

107TH CONGRESS
1ST SESSION

H. R. 2828

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14, 2001

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

AN ACT

To authorize payments to certain Klamath Project water distribution entities for amounts assessed by the entities for operation and maintenance of the Project's transferred works for 2001, to authorize refunds to such entities of amounts collected by the Bureau of Reclamation for reserved works for 2001, 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Klamath Basin Emer-
5 gency Operation and Maintenance Refund Act of 2001”.

6 **SEC. 2. QUALIFIED KLAMATH PROJECT ENTITY DEFINED.**

7 In this Act, the term “qualified Klamath Project enti-
8 ty” means an entity that—

9 (1) has executed a water supply contract with
10 the United States for water from the Upper Klam-
11 ath Lake and the Klamath River of the Klamath
12 Project pursuant to the reclamation laws, including
13 the Act of June 17, 1902 (32 Stat. 388), and Acts
14 amendatory thereof or supplementary thereto;

15 (2) distributes water received under the con-
16 tract;

17 (3) received a severely limited irrigation supply
18 from the Upper Klamath Lake and the Klamath
19 River based on the Bureau of Reclamation 2001 an-
20 nual operations plan dated April 6, 2001; and

21 (4) was not reimbursed for its operation and
22 maintenance expenses for 2001 pursuant to State
23 law.

1 **SEC. 3. REFUND AND WAIVER OF ASSESSMENTS AND**
2 **CHARGES FOR OPERATION AND MAINTENANCE OF KLAMATH RECLAMATION**
3 **PROJECT.**
4

5 (a) IN GENERAL.—The Secretary of the Interior is
6 authorized to pay to each qualified Klamath Project entity
7 an amount equal to the amount assessed or charged to
8 members of the qualified Klamath Project entity, or to
9 other persons receiving water or drainage service from
10 such an entity, for operation and maintenance of Klamath
11 Project transferred and reserved works for 2001.

12 (b) CONDITIONS.—Payment under this section may
13 be made to a qualified Klamath Project entity only after
14 the entity has—

15 (1) provided to the Secretary documentation
16 satisfactory to the Bureau of Reclamation, dem-
17 onstrating the total amount assessed or charged to
18 members of the entity or to persons receiving service
19 from the entity; and

20 (2) executed a binding agreement under which
21 the funds paid to the entity under this section shall
22 be distributed to each member of the entity or per-
23 sons receiving service from the entity in an amount
24 equal to the amount collected by the entity from the
25 member or person for operation and maintenance for
26 2001.

1 (c) WAIVER OF REMAINING AND ADDITIONAL
2 CHARGES.—The Secretary may waive any requirement
3 that a qualified Klamath Project entity pay remaining or
4 additional charges for operation and maintenance of
5 Klamath Project reserved works for 2001.

6 (d) PAYMENTS AND WAIVERS FOR INDIVIDUALS.—
7 The Secretary—

8 (1) may pay, to any individual within the Klam-
9 ath Project who holds a contract entered into pursu-
10 ant to the Act of February 21, 1911 (36 Stat. 925;
11 43 U.S.C. 523–525), popularly known as the “War-
12 ren Act”, and who is not within a district that re-
13 ceives a payment pursuant to subsection (a) and a
14 waiver under subsection (c), an amount equal to the
15 amount collected from such individual for operation
16 and maintenance of Klamath Project reserved works
17 for 2001; and

18 (2) may forego collection from such individual
19 of charges for operation and maintenance of such
20 works for the remainder of 2001.

21 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

22 Amounts not paid by a qualified Klamath Project en-
23 tity to the Bureau of Reclamation for the operation and
24 maintenance of the reserved works for 2001 shall be fund-
25 ed from the appropriations authorized by this Act. Costs

1 incurred by the Bureau of Reclamation in carrying out
2 this Act shall not be reimbursable.

3 **SEC. 5. NO SUPPLEMENTAL OR ADDITIONAL BENEFIT.**

4 Activities under this Act or funded pursuant to this
5 Act shall not be considered a supplemental or additional
6 benefit under the Act of June 17, 1902 (82 Stat. 388),
7 and all Acts amendatory thereof or supplementary thereto.

Passed the House of Representatives November 13,
2001.

Attest:

JEFF TRANDAHL,

Clerk.