

WATER-RELATED TECHNICAL CORRECTIONS ACT OF 1997

OCTOBER 28, 1997.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 2402]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2402) to make technical and clarifying amendments to improve the management of water-related facilities in the Western United States, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Water-Related Technical Corrections Act of 1997”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Reduction of waiting period for obligation of funds provided under Reclamation Safety of Dams Act of 1978.

Sec. 3. Albuquerque Metropolitan Area Reclamation and Reuse Project.

Sec. 4. Phoenix Metropolitan Water Reclamation and Reuse Project.

Sec. 5. Refund of amounts received as paid form compensation bills under Reclamation Reform Act of 1982.

Sec. 6. Extension of periods for repayments for Nueces River reclamation project and Canadian River reclamation project, Texas.

Sec. 7. Solano Project Water.

SECTION 2. REDUCTION OF WAITING PERIOD FOR OBLIGATION OF FUNDS PROVIDED UNDER RECLAMATION SAFETY OF DAMS ACT OF 1978.

Section 5 of the Reclamation Safety of Dams Act of 1978 (92 Stat. 2471; 43 U.S.C. 509) is amended by striking “sixty days” and all that follows through “day certain” and inserting “30 calendar days”.

SEC. 3. ALBUQUERQUE METROPOLITAN AREA RECLAMATION AND REUSE PROJECT.

Section 1621 of the Reclamation Projects Authorization and Adjustment Act of 1992, as added by section 2(a)(2) of the Reclamation Recycling and Water Conservation Act of 1996 (110 Stat. 3292; 43 U.S.C. 390h–12g), is amended—

(1) in the heading by striking “STUDY”; and

(2) in subsection (a)—

(A) by inserting “the planning, design, and construction of” after “participate in”; and

(B) by striking “Study” and inserting “Project”.

SEC. 4. PHOENIX METROPOLITAN WATER RECLAMATION AND REUSE PROJECT.

Section 1608 of the Reclamation Projects Authorization and Adjustment Act of 1992 (106 Stat. 4666; 43 U.S.C. 390h–6) is amended—

(1) by amending subsection (a) to read as follows:

“(a) The Secretary, in cooperation with the city of Phoenix, Arizona, shall participate in the planning, design, and construction of the Phoenix Metropolitan Water Reclamation and Reuse Project to utilize fully wastewater from the regional wastewater treatment plant for direct municipal, industrial, agricultural, and environmental purposes, groundwater recharge, and direct potable reuse in the Phoenix metropolitan area.”;

(2) in subsection (b) by striking the first sentence; and

(3) by striking subsection (c).

SEC. 5. REFUND OF AMOUNTS RECEIVED AS PAID FORM COMPENSATION BILLS UNDER RECLAMATION REFORM ACT OF 1982.

(a) REFUND REQUIRED.—Subject to subsection (b) and the availability of appropriations, the Secretary of the Interior shall refund fully amounts received by the United States as collections under section 224(i) of the Reclamation Reform Act of 1982 (101 Stat. 1330–268; 43 U.S.C. 390ww(i)) for paid form compensation bills (including interest collected) issued by the Secretary of the Interior before January 1, 1994, for furnishing certificates under sections 206 and 224(c) of such Act (96 Stat. 1266, 1272; 43 U.S.C. 390ff, 390ww(c)).

(b) ADMINISTRATIVE FEE.—In the case of a refund of amounts collected in connection with sections 206 and 224(c) of the Reclamation Reform Act of 1982 (96 Stat. 1266, 1272; 43 U.S.C. 390ff, 390ww(c)) with respect to any water year after the 1987 water year, the amount refunded shall be reduced by an administrative fee of \$260 for each occurrence so refunded.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$3,000,000.

SEC. 6. EXTENSION OF PERIODS FOR REPAYMENTS FOR NUECES RIVER RECLAMATION PROJECT AND CANADIAN RIVER RECLAMATION PROJECT, TEXAS.

Section 2 of the Emergency Drought Relief Act of 1996 (Public Law 104–318; 110 Stat. 3862) is amended by adding at the end the following new subsection:

“(c) EXTENSION OF PERIODS FOR REPAYMENT.—Notwithstanding any provision of the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.), the Secretary of the Interior—

“(1) shall extend the period for repayment by the City of Corpus Christi, Texas, and the Nueces River Authority under contract No. 6–07–01–X0675, relating to the Nueces River reclamation project, Texas, until—

“(A) August 1, 2029, for repayment pursuant to the municipal and industrial water supply benefits portion of the contract; and

“(B) until August 1, 2044, for repayment pursuant to the fish and wildlife and recreation benefits portion of the contract; and

“(2) shall extend the period for repayment by the Canadian River Municipal Water Authority under contract No. 14–06–500–485, relating to the Canadian River reclamation project, Texas, until October 1, 2021.”.

SEC. 7. SOLANO PROJECT WATER.

(a) AUTHORIZATION.—The Secretary of the Interior is authorized to enter into contracts with the Solano County Water Agency, or any of its member unit contractors for water from the Solano Project, California, pursuant to the Act of February 21, 1911 (43 U.S.C. 523), for—

(1) the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes, using any facilities associated with the Solano Project, California, and

(2) the exchange of water among Solano Project contractors, for the purposes set forth in paragraph (1), using facilities associated with the Solano Project, California.

(b) LIMITATION.—The authorization under subsection (a) shall be limited to the use of that portion of the Solano Project facilities downstream of Mile 26 of the Putah South Canal as depicted on the official maps of the Bureau of Reclamation, and to that portion of the Solano Project facilities below the diversion points on the Putah South Canal utilized by the city of Fairfield for delivery of Solano Project water.

PURPOSE OF THE BILL

The purpose of H.R. 2402 is to make technical and clarifying amendments to improve the management of water-related facilities in the Western United States.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2402 is a compilation of technical corrections to federal reclamation law to clarify authorities of the Bureau of Reclamation, or existing provisions of law. This legislation was compiled after canvassing Members of the Water and Power Subcommittee, Members of the Western Water Caucus, and the Bureau of Reclamation about any such needed changes. However, for inclusion in this bill, provisions could not authorize extensive new programs or significant additional appropriations.

Section 2 of H.R. 2402 reduces the waiting period for obligation of funds provided under the Reclamation Safety of Dams Act of 1978 from 60 days (not including any days when the House or the Senate were not in session for more than three calendar days) to 30 calendar days. The current method of calculating the waiting period, which does not include Congressional recesses, often results in waiting periods of much longer than 60 days before funds can be obligated. In several instances in the past, Congress has had to waive this waiting period because of the pressing need for dam safety work to proceed. In reducing the waiting period to 30 days, the Committee anticipates that this will give adequate time for Congressional review of planned work, but should not unduly delay needed work under the Act.

Section 3 of H.R. 2402 amends section 1621 of the Reclamation Projects Authorization and Adjustment Act of 1992, as amended, to authorize the Secretary of the Interior to participate in the planning, design and construction of the Albuquerque Metropolitan Area Water Reclamation and Reuse Project. Current law only authorized the Secretary to participate in the study of this proposed project.

Section 4 clarifies the authority of the Secretary of the Interior to participate in the planning, design, and construction of the Phoenix Metropolitan Water Reclamation and Reuse Project. The Committee maintains the position that current law gives the Secretary this authority. However, the Department of the Interior has raised concerns about the existing language, so the language of H.R. 2402 brings section 1608 of the Reclamation Projects Authorization and Adjustment Act of 1992 in conformity with language authorizing the Secretary of the Interior to participate in other reuse projects under Title XVI.

Section 5 requires the Secretary of the Interior to refund overpayments received by the United States as the result of form compensation bills under the Reclamation Reform Act of 1982 (RRA),

subject to the availability of appropriations. Many water districts paid these bills in protest, and the Bureau of Reclamation lost a case, *Orange Cove Irrigation District v. the United States*, in which the judge ruled that “it is clear from the legislative history of the R.A. that Congress did not intend for the Bureau to assess monetary penalties or fines for failure to submit the required forms.” In a September 16, 1997, letter to the Chairman John Doolittle of the Water and Power Subcommittee, the Assistant Secretary for Water and Science stated that, “Reclamation supports the intent of Section 6 [now renumbered as Section 5] to enable Reclamation to refund monies to those entities who were billed and paid the full-cost rate for RRA forms violations.”

Section 6 is designed to meet one of the objectives of the Emergency Drought Relief Act of 1996 (Public Law 104–318) by clarifying that the temporary debt relief provided to the City of Corpus Christi, Texas, the Nueces River Authority, and the Canadian River Municipal Water Authority is to result in an extension of their repayment period at the end of the repayment obligation that equals the number of years for which the temporary debt relief has been provided. The Department of the Interior notified the Congress several weeks after the President signed the 1996 Act that they had determined the language was insufficient to meet the stated objective of extending the repayment period because of provisions of the Reclamation Project Act of 1939. The Department subsequently indicated that it did not object to this language.

Section 7 authorizes the Secretary of the Interior to enter into contracts, pursuant to the Act of February 21, 1911 (known as the Warren Act), for the impounding, storage, and carriage of non-project water for domestic, municipal, industrial and other beneficial purposes, as well as the exchange of water among Solano Project contractors, using any facilities associated with the Solano Project, California. The City of Vallejo has tried to use its water supply facilities more efficiently, but has been limited by a provision in federal law that prohibits the City from sharing space in an existing federal water delivery canal. The City of Vallejo wants to “wheel” some of its drinking water through part of the canal serving California’s Solano Project, a water project built by the Bureau of Reclamation in the 1950s. The City of Vallejo is prepared to pay any appropriate charges for the use of these facilities. The section limits the authorization to the use of that portion of the Solano Project facilities downstream of Mile 26 of the Putah South Canal and to that portion of the Solano Project facilities below the diversion points on the Putah South Canal utilized by the city of Fairfield.

COMMITTEE ACTION

H.R. 2402 was introduced on September 4, 1997, by Congressman John Doolittle (R–CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On September 11, 1997, the Subcommittee met to mark up H.R. 2402. An en bloc amendment to strike section 2, which would have amended the Warren Act of 1911, and to make one technical correction was offered by Congressman Doolittle and adopted by voice vote. The bill was then ordered favorably reported

to the Full Committee by voice vote. On October 1, 1997, the Full Resources Committee met to consider H.R. 2402. An amendment to strike section 6, regarding the designation of Trinity Lake, was offered by Congressman Doolittle, and adopted by voice vote. An amendment to authorize the Secretary of the Interior to enter into contracts for the conveyance of non-project water for domestic, municipal, industrial and other beneficial purposes using facilities of the Solano Project, California, was offered by Congressman George Miller (D-CA), and adopted by voice vote. The bill as amended was then ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact H.R. 2402.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 2402. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 2402 does not contain any new budget authority, credit authority, or an increase or decrease in revenues or tax expenditures. Enactment of H.R. 2402 would affect outlays from direct spending, as explained in the Congressional Budget Office cost estimate, below.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 2402.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 2402 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
 CONGRESSIONAL BUDGET OFFICE,
 Washington, DC, October 23, 1997.

Hon. DON YOUNG,
 Chairman, Committee on Resources,
 House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2402, the Water-Related Technical Corrections Act of 1997.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Gary Brown (for federal costs) and Marjorie Miller (for the state and local impact).

Sincerely

JUNE E. O'NEILL, *Director*.

Enclosure.

H.R. 2402—Water-Related Technical Corrections Act of 1997

Summary: H.R. 2402 would amend some of the federal statutes that collectively make up reclamation law. CBO estimates that enacting H.R. 2402 would lead to an increase in appropriated spending of about \$13 million over the 1998–2002 period, \$9 million in 2003, \$2 million in 2004, and less than \$0.5 million annually thereafter, assuming appropriations consistent with the bill's provisions.

In addition, CBO estimates that enacting H.R. 2402 would increase direct spending by less than \$500,000 in fiscal year 1998 and reduce direct spending by less than \$500,000 in 1999 and each year thereafter. Because H.R. 2402 would affect direct spending, pay-as-you-go procedures would apply. H.R. 2402 contains no inter-governmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA) and would impose no costs on state, local, or tribal governments.

Major provisions in the bill would:

Decrease the period of time that the Secretary of the Interior is required to wait before obligating funds for safety of dams projects;

Authorize the Secretary to participate in the planning, design, and construction of one water reclamation and reuse project and clarify his authority to do so in another;

Require the Secretary to refund overpayments received by the United States under the Reclamation Reform Act of 1992 and authorize appropriations for that purpose;

Extend the period that certain nonfederal actors have for repaying to the United States their share of the cost of certain reclamation projects; and

Authorize the Secretary to enter into contracts with the Solano County Water Agency for various purposes.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 2402 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

| | By fiscal year, in millions of dollars | | | | | |
|--|--|------|------|------|------|------|
| | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 |
| SPENDING SUBJECT TO APPROPRIATION | | | | | | |
| Spending under current law: | | | | | | |
| Estimated authorization level ¹ | 273 | 279 | 279 | 279 | 279 | 279 |
| Estimated outlays | 273 | 276 | 279 | 279 | 279 | 279 |
| Proposed changes: | | | | | | |
| Estimated authorization level | 0 | 3 | (?) | (?) | 2 | 9 |
| Estimated outlays | 0 | 3 | (?) | (?) | 2 | 7 |
| Spending under H.R. 2402: | | | | | | |
| Estimated authorization level | 273 | 282 | 279 | 279 | 281 | 288 |
| Estimated outlays | 273 | 279 | 279 | 279 | 281 | 286 |
| CHANGES IN DIRECT SPENDING | | | | | | |
| Estimated budget authority | 0 | (?) | (?) | (?) | (?) | (?) |
| Estimated outlays | 0 | (?) | (?) | (?) | (?) | (?) |

¹The 1997 and 1998 levels are the amount appropriated in those years for constructing water reuse projects and for operating, maintaining, and rehabilitating all bureau facilities. The amounts shown for subsequent years reflect assumed continuation of the current-year funding level, without adjustment for inflation. Alternatively, if funding were increased to cover anticipated inflation, funding under current law would grow from \$279 million in 1998 to \$287 million in 1999 and \$314 million in 2002.

²Less than \$500,000.

Basis of estimate: For purposes of this estimate, CBO assumes that the bill will be enacted within the next few months and that the amounts authorized to be appropriated will be provided for each fiscal year.

Spending subject to appropriation

H.R. 2402 would authorize the Secretary to construct water projects in coordination with nonfederal partners and enter into new contracts for delivering water. In addition, the bill would direct the Secretary to refund overpayments from certain irrigators.

Construction of water projects. H.R. 2402 would clarify the Department of the Interior's (DOI's) authority to participate in the planning, design, and construction of the Phoenix Metropolitan Water Reclamation and Reuse Project and authorize DOI to participate in the Albuquerque Metropolitan Area Reclamation and Reuse Project. Assuming appropriation of the necessary amounts, CBO estimates that this provision would result in new discretionary spending of about \$9 million over the 1998–2002 period and a total of \$20 million through 2004. All of these amounts are attributable to the Phoenix project.

The Phoenix project was authorized in Public Law 102–575. Based on information provided by the Bureau of Reclamation, however, CBO expects that the project is unlikely to be constructed as authorized. H.R. 2402 would change the existing authority in a way that would make it more likely that the project would be constructed. Under the current authorization, DOI would pay the cost of constructing the facility, and the city of Phoenix would repay its share of the project over time. The Secretary would hold title to the project indefinitely. H.R. 2402 would change the existing authorization to clarify that the project is intended to be built with upfront cost-sharing by the city of Phoenix and that the city is to hold title to the project. Federal participation in the project would be capped at \$20 million. For purposes of this estimate, CBO assumes that the entire amount would be appropriated. Estimates of annual budget authority needed to meet design and construction schedules (assuming the earliest feasible starting date) were provided by the

Bureau. CBO assumes that spending on the project would occur at historical rates observed for similar water projects.

Participating in the Albuquerque project will result in no new federal outlays. A portion of this project—the Arsenic Wellhead Demonstration Unit—was authorized in Public Law 102–575. The total federal cost of participating in the other portions of this project have already been provided in the bill making appropriations for energy and water development for the fiscal year ending September 30 1998 (Public Law 105–62). Spending of these amounts would not be affected by H.R. 2402.

Refunds of overpayments. H.R. 2402 would authorize the appropriation of \$3 million in 1998 for refunding penalties that DOI collected from irrigators for submitting incorrect forms for demonstrating their compliance with the Reclamation Reform Act. A recent court ruling indicates that the Bureau does not have authority to charge such fines. The Bureau has indicated that it needs the authority in H.R. 2402 to refund those amounts. Based on information from the Bureau, CBO assumes that the refunds would be made shortly after the amounts are appropriated.

Entering into contracts. H.R. 2402 would authorize the Secretary of the Interior to enter into contracts with the Solano County Water Agency, or any of its member unit contractors, to use portions of the Solano Project, California, for impounding, storing, and carrying nonproject water for non-irrigation purposes, and for exchanging water among Solano Project contractors for such purposes. The Bureau has indicated to CBO that this authority would be used for transporting water to the city of Vallejo from an existing storage facility. Based on information from the Bureau, CBO estimates that this action would increase the cost of operating and maintaining the project by less than \$500,000 a year beginning in fiscal year 1999. These amounts would be subject to appropriation and would be reimbursed by the municipality in the year they are incurred. Reimbursements would be deposited in the reclamation fund as offsetting receipts and would be unavailable for spending without appropriation.

Direct spending

H.R. 2402 would affect outlays from direct spending by authorizing the Secretary to spend previously appropriated funds more quickly, extending the period that certain nonfederal actors have for repaying to the United States their share of the cost of certain reclamation projects, and authorizing the Secretary to enter into contracts with the Solano County Water Agency for various purposes.

Spending previously appropriated funds more quickly. H.R. 2402 would authorize the Secretary to obligate a portion of funds that are appropriated for projects related to the safety of dams, including about \$17 million in 1998, at a faster rate than permitted under current law. By increasing the rate at which funds that are already appropriated are spent, H.R. 2402 would increase direct spending in fiscal year 1998, have little or no net direct spending effect in 1999, and reduce direct spending in 2000. CBO estimates that the bill would result in an increase in outlays of less than

\$500,000 in fiscal year 1998, and result in a corresponding decrease in outlays of less than \$500,000 in 2000.

Extending contracts. H.R. 2402 would amend Public Law 104-318 to clarify that the temporary debt relief that law provides to the city of Corpus Christi, Texas, the Nueces River Authority, and the Canadian River Municipal Water Authority is intended to extend, without accrued interest, the terms of their repayment contracts by the number of years of debt relief. The report language that accompanied the legislation while it was being considered by the Congress indicates that this result was intended by Public Law 104-318; however, the Bureau recently has indicated that the law is not written in a way that will accomplish that purpose. Because we have already adjusted our long-term estimates of repayment receipts to reflect the intent of the law, CBO estimates that there would be no budgetary impact from enacting this provision.

Entering into contracts. As described above, CBO estimates that the provision authorizing the Secretary to enter into contracts with the Solano County Water Agency, or any of its member unit contractors, would increase the discretionary costs of operating and maintaining the Solano project. All such discretionary costs would be reimbursed by the municipality in the year that they are incurred and the reimbursements would be deposited in the reclamation fund as offsetting receipts (that is, a reduction in outlays from direct spending) and would be unavailable for spending without appropriation. These reductions in direct spending would be less than \$500,000 a year.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act of 1985 specifies pay-as-you-go procedures for legislation affecting direct spending or receipts. CBO estimates that enacting H.R. 2402 would increase direct spending by less than \$500,000 in 1998, and reduce direct spending by less than \$500,000 annually thereafter. Enacting the bill would not affect governmental receipts.

Estimated impact on State, local, and tribal governments: H.R. 2402 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. Various provisions in this bill would benefit water districts and other local government entities.

Some of these provisions would probably result in additional spending by local governments, either to match federal expenditures or to contract for federal services, but such spending would be voluntary on the part of these entities. H.R. 2402 would authorize or clarify the existing authorization for federal participation in two projects—the Albuquerque Metropolitan Area Reclamation and Reuse Project and the Phoenix Metropolitan Water Reclamation and Reuse Project. Existing law requires that participating local governments share in the cost of these projects. CBO estimates that the local share for the Albuquerque project would total about \$23 million over the next four years and that the local share for the Phoenix project would total at least \$65 million over the 2001-2003 period.

H.R. 2402 would also allow the Solano County Water Agency to contract with the Bureau of Reclamation to move non-project water through the Solano reclamation project. The agency would reim-

burse the federal government for any increased costs resulting from such contracts.

Other sections of H.R. 2402 would confer financial benefits on some water districts. The bill would direct the Secretary of Interior to refund certain penalties erroneously collected from some water districts and would authorize appropriations of \$3 million for these refunds. Further, the bill would amend the Emergency Drought Relief Act of 1996 to extend the terms of repayment contracts of the city of Corpus Christi, the Nueces River Authority, and the Canadian River Municipal Water Authority, all in Texas. The length of these extensions would correspond to the number of years of debt relief provided by the 1996 act.

Estimated impact on the private sector: This bill would impose no new private-sector mandates as defined in UMRA.

Estimate prepared by: Federal costs: Gary Brown; impact on State, local, and tribal governments: Marjorie Miller.

Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 2402 contains no unfunded mandates.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 5 OF THE RECLAMATION SAFETY OF DAMS ACT OF 1978

SEC. 5. There are hereby authorized to be appropriated for fiscal year 1979 and ensuing fiscal years such sums as may be necessary and, effective October 1, 1983, not to exceed an additional \$650,000,000 (October 1, 1983, price levels), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein, to carry out the provisions of this Act to remain available until expended if so provided by the appropriations Act: *Provided*, That no funds exceeding \$750,000 shall be obligated for carrying out actual construction to modify an existing dam under authority of this Act prior to [sixty days (which sixty days shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain)] *30 calendar days* from the date that the Secretary has transmitted a report on such existing dam to the Congress. The report required to be submitted by this section will consist of a finding by the Secretary of the Interior to the effect that modifications are required to be made to insure the safety of an existing dam. Such finding shall be accompanied by a technical report containing information on the need for structural modification, the corrective action deemed to be required, alternative solu-

tions to structural modification that were considered, the estimated cost of needed modifications, and environmental impacts if any resulting from the implementation of the recommended plan of modification.

**RECLAMATION PROJECTS AUTHORIZATION AND
ADJUSTMENT ACT OF 1992**

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**TITLE XVI—RECLAMATION WASTEWATER AND
GROUNDWATER STUDIES**

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**SEC. 1608. PHOENIX METROPOLITAN WATER RECLAMATION STUDY
AND PROGRAM.**

[(a) The Secretary, in cooperation with the city of Phoenix, Arizona, shall conduct a feasibility study of the potential for development of facilities to utilize fully wastewater from the regional wastewater treatment plant for direct municipal, industrial, agricultural, and environmental purposes, groundwater recharge and direct potable reuse in the Phoenix metropolitan area, and in cooperation with the city of Phoenix design and construct facilities for environmental purposes, ground water recharge and direct potable reuse.]

(a) The Secretary, in cooperation with the city of Phoenix, Arizona, shall participate in the planning, design, and construction of the Phoenix Metropolitan Water Reclamation and Reuse Project to utilize fully wastewater from the regional wastewater treatment plant for direct municipal, industrial, agricultural, and environmental purposes, groundwater recharge, and direct potable reuse in the Phoenix metropolitan area.

(b) [The Federal share of the costs of the study authorized by this section shall not exceed 50 per centum of the total.] The Federal share of the costs associated with the project described in subsection (a) shall not exceed 25 per centum of the total. The Secretary shall not provide funds for operation or maintenance of the project.

[(c) The Secretary shall submit the report authorized by this section to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives not later than two years after appropriation of funds authorized by this title.]

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**SEC. 1621. ALBUQUERQUE METROPOLITAN AREA WATER
RECLAMATION AND REUSE [STUDY].**

(a) AUTHORIZATION.—The Secretary, in cooperation with the city of Albuquerque, New Mexico, is authorized to participate in *the planning, design, and construction of the Albuquerque Metropolitan Area Water Reclamation and Reuse [Study] Project* to reclaim and reuse industrial and municipal wastewater and reclaim and

use naturally impaired ground water in the Albuquerque metropolitan area.

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SECTION 2 OF THE EMERGENCY DROUGHT RELIEF ACT OF 1996

SEC. 2. EMERGENCY DROUGHT RELIEF.

(a) * * *

* * * * *

(c) *EXTENSION OF PERIODS FOR REPAYMENT.*—Notwithstanding any provision of the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.), the Secretary of the Interior—

(1) shall extend the period for repayment by the City of Corpus Christi, Texas, and the Nueces River Authority under contract No. 6-07-01-X0675, relating to the Nueces River reclamation project, Texas, until—

(A) August 1, 2029, for repayment pursuant to the municipal and industrial water supply benefits portion of the contract; and

(B) until August 1, 2044, for repayment pursuant to the fish and wildlife and recreation benefits portion of the contract; and

(2) shall extend the period for repayment by the Canadian River Municipal Water Authority under contract No. 14-06-500-485, relating to the Canadian River reclamation project, Texas, until October 1, 2021.

