

REFERENCES IN TEXT

This Act, referred to in text, means div. D of Pub. L. 108-7, Feb. 20, 2003, 117 Stat. 133, known as the Energy and Water Development Appropriations Act, 2003. For complete classification of this Act to the Code, see Tables.

The Indian Self-Determination Act, referred to in text, is title I of Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2206, as amended, which is classified principally to part A (§450f et seq.) of subchapter II of chapter 14 of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 450 of Title 25 and Tables.

SIMILAR PROVISIONS

Provisions similar to those in this section were contained in the following appropriation act:

Pub. L. 107-66, title II, §201, Nov. 12, 2001, 115 Stat. 499.

§ 373e. Bureau of Reclamation site security**(a) Treatment of capital costs**

Costs incurred by the Secretary of the Interior for the physical fortification of Bureau of Reclamation facilities to satisfy increased post-September 11, 2001, security needs, including the construction, modification, upgrade, or replacement of such facility fortifications, shall be non-reimbursable.

(b) Treatment of security-related operation and maintenance costs**(1) Reimbursable costs**

The Secretary of the Interior shall include no more than \$18,900,000 per fiscal year, indexed each fiscal year after fiscal year 2008 according to the preceding year's Consumer Price Index, of those costs incurred for increased levels of guards and patrols, training, patrols by local and tribal law enforcement entities, operation, maintenance, and replacement of guard and response force equipment, and operation and maintenance of facility fortifications at Bureau of Reclamation facilities after the events of September 11, 2001, as reimbursable operation and maintenance costs under Reclamation law.

(2) Costs collected through water rates

In the case of the Central Valley Project of California, site security costs allocated to irrigation and municipal and industrial water service in accordance with this section shall be collected by the Secretary exclusively through inclusion of these costs in the operation and maintenance water rates.

(c) Transparency and report to Congress**(1) Policies and procedures**

The Secretary is authorized to develop policies and procedures with project beneficiaries, consistent with the requirements of paragraphs (2) and (3), to provide for the payment of the reimbursable costs described in subsection (b).

(2) Notice

On identifying a Bureau of Reclamation facility for a site security measure, the Secretary shall provide to the project beneficiaries written notice—

(A) describing the need for the site security measure and the process for identifying

and implementing the site security measure; and

(B) summarizing the administrative and legal requirements relating to the site security measure.

(3) Consultation

The Secretary shall—

(A) provide project beneficiaries an opportunity to consult with the Bureau of Reclamation on the planning, design, and construction of the site security measure; and

(B) in consultation with project beneficiaries, develop and provide timeframes for the consultation described in subparagraph (A).

(4) Response; notice

Before incurring costs pursuant to activities described in subsection (b), the Secretary shall consider cost containment measures recommended by a project beneficiary that has elected to consult with the Bureau of Reclamation on such activities. The Secretary shall provide to the project beneficiary—

(A) a timely written response describing proposed actions, if any, to address the recommendation; and

(B) notice regarding the costs and status of such activities on a periodic basis.

(5) Report

The Secretary shall report annually to the Natural Resources Committee of the House of Representatives and the Energy and Natural Resources Committee of the Senate on site security actions and activities undertaken pursuant to this Act for each fiscal year. The report shall include a summary of Federal and non-Federal expenditures for the fiscal year and information relating to a 5-year planning horizon for the program, detailed to show pre-September 11, 2001, and post-September 11, 2001, costs for the site security activities.

(d) Pre-September 11, 2001 security cost levels

Reclamation project security costs at the levels of activity that existed prior to September 11, 2001, shall remain reimbursable.

(Pub. L. 110-229, title V, §513, May 8, 2008, 122 Stat. 843.)

REFERENCES IN TEXT

This Act, referred to in subsec. (c)(5), means Pub. L. 110-229, May 8, 2008, 122 Stat. 754, known as the Consolidated Natural Resources Act of 2008. For complete classification of this Act to the Code, see Short Title of 2008 Amendment note set out under section 1 of Title 16, Conservation, and Tables.

§ 374. Sale of lands acquired in connection with irrigation project

Whenever in the opinion of the Secretary of the Interior any lands which have been acquired under the provisions of the Act of June seventeenth, nineteen hundred and two (Thirty-second Statutes, page three hundred and eighty-eight), commonly called the "reclamation Act" or under the provisions of any Act amendatory thereof or supplementary thereto, for any irrigation works contemplated by said reclamation Act are not needed for the purposes for which