicinity (Jefferson Par-*
14 *ish), Louisiana, \$800,000;*

15 *Lake Pontchartrain and Vicinity (Hurricane*
16 *Protection), Louisiana, \$12,500,000;*

17 *Ouachita River Levees, Louisiana, \$4,500,000;*

18 *Ste. Genevieve, Missouri, \$3,000,000;*

19 *Ramapo River at Oakland, New Jersey,*
20 *\$600,000;*

21 *Broad Top Region, Pennsylvania, \$1,000,000;*

22 *Lackawanna River, Olyphant, Pennsylvania,*
23 *\$1,100,000;*

24 *Lackawanna River, Scranton, Pennsylvania,*
25 *\$1,000,000;*

1 *South Central Pennsylvania Environmental Res-*
 2 *toration Infrastructure and Resource Protection De-*
 3 *velopment Pilot Program, Pennsylvania, \$2,000,000;*

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

5 *Richmond Filtration Plant, Virginia,*
 6 *\$2,000,000;*

7 *Southern West Virginia Environmental Restora-*
 8 *tion Infrastructure and Resource Protection Develop-*
 9 *ment Pilot Program, West Virginia, \$1,500,000;*

10 *Hatfield Bottom (Levisa and Tug Fork of the*
 11 *Big Sandy River and Upper Cumberland River),*
 12 *West Virginia, \$500,000; and*

13 *Upper Mingo (Levisa and Tug Fork of the Big*
 14 *Sandy River and Upper Cumberland River), West*
 15 *Virginia, \$250,000.*

16 *Provided, That of the offsetting collections credited to this*
 17 *account, \$71,000 are permanently canceled.*

18 FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,
 19 ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MIS-
 20 SSISSIPPI, MISSOURI, AND TENNESSEE

21 For expenses necessary for prosecuting work of flood
 22 control, and rescue work, repair, restoration, or mainte-
 23 nance of flood control projects threatened or destroyed by
 24 flood, as authorized by law (33 U.S.C. 702a, 702g-1),
 25 ~~\$334,138,000~~ *\$328,138,000*, to remain available until ex-
 26 pended, of which ~~\$3,000,000~~ *is provided for the Eastern*

1 ~~Arkansas Region, Arkansas, project~~ and of which funds
 2 are provided for the following projects in the amounts speci-
 3 fied:

4 *Eastern Arkansas Region, Arkansas, \$3,000,000;*
 5 *Yazoo Basin, Mississippi, Upper Yazoo Projects,*
 6 *Belzoni Bridge Removal, \$640,000; and*
 7 *Tiptonville, Tennessee, Levee Extension, Mis-*
 8 *issippi River Levees, \$1,000,000.*

9 OPERATION AND MAINTENANCE, GENERAL

10 For expenses necessary for the preservation, oper-
 11 ation, maintenance, and care of existing river and harbor,
 12 flood control, and related works, including such sums as
 13 may be necessary for the maintenance of harbor channels
 14 provided by a State, municipality or other public agency,
 15 outside of harbor lines, and serving essential needs of gen-
 16 eral commerce and navigation; surveys and charting of
 17 northern and northwestern lakes and connecting waters;
 18 clearing and straightening channels; and removal of ob-
 19 structions to navigation, ~~\$1,646,535,000~~ \$1,631,434,000,
 20 to remain available until expended, of which such sums
 21 as become available in the Harbor Maintenance Trust
 22 Fund, pursuant to Public Law 99-662, may be derived
 23 from that fund, and of which \$37,000,000 shall be for
 24 construction, operation, and maintenance of outdoor recre-
 25 ation facilities, to be derived from the special account es-
 26 tablished by the Land and Water Conservation Act of

1 1965, as amended (16 U.S.C. 460l), and of which funds
2 are provided for the following projects in the amounts
3 specified:

4 ~~Tucson Diversion Channel, Arizona,~~
5 ~~\$2,500,000;~~

6 ~~Jeffersonville-Clarksville, Indiana, \$750,000;~~

7 ~~McAlpine Lock and Dam (Ohio River Locks~~
8 ~~and Dams), Kentucky, \$1,000,000; and~~

9 ~~Raystown Lake, Pennsylvania, \$5,330,000~~

10 ~~*Tucson Diversion Channel, Arizona, \$2,500,000;*~~

11 ~~*and*~~

12 ~~*John H. Kerr Reservoir, Virginia and North*~~

13 ~~*Carolina (Mosquito Control), \$40,000.*~~

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

15 ~~*for obligation for national emergency preparedness pro-*~~

16 ~~*grams: Provided further, That of the offsetting collections*~~

17 ~~*credited to this account, \$1,000 are permanently canceled:*~~

18 ~~*Provided further, That the Secretary of the Army is directed*~~

19 ~~*during fiscal year 1995 to maintain a minimum conserva-*~~

20 ~~*tion pool level of 475.5 at Wister Lake in Oklahoma.*~~

21 REGULATORY PROGRAM

22 For expenses necessary for administration of laws

23 pertaining to regulation of navigable waters and wetlands,

24 \$101,000,000, 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, \$14,979,000, to remain available
6 until expended: *Provided*, That of the offsetting collections
7 credited to this account, \$5,000 are permanently canceled.

8 OIL SPILL RESEARCH

9 For expenses necessary to carry out the purposes of
10 the Oil Spill Liability Trust Fund, pursuant to title VII
11 of the Oil Pollution Act of 1990, ~~\$625,000~~ \$900,000, to
12 be derived from the Fund and to remain available until
13 expended.

14 GENERAL EXPENSES

15 For expenses necessary for general administration
16 and related functions in the Office of the Chief of Engi-
17 neers and offices of the Division Engineers; activities of
18 the Coastal Engineering Research Board, the Humphreys
19 Engineer Center Support Activity, and the Water Re-
20 sources Support Center, ~~\$152,500,000~~ \$156,255,000, to
21 remain available until expended: *Provided*, That not to ex-
22 ceed ~~\$56,480,000~~ \$59,280,000 of the funds provided in
23 this Act shall be available for general administration and
24 related functions in the Office of the Chief of Engineers:
25 *Provided further*, That no part of any other appropriation
26 provided in title I of this Act shall be available to fund

1 the activities of the Office of the Chief of Engineers or
2 the Division Offices *Provided further, That no part of any*
3 *other appropriation provided in title I of this Act shall be*
4 *available to fund the activities of the Office of the Chief*
5 *of Engineers or the executive direction and management ac-*
6 *tivities of the Division Offices, except that activities con-*
7 *ducted under the authority of 33 U.S.C. 702a and 702g-*
8 *1 will be funded by the Flood Control, Mississippi River*
9 *and Tributaries account.*

10 PERMANENT APPROPRIATIONS

11 Amounts otherwise available for obligation in fiscal
12 year 1995 are reduced by \$4,000.

13 RIVERS AND HARBORS CONTRIBUTED FUNDS

14 Amounts otherwise available for obligation in fiscal
15 year 1995 are reduced by \$16,000.

16 ADMINISTRATIVE PROVISIONS

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

21 GENERAL PROVISION

22 CORPS OF ENGINEERS—CIVIL

23 *SEC. 101. In fiscal year 1995, the Secretary shall ad-*
24 *vertise for competitive bid at least 7,500,000 cubic yards*
25 *of the hopper dredge volume accomplished with Govern-*
26 *ment-owned dredges in fiscal year 1992.*

1 tion Mitigation and Conservation Commission to carry out
2 the activities authorized under title III of the Act.

3 In addition, for necessary expenses incurred in carry-
4 ing out responsibilities of the Secretary of the Interior
5 under the Act, \$1,191,000, to remain available until ex-
6 pended.

7 BUREAU OF RECLAMATION

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

13 GENERAL INVESTIGATIONS

14 For engineering and economic investigations of pro-
15 posed Federal reclamation projects and studies of water
16 conservation and development plans and activities prelimi-
17 nary to the reconstruction, rehabilitation and betterment,
18 financial adjustment, or extension of existing projects, to
19 remain available until expended, ~~\$14,190,000~~ \$14,340,000:
20 *Provided*, That, of the total appropriated, the amount for
21 program activities which can be financed by the reclama-
22 tion fund shall be derived from that fund: *Provided fur-*
23 *ther*, That funds contributed by non-Federal entities for
24 purposes similar to this appropriation shall be available
25 for expenditure for the purposes for which contributed as

1 though specifically appropriated for said purposes, and
2 such amounts shall remain available until expended.

3 CONSTRUCTION PROGRAM

4 (INCLUDING TRANSFER OF FUNDS)

5 For construction and rehabilitation of projects and
6 parts thereof (including power transmission facilities for
7 Bureau of Reclamation use) and for other related activi-
8 ties as authorized by law, to remain available until ex-
9 pended, ~~\$432,727,000~~ \$425,727,000 of which \$23,272,000
10 shall be available for transfer to the Upper Colorado River
11 Basin Fund authorized by section 5 of the Act of April
12 11, 1956 (43 U.S.C. 620d), and \$153,793,000 shall be
13 available for transfer to the Lower Colorado River Basin
14 Development Fund authorized by section 403 of the Act
15 of September 30, 1968 (43 U.S.C. 1543), and such
16 amounts as may be necessary shall be considered as
17 though advanced to the Colorado River Dam Fund for the
18 Boulder Canyon Project as authorized by the Act of De-
19 cember 21, 1928, as amended: *Provided*, That of the total
20 appropriated, the amount for program activities which can
21 be financed by the reclamation fund shall be derived from
22 that fund: *Provided further*, That transfers to the Upper
23 Colorado River Basin Fund and Lower Colorado River
24 Basin Development Fund may be increased or decreased
25 by transfers within the overall appropriation under this
26 heading: *Provided further*, That funds contributed by non-

1 Federal entities for purposes similar to this appropriation
2 shall be available for expenditure for the purposes for
3 which contributed as though specifically appropriated for
4 said purposes, and such funds shall remain available until
5 expended: *Provided further*, That no part of the funds
6 herein approved shall be available for construction or oper-
7 ation of facilities to prevent waters of Lake Powell from
8 entering any national monument: *Provided further*, That
9 all costs of the safety of dams modification work at Coo-
10 lidge Dam, San Carlos Irrigation Project, Arizona, per-
11 formed under the authority of the Reclamation Safety of
12 Dams Act of 1978 (43 U.S.C. 506), as amended, are in
13 addition to the amount authorized in section 5 of said Act.

14 OPERATION AND MAINTENANCE

15 For operation and maintenance of reclamation
16 projects or parts thereof and other facilities, as authorized
17 by law; and for a soil and moisture conservation program
18 on lands under the jurisdiction of the Bureau of Reclama-
19 tion, pursuant to law, to remain available until expended,
20 ~~\$286,521,000~~ \$282,165,000: *Provided*, That of the total
21 appropriated, the amount for program activities which can
22 be financed by the reclamation fund shall be derived from
23 that fund, and the amount for program activities which
24 can be derived from the special fee account established
25 pursuant to the Act of December 22, 1987 (16 U.S.C.
26 4601-6a, as amended), may be derived from that fund:

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

20 BUREAU OF RECLAMATION LOANS PROGRAM ACCOUNT

21 For the cost of direct loans and/or grants,
22 ~~\$9,000,000~~ \$6,000,000, to remain available until ex-
23 pended, as authorized by the Small Reclamation Projects
24 Act of August 6, 1956, as amended (43 U.S.C. 422a-
25 422l): *Provided*, That such costs, including the cost of
26 modifying such loans, shall be as defined in section 502

1 of the Congressional Budget Act of 1974: *Provided fur-*
2 *ther*, That these funds are available to subsidize gross obli-
3 gations for the principal amount of direct loans not to ex-
4 ceed ~~\$23,000,000~~ \$20,000,000.

5 In addition, for administrative expenses necessary to
6 carry out the program for direct loans and/or grants,
7 \$600,000: *Provided*, That of the total sums appropriated,
8 the amount of program activities which can be financed
9 by the reclamation fund shall be derived from the fund.

10 CENTRAL VALLEY PROJECT RESTORATION FUND

11 For carrying out the programs, projects, plans, and
12 habitat restoration, improvement, and acquisition provi-
13 sions of the Central Valley Project Improvement Act, to
14 remain available until expended, such sums as may be as-
15 sessed and collected in the Central Valley Project Restora-
16 tion Fund pursuant to sections 3407(d), 3404(c)(3),
17 3405(f) and 3406(c)(1) of Public Law 102-575: *Provided*,
18 That the Bureau of Reclamation is directed to levy addi-
19 tional mitigation and restoration payments totaling
20 \$37,232,000 (October 1992 price levels), as authorized by
21 section 3407(d) of Public Law 102-575.

22 GENERAL ADMINISTRATIVE EXPENSES

23 For necessary expenses of general administration and
24 related functions in the office of the Commissioner, the
25 Denver office, and offices in the five regions of the Bureau
26 of Reclamation, \$54,034,000, of which \$1,400,000 shall

1 remain available until expended, the total amount to be
2 derived from the reclamation fund and to be
3 nonreimbursable pursuant to the Act of April 19, 1945
4 (43 U.S.C. 377): *Provided*, That no part of any other ap-
5 propriation in this Act shall be available for activities or
6 functions budgeted for the current fiscal year as general
7 administrative expenses.

8 EMERGENCY FUND

9 For an additional amount for the “Emergency fund”,
10 as authorized by the Act of June 26, 1948 (43 U.S.C.
11 502), as amended, to remain available until expended for
12 the purposes specified in said Act, \$1,000,000, to be de-
13 rived from the reclamation fund.

14 SPECIAL FUNDS

15 (TRANSFER OF FUNDS)

16 Sums herein referred to as being derived from the
17 reclamation fund or special fee account are appropriated
18 from the special funds in the Treasury created by the Act
19 of June 17, 1902 (43 U.S.C. 391) or the Act of December
20 22, 1987 (16 U.S.C. 460l-6a, as amended), respectively.
21 Such sums shall be transferred, upon request of the Sec-
22 retary, to be merged with and expended under the heads
23 herein specified; and the unexpended balances of sums
24 transferred for expenditure under the head “General Ad-
25 ministrative Expenses” shall revert and be credited to the
26 reclamation fund.

1 WORKING CAPITAL FUND

2 Of the offsetting collections credited to this account,
3 \$863,000 are permanently canceled due to reduced GSA
4 rental charges and \$1,848,000 are permanently canceled
5 due to efficiencies in the procurement process.

6 ADMINISTRATIVE PROVISIONS

7 Appropriations for the Bureau of Reclamation shall
8 be available for purchase of not to exceed 9 passenger
9 motor vehicles for replacement only.

10 TITLE III

11 DEPARTMENT OF ENERGY

12 ENERGY SUPPLY, RESEARCH AND DEVELOPMENT

13 ACTIVITIES

14 For expenses of the Department of Energy activities
15 including the purchase, construction and acquisition of
16 plant and capital equipment and other expenses incidental
17 thereto necessary for energy supply, research and develop-
18 ment activities, and other activities in carrying out the
19 purposes of the Department of Energy Organization Act
20 (42 U.S.C. 7101, et seq.), including the acquisition or con-
21 demnation of any real property or any facility or for plant
22 or facility acquisition, construction, or expansion; pur-
23 chase of passenger motor vehicles (not to exceed 25, of
24 which 19 are for replacement only), ~~\$3,302,170,000~~
25 *\$3,329,728,000*, to remain available until expended: *Pro-*
26 *vided, That the Secretary of Energy may transfer available*

1 *amounts appropriated for use by the Department of Energy*
2 *under title III of previously enacted Energy and Water De-*
3 *velopment Appropriations Acts into the Isotope Production*
4 *and Distribution Program Fund, in order to continue iso-*
5 *tope production and distribution activities: Provided fur-*
6 *ther, That the authority to use these amounts appropriated*
7 *is effective from the date of enactment of this Act.*

8 URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

9 For expenses of the Department of Energy in connec-
10 tion with operating expenses; the purchase, construction,
11 and acquisition of plant and capital equipment and other
12 expenses incidental thereto necessary for residual uranium
13 supply and enrichment activities in carrying out the pur-
14 poses of the Department of Energy Organization Act (42
15 U.S.C. 7101, et seq.) and the Energy Policy Act (Public
16 Law 102-486, section 901), including the acquisition or
17 condemnation of any real property or any facility or for
18 plant or facility acquisition, construction, or expansion;
19 purchase of electricity as necessary; purchase of passenger
20 motor vehicles (not to exceed 11 for replacement only),
21 \$73,210,000, to remain available until expended: *Pro-*
22 *vided, That revenues received by the Department for resid-*
23 *ual uranium enrichment activities and estimated to total*
24 *\$9,900,000 in fiscal year 1995, shall be retained and used*
25 *for the specific purpose of offsetting costs incurred by the*

1 Department for such activities notwithstanding the provi-
2 sions of section 3302(b) of title 31, United States Code:
3 *Provided further*, That the sum herein appropriated shall
4 be reduced as revenues are received during fiscal year
5 1995 so as to result in a final fiscal year 1995 appropria-
6 tion estimated at not more than \$63,310,000.

7 URANIUM ENRICHMENT DECONTAMINATION AND
8 DECOMMISSIONING FUND

9 For necessary expenses in carrying out uranium en-
10 richment facility decontamination and decommissioning,
11 remedial actions and other activities of title II of the
12 Atomic Energy Act of 1954 and title X, subtitle A of the
13 Energy Policy Act of 1992, \$301,327,000 to be derived
14 from the fund, to remain available until expended: *Pro-*
15 *vided, That at least \$41,700,000 of amounts derived from*
16 *the fund for such expenses shall be expended in accordance*
17 *with title X, subtitle A of the Energy Policy Act of 1992.*

18 GENERAL SCIENCE AND RESEARCH ACTIVITIES

19 For expenses of the Department of Energy activities
20 including the purchase, construction and acquisition of
21 plant and capital equipment and other expenses incidental
22 thereto necessary for general science and research activi-
23 ties in carrying out the purposes of the Department of
24 Energy Organization Act (42 U.S.C. 7101, et seq.), in-
25 cluding the acquisition or condemnation of any real prop-

1 erty or facility or for plant or facility acquisition, construc-
2 tion, or expansion; purchase of passenger motor vehicles
3 (not to exceed 12 for replacement only), ~~\$989,031,000~~
4 \$973,632,000, to remain available until expended: *Pro-*
5 *vided, That none of the funds made available under this*
6 *section for Department of Energy facilities may be obli-*
7 *gated or expended for food, beverages, receptions, parties,*
8 *country club fees, plants or flowers pursuant to any cost-*
9 *reimbursable contract: Provided further, That of the*
10 *amounts previously appropriated to orderly terminate the*
11 *Superconducting Super Collider (SSC) project in the En-*
12 *ergy and Water Development Appropriations Act, 1994,*
13 *amounts not to exceed \$65,000,000 shall be available as a*
14 *one-time contribution to the completion, with modification,*
15 *of partially completed facilities at the project site if the Sec-*
16 *retary determines such one-time contribution (i) will assist*
17 *the maximization of the value of the investment made in*
18 *the facilities and (ii) is in furtherance of a settlement of*
19 *the claims that the State of Texas has asserted against the*
20 *United States in connection with the termination of the*
21 *SSC project: Provided further, That no such amounts shall*
22 *be made available as a contribution to operating expenses*
23 *of such facilities.*

1 NUCLEAR WASTE DISPOSAL FUND

2 For the nuclear waste disposal activities to carry out
3 the purposes of Public Law 97-425, as amended, includ-
4 ing the acquisition of real property or facility construction
5 or expansion, ~~\$304,800,000~~ *\$402,800,000*, to remain avail-
6 able until expended, to be derived from the Nuclear Waste
7 Fund. To the extent that balances in the fund are not
8 sufficient to cover amounts available for obligation in the
9 account, the Secretary shall exercise her authority pursu-
10 ant to section 302(e)(5) of said Act to issue obligations
11 to the Secretary of the Treasury: *Provided*, That of the
12 amount herein appropriated, within available funds, not
13 to exceed ~~\$6,000,000~~ *\$5,500,000* may be provided to the
14 State of Nevada, for the sole purpose of conduct of its
15 scientific oversight responsibilities pursuant to the Nu-
16 clear Waste Policy Act of 1982, Public Law 97-425, as
17 amended: *Provided further*, That of the amount herein ap-
18 propriated, not more than ~~\$8,500,000~~ *\$7,000,000* may be
19 provided to affected local governments, as defined in the
20 Act, to conduct appropriate activities pursuant to the Act:
21 *Provided further*, That the distribution of the funds herein
22 provided among the affected units of local government shall
23 be determined by the Department of Energy and made
24 available to the State and affected units of local government
25 by direct payment: *Provided further*, That within ninety

1 days of the completion of each Federal fiscal year, each
2 State or local entity shall provide certification to the De-
3 partment of Energy, that all funds expended from such
4 payments have been expended for activities as defined in
5 Public Law 97-425, as amended. Failure to provide such
6 certification shall cause such entity to be prohibited from
7 any further funding provided for similar activities: *Pro-*
8 *vided further,* That none of the funds herein appropriated
9 may be used directly or indirectly to influence legislative
10 action on any matter pending before Congress or a State
11 legislature or for any lobbying activity as provided in sec-
12 tion 1913 of title 18, United States Code: *Provided fur-*
13 *ther,* That none of the funds herein appropriated may be
14 used for litigation expenses: *Provided further,* That none
15 of the funds herein appropriated may be used to support
16 multistate efforts or other coalition building activities in-
17 consistent with the restrictions contained in this Act.

18 ISOTOPE PRODUCTION AND DISTRIBUTION PROGRAM

19 FUND

20 For Department of Energy expenses for isotope pro-
21 duction and distribution activities, \$11,600,000, to remain
22 available until expended.

1 ATOMIC ENERGY DEFENSE ACTIVITIES

2 WEAPONS ACTIVITIES

3 For Department of Energy expenses, including the
4 purchase, construction and acquisition of plant and capital
5 equipment and other incidental expenses necessary for
6 atomic energy defense weapons activities in carrying out
7 the purposes of the Department of Energy Organization
8 Act (42 U.S.C. 7101, et seq.), including the acquisition
9 or condemnation of any real property or any facility or
10 for plant or facility acquisition, construction, or expansion;
11 and the purchase of passenger motor vehicles (not to ex-
12 ceed 104, of which 103 are for replacement only, including
13 22 police-type vehicles), ~~\$3,201,369,000 to remain avail-~~
14 ~~able until expended, of which \$20,765,000 shall be avail-~~
15 ~~able only for program activities at the University of Roch-~~
16 ~~ester, Rochester, New York; and \$8,750,000 shall be~~
17 ~~available only for program activities at the Naval Research~~
18 ~~Laboratory, Washington, District of Columbia~~
19 *\$3,251,268,000, 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

1 waste management activities in carrying out the purposes
2 of the Department of Energy Organization Act (42 U.S.C.
3 7101, et seq.), including the acquisition or condemnation
4 of any real property or any facility or for plant or facility
5 acquisition, construction, or expansion; and the purchase
6 of passenger motor vehicles (not to exceed 87 of which
7 67 are for replacement only including 6 police-type vehi-
8 cles), ~~\$5,128,211,000~~ *\$5,083,691,000*, to remain available
9 until expended: ~~Provided, That funds previously made~~
10 ~~available under this head in the Energy and Water Devel-~~
11 ~~opment Appropriations Act, 1992, to assist the State of~~
12 ~~New Mexico and affected local governments in mitigating~~
13 ~~the impacts of the Waste Isolation Pilot Plant are avail-~~
14 ~~able for any authorized purposes under this head.~~

15 MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS

16 For Department of Energy expenses, including the
17 purchase, construction and acquisition of plant and capital
18 equipment and other incidental expenses necessary for
19 atomic energy defense materials support, and other de-
20 fense activities in carrying out the purposes of the Depart-
21 ment of Energy Organization Act (42 U.S.C. 7101, et
22 seq.), including the acquisition or condemnation of any
23 real property or any facility or for plant or facility acquisi-
24 tion, construction, or expansion, ~~\$1,842,204,000~~
25 *\$1,865,910,000*, to remain available until expended.

1 DEFENSE NUCLEAR WASTE DISPOSAL

2 For nuclear waste disposal activities to carry out the
3 purposes of Public Law 97-425, as amended, including
4 the acquisition of real property or facility construction or
5 expansion, \$129,430,000, to remain available until ex-
6 pended, all of which shall be used in accordance with the
7 terms and conditions of the Nuclear Waste Fund appro-
8 priation of the Department of Energy contained in this
9 title.

10 DEPARTMENTAL ADMINISTRATION

11 For salaries and expenses of the Department of En-
12 ergy necessary for Departmental Administration and other
13 activities in carrying out the purposes of the Department
14 of Energy Organization Act (42 U.S.C. 7101, et seq.), in-
15 cluding the hire of passenger motor vehicles and official
16 reception and representation expenses (not to exceed
17 \$35,000), \$407,312,000, to remain available until ex-
18 pended, plus such additional amounts as necessary to
19 cover increases in the estimated amount of cost of work
20 for others notwithstanding the provisions of the Anti-Defi-
21 ciency Act (31 U.S.C. 1511, et seq.): *Provided*, That such
22 increases in cost of work are offset by revenue increases
23 of the same or greater amount, to remain available until
24 expended: *Provided further*, That moneys received by the
25 Department for miscellaneous revenues estimated to total

1 \$161,490,000 in fiscal year 1995 may be retained and
2 used for operating expenses within this account, and may
3 remain available until expended, as authorized by section
4 201 of Public Law 95-238, notwithstanding the provisions
5 of section 3302 of title 31, United States Code: *Provided*
6 *further*, That the sum herein appropriated shall be reduced
7 by the amount of miscellaneous revenues received during
8 fiscal year 1995 so as to result in a final fiscal year 1995
9 appropriation estimated at not more than \$245,822,000.

10 OFFICE OF THE INSPECTOR GENERAL

11 For necessary expenses of the Office of the Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, as amended, \$26,465,000, to remain
14 available until expended.

15 POWER MARKETING ADMINISTRATIONS

16 OPERATION AND MAINTENANCE, ALASKA POWER

17 ADMINISTRATION

18 For necessary expenses of operation and maintenance
19 of projects in Alaska and of marketing electric power and
20 energy, \$6,494,000, to remain available until expended.

21 BONNEVILLE POWER ADMINISTRATION FUND

22 Expenditures from the Bonneville Power Administra-
23 tion Fund, established pursuant to Public Law 93-454,
24 are approved for the purchase, operation and maintenance
25 of two rotary-wing aircraft for replacement only, and for

1 official reception and representation expenses in an
2 amount not to exceed \$3,000.

3 During fiscal year 1995, no new direct loan obliga-
4 tions may be made.

5 Amounts otherwise available for obligation in fiscal
6 year 1995 are reduced by \$485,000.

7 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
8 ADMINISTRATION

9 For necessary expenses of operation and maintenance
10 of power transmission facilities and of marketing electric
11 power and energy pursuant to the provisions of section
12 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as
13 applied to the southeastern power area, \$22,431,000, to
14 remain available until expended.

15 OPERATION AND MAINTENANCE, SOUTHWESTERN
16 POWER ADMINISTRATION

17 For necessary expenses of operation and maintenance
18 of power transmission facilities and of marketing electric
19 power and energy, and for construction and acquisition of
20 transmission lines, substations and appurtenant facilities,
21 and for administrative expenses, including official recep-
22 tion and representation expenses in an amount not to ex-
23 ceed \$1,500 connected therewith, in carrying out the pro-
24 visions of section 5 of the Flood Control Act of 1944 (16
25 U.S.C. 825s), as applied to the southwestern power area,

1 \$21,316,000, to remain available until expended; in addi-
2 tion, notwithstanding the provisions of 31 U.S.C. 3302,
3 not to exceed \$3,935,000 in reimbursements, to remain
4 available until expended.

5 CONSTRUCTION, REHABILITATION, OPERATION AND
6 MAINTENANCE, WESTERN AREA POWER ADMINIS-
7 TRATION

8 (INCLUDING TRANSFER OF FUNDS)

9 For carrying out the functions authorized by title III,
10 section 302(a)(1)(E) of the Act of August 4, 1977 (42
11 U.S.C. 7101, et seq.), and other related activities includ-
12 ing conservation and renewable resources programs as au-
13 thorized, including official reception and representation
14 expenses in an amount not to exceed \$1,500,
15 ~~\$224,085,000~~ \$222,285,000, to remain available until ex-
16 pended, of which \$202,512,000 shall be derived from the
17 Department of the Interior Reclamation Fund: *Provided*,
18 That of the amount herein appropriated, within available
19 funds, \$5,135,000 is for deposit into the Utah Reclama-
20 tion Mitigation and Conservation Account pursuant to
21 title IV of the Reclamation Projects Authorization and Ad-
22 justment Act of 1992: *Provided further*, That the Sec-
23 retary of the Treasury is authorized to transfer from the
24 Colorado River Dam Fund to the Western Area Power Ad-
25 ministration \$7,472,000, to carry out the power market-

1 ing and transmission activities of the Boulder Canyon
2 project as provided in section 104(a)(4) of the Hoover
3 Power Plant Act of 1984, to remain available until ex-
4 pended.

5 FEDERAL ENERGY REGULATORY COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Federal Energy Regu-
8 latory Commission to carry out the provisions of the De-
9 partment of Energy Organization Act (42 U.S.C. 7101,
10 et seq.), including services as authorized by 5 U.S.C.
11 3109, including the hire of passenger motor vehicles; offi-
12 cial reception and representation expenses (not to exceed
13 \$3,000); \$166,173,000, to remain available until ex-
14 pended: *Provided*, That notwithstanding any other provi-
15 sion of law, not to exceed \$166,173,000 of revenues from
16 fees and annual charges, and other services and collections
17 in fiscal year 1995, shall be retained and used for nec-
18 essary expenses in this account, and shall remain available
19 until expended: *Provided further*, That the sum herein ap-
20 propriated shall be reduced as revenues are received dur-
21 ing fiscal year 1995, so as to result in a final fiscal year
22 1995 appropriation estimated at not more than \$0.

1 TITLE IV
2 INDEPENDENT AGENCIES
3 APPALACHIAN REGIONAL COMMISSION

4 For expenses necessary to carry out the programs au-
5 thorized by the Appalachian Regional Development Act of
6 1965, as amended, notwithstanding section 405 of said
7 Act, and for necessary expenses for the Federal Co-Chair-
8 man and the alternate on the Appalachian Regional Com-
9 mission and for payment of the Federal share of the ad-
10 ministrative expenses of the Commission, including serv-
11 ices as authorized by section 3109 of title 5, United States
12 Code, and hire of passenger motor vehicles, to remain
13 available until expended, ~~\$187,000,000~~ *\$287,000,000*.

14 DEFENSE NUCLEAR FACILITIES SAFETY
15 BOARD

16 SALARIES AND EXPENSES

17 For necessary expenses of the Defense Nuclear Fa-
18 cilities Safety Board in carrying out activities authorized
19 by the Atomic Energy Act of 1954, as amended by Public
20 Law 100-456, section 1441, \$17,933,000, to remain
21 available until expended.

22 DELAWARE RIVER BASIN COMMISSION

23 SALARIES AND EXPENSES

24 For expenses necessary to carry out the functions of
25 the United States member of the Delaware River Basin

1 as amended, including the employment of aliens; services
2 authorized by section 3109 of title 5, United States Code;
3 publication and dissemination of atomic information; pur-
4 chase, repair, and cleaning of uniforms, official represen-
5 tation expenses (not to exceed \$20,000); reimbursements
6 to the General Services Administration for security guard
7 services; hire of passenger motor vehicles and aircraft,
8 ~~\$540,501,000~~ \$535,501,000, to remain available until ex-
9 pended, of which \$22,000,000 shall be derived from the
10 Nuclear Waste Fund: *Provided*, That from this appropria-
11 tion, transfer of sums may be made to other agencies of
12 the Government for the performance of the work for which
13 this appropriation is made, and in such cases the sums
14 so transferred may be merged with the appropriation to
15 which transferred: *Provided further*, That moneys received
16 by the Commission for the cooperative nuclear safety re-
17 search program, services rendered to foreign governments
18 and international organizations, and the material and in-
19 formation access authorization programs, including crimi-
20 nal history checks under section 149 of the Atomic Energy
21 Act of 1954, as amended, may be retained and used for
22 salaries and expenses associated with those activities, not-
23 withstanding the provisions of section 3302 of title 31,
24 United States Code, and shall remain available until ex-
25 pended: *Provided further*, That revenues from licensing

1 fees, inspection services, and other services and collections
2 estimated at ~~\$518,501,000~~ \$513,501,000 in fiscal year
3 1995 shall be retained and used for necessary salaries and
4 expenses in this account, notwithstanding the provisions
5 of section 3302 of title 31, United States Code, and shall
6 remain available until expended: *Provided further*, That
7 the sum herein appropriated shall be reduced by the
8 amount of revenues received during fiscal year 1995 from
9 licensing fees, inspection services and other services and
10 collections, excluding those moneys received for the coop-
11 erative nuclear safety research program, services rendered
12 to foreign governments and international organizations,
13 and the material and information access authorization
14 programs, so as to result in a final fiscal year 1995 appro-
15 priation estimated at not more than \$22,000,000.

16 OFFICE OF INSPECTOR GENERAL

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Office of Inspector
19 General in carrying out the provisions of the Inspector
20 General Act of 1978, as amended, including services au-
21 thorized by section 3109 of title 5, United States Code,
22 \$5,080,000, to remain available until expended; and in ad-
23 dition, an amount not to exceed 5 percent of this sum may
24 be transferred from Salaries and Expenses, Nuclear Regu-
25 latory Commission: *Provided*, That notice of such trans-

1 fers shall be given to the Committees on Appropriations
2 of the House and Senate: *Provided further*, That from this
3 appropriation, transfers of sums may be made to other
4 agencies of the Government for the performance of the
5 work for which this appropriation is made, and in such
6 cases the sums so transferred may be merged with the
7 appropriation to which transferred: *Provided further*, That
8 revenues from licensing fees, inspection services, and other
9 services and collections shall be retained and used for nec-
10 essary salaries and expenses in this account, notwithstand-
11 ing the provisions of section 3302 of title 31, United
12 States Code, and shall remain available until expended:
13 *Provided further*, That the sum herein appropriated shall
14 be reduced by the amount of revenues received during fis-
15 cal year 1995 from licensing fees, inspection services, and
16 other services and collections, so as to result in a final
17 fiscal year 1995 appropriation estimated at not more than
18 \$0.

19 NUCLEAR WASTE TECHNICAL REVIEW BOARD

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of the Nuclear Waste Tech-
23 nical Review Board, as authorized by Public Law 100-
24 203, section 5051, \$2,664,000, to be transferred from the

1 Nuclear Waste Fund and to remain available until ex-
2 pended.

3 OFFICE OF THE NUCLEAR WASTE NEGOTIATOR

4 SALARIES AND EXPENSES

5 For necessary expenses of the office of the Nuclear
6 Waste Negotiator in carrying out activities authorized by
7 the Nuclear Waste Policy Act of 1982, as amended by
8 Public Law 102-486, section 802, \$1,000,000 to be de-
9 rived from the Nuclear Waste Fund and to remain avail-
10 able until expended.

11 SUSQUEHANNA RIVER BASIN COMMISSION

12 SALARIES AND EXPENSES

13 For expenses necessary to carry out the functions of
14 the United States member of the Susquehanna River
15 Basin Commission as authorized by law (84 Stat. 1541),
16 \$318,000.

17 CONTRIBUTION TO SUSQUEHANNA RIVER BASIN

18 COMMISSION

19 For payment of the United States share of the cur-
20 rent expenses of the Susquehanna River Basin Commis-
21 sion, as authorized by law (84 Stat. 1530, 1531),
22 \$288,000.

1 TENNESSEE VALLEY AUTHORITY

2 TENNESSEE VALLEY AUTHORITY FUND

3 For the purpose of carrying out the provisions of the
4 Tennessee Valley Authority Act of 1933, as amended (16
5 U.S.C. ch. 12A), including purchase, hire, maintenance,
6 and operation of aircraft, and purchase and hire of pas-
7 senger motor vehicles, ~~\$136,856,000~~ \$142,873,000, to re-
8 main available until expended.

9 TITLE V—GENERAL PROVISIONS

10 PURCHASE OF AMERICAN-MADE EQUIPMENT AND
11 PRODUCTS

12 SEC. 501. (a) SENSE OF CONGRESS.—It is the sense
13 of the Congress that, to the greatest extent practicable,
14 all equipment and products purchased with funds made
15 available in this Act should be American-made.

16 (b) NOTICE REQUIREMENT.—In providing financial
17 assistance to, or entering into any contract with, any en-
18 tity using funds made available in this Act, the head of
19 each Federal agency, to the greatest extent practicable,
20 shall provide to such entity a notice describing the state-
21 ment made in subsection (a) by the Congress.

22 This Act may be cited as the “Energy and Water De-
23 velopment Appropriations Act, 1995”.

Passed the House of Representatives June 14, 1994.

Attest: DONNALD K. ANDERSON,
Clerk.

HR 4506 RS—2

HR 4506 RS—3

HR 4506 RS—4

Calendar No. 484

103D CONGRESS
2D SESSION

H. R. 4506

[Report No. 103-291]

AN ACT

Making appropriations for energy and water development for the fiscal year ending September 30, 1995, and for other purposes.

JUNE 15 (legislative day, JUNE 7), 1994

Received: read twice and referred to the Committee on Appropriations

JUNE 23 (legislative day, JUNE 7), 1994

Reported with amendments