AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

106TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPT. 106–842, Part 1

TIJUANA RIVER VALLEY ESTUARY AND BEACH SEWAGE CLEANUP ACT OF 2000

SEPTEMBER 12, 2000.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 3378]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 3378) to authorize certain actions to address the comprehensive treatment of sewage emanating from the Tijuana River in order to substantially reduce river and ocean pollution in the San Diego border region, 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 "Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000".

SEC. 2. PURPOSE.

The purpose of this Act is to authorize the United States to take actions to address comprehensively the treatment of sewage emanating from the Tijuana River area, Mexico, that flows untreated or partially treated into the United States causing significant adverse public health andenvironmental impacts.

SEC. 3. DEFINITIONS.

In this Act, the following definitions apply:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) COMMISSION.—The term "Commission" means the United States section of the International Boundary and Water Commission, United States and Mexico.

(3) IWTP.—The term "IWTP" means the South Bay International Wastewater Treatment Plant constructed under the provisions of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), section 510 of the Water Quality Act of 1987 (101 Stat. 80–82), and Treaty Minutes to the Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, dated February 3, 1944.

79–006

(4) SECONDARY TREATMENT.—The term "secondary treatment" has the meaning such term has under the Federal Water Pollution Control Act and its implementing regulations.

(5) SECRETARY.—The term "Secretary" means the Secretary of State.

(6) MEXICAN FACILITY.—The term "Mexican facility" means a proposed public-private wastewater treatment facility to be constructed and operated under this Act within Mexico for the purpose of treating sewage flows generated within Mexico, which flows impact the surface waters, health, and safety of the United States and Mexico.

(7) MGD.—The term "mgd" means million gallons per day.

SEC. 4. ACTIONS TO BE TAKEN BY THE COMMISSION AND THE ADMINISTRATOR.

(a) SECONDARY TREATMENT.—

(1) IN GENERAL.—Subject to the negotiation and conclusion of a new Treaty Minute or the amendment of Treaty Minute 283 under section 5, and notwithstanding section 510(b)(2) of the Water Quality Act of 1987 (101 Stat. 81), the Commission is authorized and directed to provide for the secondary treatment of a total of not more than 50 mgd in Mexico—

(A) of effluent from the IWTP if such treatment is not provided for at a facility in the United States; and

(B) of additional sewage emanating from the Tijuana River area, Mexico.

(2) ADDITIONAL AUTHORITY.—Subject to the results of the comprehensive plan developed under subsection (b) revealing a need for additional secondary treatment capacity in the San Diego-Tijuana border region and recommending the provision of such capacity in Mexico, the Commission may provide not more than an additional 25 mgd of secondary treatment capacity in Mexico for treatment described in paragraph (1).

(b) COMPREHENSIVE PLAN.—Not later than 24 months after the date of enactment of this Act, the Administrator shall develop a comprehensive plan with stakeholder involvement to address the transborder sanitation problems in the San Diego-Tijuana border region. The plan shall include, at a minimum, an analysis of—

(1) the long-term secondary treatment needs of the region;

(2) upgrades in the sewage collection system serving the Tijuana area, Mexico; and

(3) an identification of options, and recommendations for preferred options, for additional sewage treatment capacity for future flows emanating from the Tijuana River area, Mexico.

(c) CONTRACT.—

(1) IN GENERAL.—Subject to the availability of appropriations to carry out this subsection, the Commission may enter into a fee-for-services contract with the owner of a Mexican facility in order to carry out the secondary treatment requirements of subsection (a) and make payments under such contract.

(2) TERMS.—Any contract under this subsection shall provide, at a minimum, for the following:

(A) Transportation of the advanced primary effluent from the IWTP to the Mexican facility for secondary treatment.

(B) Treatment of the advanced primary effluent from the IWTP to the secondary treatment level in a manner that is in compliance with water quality laws of the United States, California, and Mexico.

(C) Return conveyance from the Mexican facility of any such treated effluent that cannot be reused in either Mexico or the United States to the South Bay Ocean Outfall for discharge into the Pacific Ocean in compliance with water quality laws of the United States and California.

(D) Subject to the requirements of subsection (a), additional sewage treatment capacity that provides for advanced primary and secondary treatment of sewage described in paragraph (1)(B) in addition to the capacity required to treat the advanced primary effluent from the IWTP.

(E) A contract term of 30 years.

(F) Arrangements for monitoring, verification, and enforcement of compliance with United States, California, and Mexican water quality standards.

(G) Arrangements for the disposal and use of sludge, produced from the IWTP and the Mexican facility, at a location or locations in Mexico.

(H) Payment of fees by the Commission to the owner of the Mexican facility for sewage treatment services with the annual amount payable to reflect all costs associated with the development, financing, construction, operation, and maintenance of the Mexican facility.

(I) Provision for the transfer of ownership of the Mexican facility to the United States, and provision for a cancellation fee by the United States to the owner of the Mexican facility, if the Commission fails to perform its ob-

ligations under the contract. The cancellation fee shall be in amounts declining over the term of the contract anticipated to be sufficient to repay construction debt and other amounts due to the owner that remain unamortized due to early termination of the contract.

(J) Provision for the transfer of ownership of the Mexican facility to the United States, without a cancellation fee, if the owner of the Mexican facility fails to perform the obligations of the owner under the contract.

(3) LIMITATION.—The Contract Disputes Act of 1978 (41 U.S.C. 601–613) shall not apply to a contract executed under this section.

SEC. 5. NEGOTIATION OF NEW TREATY MINUTE.

(a) CONGRESSIONAL STATEMENT.—In light of the existing threat to the environment and to public health and safety within the United States as a result of the river and ocean pollution in the San Diego-Tijuana border region, the Secretary is requested to give the highest priority to the negotiation and execution of a new Treaty Minute, or a modification of Treaty Minute 283, consistent with the provisions of this Act, in order that the other provisions of this Act to address such pollution may be implemented as soon as possible.

(b) NEGOTIATION.—

(1) INITIATION.—The Secretary is requested to initiate negotiations with Mexico, within 60 days after the date of enactment of this Act, for a new Treaty Minute or a modification of Treaty Minute 283 consistent with the provisions of this Act.

(2) IMPLEMENTATION.—Implementation of a new Treaty Minute or a modification of Treaty Minute 283 under this Act shall be subject to the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) MATTERS TO BE ADDRESSED.—A new Treaty Minute or a modification of Treaty Minute 283 under paragraph (1) should address, at a minimum, the following:

(A) The siting of treatment facilities in Mexico and in the United States.

(B) Provision for the secondary treatment of effluent from the IWTP at a Mexican facility if such treatment is not provided for at a facility in the United States.

(C) Provision for additional capacity for advanced primary and secondary treatment of additional sewage emanating from the Tijuana River area, Mexico, in addition to the treatment capacity for the advanced primary effluent from the IWTP at the Mexican facility.

(D) Provision for any and all approvals from Mexican authorities necessary to facilitate water quality verification and enforcement at the Mexican facility.

(E) Any terms and conditions considered necessary to allow for use in the United States of treated effluent from the Mexican facility, if there is reclaimed water which is surplus to the needs of users in Mexico and such use is consistent with applicable United States and California law.

(F) Any other terms and conditions considered necessary by the Secretary in order to implement the provisions of this Act.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

PURPOSE AND SUMMARY

The purpose of H.R. 3378 is to authorize the U.S. to take actions to comprehensively address the treatment of sewage generated in the area of Tijuana, Mexico that flows untreated or partially treated into the U.S., causing significant negative public health and environmental impacts.

BACKGROUND AND NEED FOR LEGISLATION

Sanitation problems in San Diego-Tijuana and efforts to resolve them

The San Diego-Tijuana border region's wastewater infrastructure has not kept pace with the area's rapid growth. Tijuana, Mexico is situated on elevated terrain compared to San Diego, California, and the Tijuana River drains north into the San Diego area. Since the

infrastructure does not exist to treat all the sewage generated in the Tijuana area, untreated or partially treated sewage emanates from Tijuana and flows into the U.S. leading to serious public health, safety, and environmental concerns.

In the Water Quality Act of 1987, Congress authorized the construction of a wastewater treatment facility in San Diego to provide primary or more advanced treatment of municipal sewage and industrial waste from Mexico, including the city of Tijuana. For the United States, the secondary treatment requirements of the Clean Water Act are defined in federal regulations as a numeric effluent quality attainable through treatment that requires greater removal of certain pollutants than primary or advanced primary treatment.

In 1990, the bi-national International Boundary and Water Commission (Commission) entered into an international treaty agreement, called Minute 283, that directed the U.S. and Mexican governments to cooperate on the construction and operation of a secondary treatment facility in the United States with an approximate capacity of 25 million gallons per day (mgd).

In carrying out the directive of Minute 283, and in order to achieve some treatment of Mexican wastes as quickly as possible, EPA and the U.S. Section of the Commission agreed to construct the San Diego treatment facility in stages—by first building advanced primary treatment facilities followed later by secondary treatment facilities. The South Bay International Wastewater Treatment Plant (IWTP) became operational in 1998, and currently treats only to advanced primary standards. Effluent from the IWTP is discharged three and a half miles off the coast of San Diego through the South Bay Ocean Outfall. However, the Commission remains under a deadline imposed by the California Regional Water Control Board to select a secondary treatment option and complete its construction by December 2000.

Options to meet secondary treatment needs

In order to meet its obligations under the Clean Water Act and Minute 283, EPA has examined several secondary treatment options. In December 1999, EPA and the U.S. Section of the Commission signed a Record of Decision recommending the construction of secondary treatment ponds (Complete Mixed Aerated, or CMA Ponds) at a site adjacent to the current IWTP facility (the Hofer site) as the preferred treatment alternative to achieve secondary treatment.

However, additional funding authorization would be necessary to proceed with the CMA Ponds option because, in the FY 1993 VA/HUD Appropriations Bill, Congress set a statutory cap that EPA could spend no more than $239.4 million on both primary and secondary treatment at the IWTP. According to EPA, it has less than $10 million remaining under this cap, yet construction of the CMA Ponds option would cost approximately $45 million.

Private investors also submitted a proposal, called the "Bajagua proposal," to construct, operate, maintain and own a secondary treatment facility in Mexico. Under this proposal, a facility with a capacity of not more than 50 mgd (with potential future expansion) would be constructed in Mexico through private investments. The primary advanced effluent from the IWTP would be pumped to the facility in Mexico, and treated to secondary treatment standards.

The owner of the facility could then sell the reclaimed water for use in Mexico and the U.S. Any reclaimed water not sold for reuse would be pumped back for discharge through the South Bay Ocean Outfall off the coast of San Diego. Under this scenario, the United States, acting through the U.S. section of the Commission, would enter into a fee-for-services contract with the owner of the proposed facility in Mexico for the secondary treatment of effluent from the IWTP and additional sewage emanating from Mexico.

There is no final decision on how best to provide for the secondary treatment needs of the San Diego and Mexico border area. In addition to the statutory cap on expenditures, several significant new circumstances exist that warrant a reconsideration of the best means for meeting the region's future wastewater treatment needs. These include whether the total capacity for wastewater treatment should be expanded beyond 25 mgd due to rapidly growing treatment needs, and whether a treatment facility should be located in Mexico, both of which would require modifying existing statutory requirements and Minute 283.

Proponents of the Bajagua proposal have said they anticipate that project benefits may include: the reclaimed water could provide additional water supply for use in the growing economy of the San Diego-Tijuana border region, thereby freeing up existing potable water supplies; the proposed facility could treat 50 mgd, with the flexibility to expand total capacity later if needed to help meet the area's rapidly growing treatment needs; and, the Bajagua proposal reportedly could be implemented in a cost-effective, timely manner.

On July 21, 1999, the House passed a Sense of Congress encouraging the Secretary of State to give the highest priority to the renegotiation of Minute 283, to allow for the construction of a wastewater treatment facility with greater than 25 mgd capacity that may be located in Mexico.

DISCUSSION OF COMMITTEE BILL AND SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section provides that H.R. 3378 may be cited as the "Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000."

Section 2. Purpose

This section provides that the purpose of H.R. 3378 is to authorize the U.S. to take actions to comprehensively address the treatment of sewage generated in the area of Tijuana, Mexico that flows untreated or partially treated into the U.S., causing significant negative public health and environmental impacts.

Section 3. Definitions

This section defines the following terms: "Administrator", "Commission", "IWTP", "Secondary Treatment", "Secretary", "Mexican Facility", and "MGD".

Section 4. Actions to be taken by the Commission and the Administrator

Subject to the negotiation and conclusion of a new treaty minute or amendment to Minute 283, this section authorizes and directs the Commission to provide secondary treatment for a total of not more than 50 mgd in Mexico of both primary advanced effluent pumped from the IWTP and any additional sewage emanating from the Tijuana River area in Mexico. It also directs the EPA to develop a comprehensive plan with stakeholder involvement within two years of the date of enactment of H.R. 3378. The comprehensive plan will analyze the long-term secondary treatment needs for the San Diego-Tijuana border region, and make recommendations for preferred options to provide additional treatment capacity for future flows emanating from the Tijuana River area.

If the comprehensive plan includes a recommendation for additional treatment capacity to be provided in Mexico rather than in the U.S., the Commission is authorized to provide not more than an additional 25 mgd of such capacity in Mexico.

Subject to the availability of appropriations, this section also authorizes the Commission to enter into a fee-for-services contract and make payments on behalf of the United States for treatment services rendered under the contract with the owner of a Mexican facility. The contract must include, at a minimum, the following terms:

(1) That the advanced primary effluent from the IWTP be transported to the Mexican facility, and that it is treated to the secondary treatment level in compliance with U.S., California, and Mexican water quality laws.

(2) For any effluent treated at the Mexican facility that is not reused in Mexico or the U.S., that it is returned for discharge through the South Bay Ocean Outfall off the coast of San Diego, and is in compliance with U.S. and California water quality laws.

(3) That the Mexican facility may provide sewage treatment capacity in addition to the capacity needed to treat the advanced primary effluent pumped from the IWTP, if recommended as a preferred option in the EPA comprehensive plan analyzing the long-term treatment needs and recommending preferred options to provide such treatment.

(4) That the contract has a term of 30 years.

(5) That arrangements are made for the monitoring, verification, and enforcement of compliance with U.S., California and Mexican water quality standards.

(6) That arrangements are made for the disposal and use of sludge in Mexico, which is from the IWTP and the Mexican facility.

(7) That the Commission pay an annual fee to the owner of the Mexican facility covering the costs of development, financing, construction, and operation and maintenance of the facility.

(8) That, if the Commission fails to perform its contractual obligations, the ownership of the facility is transferred to the U.S. after the U.S. pays a cancellation fee to the owner of the facility, which reflects the costs of repayment of construction debt and other contractual losses resulting from early termination of the contract. The cancellation fee owed to the owner of the facility shall be in amounts declining over the term of the contract.

(9) That, if the owner of the Mexican facility fails to perform its contractual obligations, ownership of the facility will be transferred to the U.S. without a cancellation fee.

Finally, this section states that the Contract Disputes Act of 1978 does not apply to a contract executed under this section. The Committee has been informed that this provision is necessary in order to promote private financing of the Mexican facility.

Section 5. Negotiation of a new treaty minute

This section includes a Congressional Statement requesting that the Secretary of State give the highest priority to entering into an international treaty agreement with Mexico (by revising the existing Minute 283, or negotiating a new minute) to carry out this Act in light of the threats to health and the environment from sanitation problems in the San Diego-Tijuana border region.

The Secretary is requested to begin negotiations with Mexico within 60 days after H.R. 3378's enactment. The implementation of a new or revised minute shall also require compliance with the National Environmental Policy Act of 1969. Finally, any new or revised minute, should address, at a minimum, the following:

(1) The siting of treatment facilities in the U.S. and Mexico.

(2) Providing secondary treatment of the IWTP primary advanced effluent in Mexico, if such treatment is not provided for in the U.S.

(3) Providing treatment capacity for the advanced primary and secondary treatment of sewage in addition to the IWTP effluent.

(4) Providing any and all approvals needed from Mexican officials to facilitate water quality verification and enforcement at the Mexican facility.

(5) Any terms and conditions needed for the U.S. to use reclaimed water in the U.S. that are consistent with U.S. and California laws, if there is any reclaimed water not used in Mexico.

(6) Any other terms and conditions considered necessary to carry out H.R. 3378.

Section 6. Authorization of appropriations

This section authorizes such sums as necessary to carry out the Act.

HEARINGS

No hearings have been held on this specific legislation, although the Subcommittee on Water Resources and Environment held hearings on the Administration's FY 2001 budget request, which included funds for U.S.-Mexico border pollution problems, and on meeting wastewater infrastructure needs, generally.

COMMITTEE CONSIDERATION

On July 26, 2000, the Committee on Transportation and Infrastructure met in open session, discharged H.R. 3378 from the Subcommittee on Water Resources and Environment, and ordered the bill reported, as amended, to the House by voice vote.

The Committee adopted an amendment in the nature of a substitute, which, in addition to making technical and clarifying changes:

(1) Adds a definition of "secondary treatment."

(2) Authorizes the Commission to provide 50 mgd of secondary treatment capacity, with authorization for up to an additional 25 mgd based on the results of a comprehensive long-term plan to be developed by EPA and stakeholders.

(3) Directs the EPA and stakeholders to develop a comprehensive, long-term plan analyzing the wastewater treatment needs in the San Diego-Tijuana border region, and making recommendations for preferred options to treat additional sewage flows.

(4) Adds a new provision to be included in the terms of a fee-for-services contract regarding the transfer of ownership of the treatment facility in Mexico to the U.S., if the owner of the facility fails to meet its contractual obligations.

In addition, a unanimous consent request was granted to delete a provision from the substitute amendment waiving federal fiscal procurement laws for a contract entered into under this Act.

ROLLCALL VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each rollcall vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with ordering H.R. 3378 reported.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

In accordance with Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the Committee is required to estimate the costs incurred in carrying out the bill in the fiscal year in which it is reported and in each of the five fiscal years following that fiscal year. This rule does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office (CBO) under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report. As no CBO cost estimate and comparison is available at the time of the filing of this report, the Committee has included its own estimate for H.R. 3378. Upon receipt of a CBO cost estimate and comparison, the Committee will evaluate whether or not it should adopt the CBO estimate in place of the Committee's estimate.

COMMITTEE COST ESTIMATE

H.R. 3378 would authorize the United States, acting through the U.S. Section of the Commission, to enter into a 30-year fee-for-services contract with the owner of a privately financed secondary wastewater treatment facility located in Mexico. The purpose of entering into such contract would be for the U.S. to provide adequate wastewater treatment along the U.S.-Mexico border so that untreated or partially treated sewage from Tijuana, Mexico no longer flows north into the San Diego, California area. H.R. 3378 authorizes the U.S. to pay annual contract fees incorporating the costs of

developing, financing, constructing, operating and maintaining the wastewater treatment facility in Mexico.

The Committee estimates the cost to the U.S. government would be a total of $203 million in budget authority, and the same amount in outlays for fiscal years 2001–2005. This estimate has been developed in accordance with the budget scorekeeping guidelines used by the House and Senate Budget Committees, CBO and the Office of Management and Budget (OMB) in compliance with the Congressional Budget Act of 1974, as amended, and the Gramm-Rudman-Hollings Act, as amended.

In accordance with these guidelines, the fee-for-services contract may be characterized as a lease-purchase contract. Scorekeeping guideline #11 requires that, for lease-purchases, budget authority is scored against the legislation in the year in which the budget authority is first made available in the amount of the estimated net present value of the Government's total estimated legal obligations, or minimum lease payments, over the life of the contract. This calculation excludes imputed interest costs and identifiable annual operating expenses that would be paid by the Government as owner. The annual minimum lease payments are estimated at $13.7 million. In calculating the annual minimum lease payments, the Committee assumes that the project's estimated capital costs are $103 million.

In scoring lease purchases, the discount rates used to calculate the net present value of the minimum lease payments should be Treasury rates for marketable debt instruments of similar maturity for the lease term. The discount rate used to calculate the net present value is 6.0%, recommended by CBO as the nominal interest rate on 30-year Treasury notes and bonds.

Outlays for a lease-purchase in which the Government assumes substantial risk are spread across the period during which the contractor constructs the asset, which, in this case, is estimated to be approximately three years. The assumed outlay rates over the three-year period are 25%, 45% and 30% for each year, respectively.

The identifiable operations and maintenance costs are not scored as upfront costs, but are scored over the lease term for both budget authority and outlays. Estimated annual operations and maintenance costs are $6.7 million for this project, and estimated outlays assume a 100% annual outlay rate.

The bill would not affect direct spending or receipts, therefore pay-as-you-go procedures would not apply.

SUMMARY OF CHANGES IN SPENDING SUBJECT TO APPROPRIATION

	FY 01	FY 02	FY 03	FY 04	FY 05	Total
BA	189.1	.....	.....	6.7	6.7	202.5
OIs	47.3	85.1	56.7	6.7	6.7	202.5
OL rates	25%	45%	30%	100%	100%	

The Committee believes the assumptions in this cost estimate are reasonable given the currently available information about the proposed wastewater treatment project. No Federal agency has submitted a similar analysis estimating the costs of this project, however, the Committee understands the Commission has concurred with the project's estimated capital and annual operations

and maintenance costs provided by the project sponsors, and used in the Committee's cost estimate.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee notes in its cost estimate the changes in spending subject to appropriation that would occur as a result of passing H.R. 3378.

2. With respect to the requirement of clause 3(c)(4) of rule XIII 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 on the subject of H.R. 3378.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has not yet received a cost estimate for H.R. 3378 from the Director of the CBO.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee plans to adopt as its own the estimate of federal mandates prepared by the Director of the CBO pursuant to section 423 of the Unfunded Mandates Reform Act (UMRA, Public Law 104–4), when such estimate is made available to the Committee. The Committee has concluded that H.R. 3378 contains no intergovernmental or private-sector mandates as defined in UMRA, and would impose no costs on state, local or tribal governments.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

○