

PACIFIC NORTHWEST FEASIBILITY STUDIES ACT OF 2001

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JULY 24, 2001.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed
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Mr. HANSEN, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 1937]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1937) to authorize the Secretary of the Interior to engage in certain feasibility studies of water resource projects in the State of Washington, 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 all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pacific Northwest Feasibility Studies Act of 2001”.

SEC. 2. AUTHORIZATION OF FEASIBILITY STUDIES.

(a) **IN GENERAL.**—The Secretary of the Interior may engage in the following feasibility studies:

(1) The Tulalip Tribes Water Quality Feasibility Study, to identify ways to meet future domestic and commercial water distribution needs of the Tulalip Indian Reservation on the Eastern Shore of Puget Sound, Washington.

(2) The Lower Elwha Klallam Rural Water Supply Feasibility Study, to identify additional rural water supply sources for the Lower Elwha Indian Reservation on the Olympic Peninsula, Washington.

(3) The Makah Community Water Source Project Feasibility Study, to identify ways to meet the current and future domestic and commercial water supply and distribution needs of the Makah Indian Tribe on the Olympic Peninsula, Washington.

(b) **PUBLIC AVAILABILITY OF RESULTS.**—The Secretary of the Interior shall make available to the public, upon request, the results of each feasibility study authorized under subsection (a), and shall promptly publish in the Federal Register a notice of the availability of those results.

PURPOSE OF THE BILL

The purpose of H.R. 1937 is to authorize the Secretary of the Interior to engage in certain feasibility studies of water resource projects in the State of Washington.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 1937 will authorize the Secretary of the Interior to complete three feasibility studies of water resource projects in the State of Washington. The primary purpose of these studies is to investigate the feasibility of providing potable water and wastewater distribution systems to meet the future domestic and commercial needs of the Tulalip, Lower Klallam, and Makah tribes. The feasibility studies are detailed investigations to identify a preferred plan to be sent to Congress with a recommendation for construction authorization and funding. A National Environmental Policy Act analysis will be completed concurrently with the feasibility report.

COMMITTEE ACTION

H.R. 1937 was introduced on May 22, 2001, by Congressman Rick Larson (D-WA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On June 27, 2001, the Full Resources Committee met to consider the bill. The Subcommittee on Water and Power was discharged from further consideration of the bill by unanimous consent. Congressman Adam Smith offered an amendment to change the word "groundwater" to "rural water". It was passed by voice. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

This legislation will authorize the Secretary of the Interior to conduct the following feasibility studies:

(1) The Tulalip Tribes Water Quality Feasibility Study, to identify ways to meet future domestic and commercial water distribution needs of the Tulalip Indian Reservation on the Eastern Shore of Puget Sound, Washington.

(2) The Lower Elwha Klallam Rural Water Supply Feasibility Study, to identify additional groundwater supply sources for the Lower Elwha Indian Reservation on the Olympic Peninsula, Washington.

(3) The Makah Community Water Source Project Feasibility Study, to identify ways to meet the current and future domestic and commercial water supply and distribution needs of the Makah Indian Tribe on the Olympic Peninsula, Washington.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII 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 this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) 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 this bill. However, clause 3(d)(3)(B) 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 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII 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 this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 3, 2001.

Hon. JAMES V. HANSEN,
*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. 1937, the Pacific Northwest Feasibility Studies Act of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Julie Middleton.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 1937—Pacific Northwest Feasibility Studies Act of 2001

H.R. 1937 would authorize the Secretary of the Interior to conduct three water quality and quantity feasibility studies for three different Indian tribes in the state of Washington. Two of the studies would identify ways to meet future water distribution needs of the Tulalip Indian Reservation and the Makah Indian Tribe. The third study would identify additional rural water sources for the Lower Elwha Indian Reservation.

Based on information from the Bureau of Reclamation, CBO estimates that implementing H.R. 1937 would cost less than \$1 million over the 2002–2003 period, assuming the availability of appro-

priated funds. H.R. 1937 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 1937 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Julie Middleton. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

