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107TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPORT 107–643

TO DIRECT THE SECRETARY OF THE INTERIOR, THROUGH THE BUREAU OF RECLAMATION, TO CONDUCT A FEASIBILITY STUDY TO DETERMINE THE MOST FEASIBLE METHOD OF DEVELOPING A SAFE AND ADEQUATE MUNICIPAL, RURAL, AND INDUSTRIAL WATER SUPPLY FOR THE SANTEE SIOUX TRIBE OF NEBRASKA, AND FOR OTHER PURPOSES

SEPTEMBER 5, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HANSEN, from the Committee on Resources, submitted the following

REPORT

[To accompany H.R. 4938]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4938) to direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 4938 is to direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Santee Indian Reservation was established by Presidential Executive Order of February 27, 1866. The Reservation covers approximately 184 square miles in the north-central part of Knox County in northeastern Nebraska. Lewis and Clark Lake and the Missouri River form the northern boundary of the Reservation.

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Despite depressed economic conditions on the Reservation, steady long-term population growth is anticipated as a result of the desire of Santee people to remain on the Reservation coupled with immigration and a youthful resident population. The Reservation population is forecast to grow at an average annual rate of 2.7 percent through year 2040.

The current water supplies are drawn almost entirely from groundwater sources. U.S. Environmental Protection Agency primary drinking water standards for nitrate, nitrogen and total coliform bacteria appear to be exceeded in a significant number of wells on the Reservation. Adequate supplies of good quality water are essential for supporting local economic growth and for enhancing quality-of-life on the Reservation.

H.R. 4938 provides funding for a feasibility study to evaluate alternatives which would provide a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Reservation and adjacent communities.

COMMITTEE ACTION

H.R. 4938 was introduced on June 13, 2002, by Congressman Tom Osborne (R–NE). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On July 17, 2002, the Full Resources Committee held a hearing on the bill. On July 24, 2002, 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. The bill was then ordered favorably reported to the House of Representatives, without amendment, by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Study; report

This section authorizes the Secretary of the Interior, in consultation with the Santee Sioux Tribe of Nebraska, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water treatment and distribution system for the Tribe and adjacent communities taking into account population growth and economic development activities for a period of 40 years. The Tribe may request that the Secretary enter a cooperative agreement with them for activities required to complete the study. Not later than one year after funds are made available, the Secretary shall submit to Congress a report containing the results of the study. There is authorized to be appropriated $500,000 to carry out the study.

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. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska, and for other purposes.

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 31, 2002.

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. 4938, a bill to direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska, and for other purposes.

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. 4938—A bill to direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska, and for other purposes

H.R. 4938 would authorize the Secretary of the Interior through the Bureau of Reclamation to conduct a feasibility study to evalu-

ate alternatives for a safe and adequate municipal, rural, and industrial water treatment and distribution system for the Santee Sioux Tribe of Nebraska. In addition, if so requested by the tribe, the bill would require the Secretary to enter into a cooperative agreement with the tribe to conduct some parts of the study.

The bill would authorize the appropriation of $500,000 to complete the feasibility study. CBO estimates that implementing H.R. 4938 would cost $500,000 over the 2003–2004 period, assuming appropriation of the authorized amounts. H.R. 4938 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 4938 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. Any costs incurred by the tribe to participate in this study would be voluntary.

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.

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