



1 vision of the Chief of Engineers for authorized civil func-  
2 tions of the Department of the Army pertaining to rivers  
3 and harbors, flood control, beach erosion, and related pur-  
4 poses.

#### 5 GENERAL INVESTIGATIONS

6 For expenses necessary for the collection and study  
7 of basic information pertaining to river and harbor, flood  
8 control, shore protection, and related projects, restudy of  
9 authorized projects, miscellaneous investigations, and,  
10 when authorized by laws, surveys and detailed studies and  
11 plans and specifications of projects prior to construction,  
12 \$162,823,000, to remain available until expended, of  
13 which funds are provided for the following projects in the  
14 amounts specified:

15 Delaware Bay Coastline, Delaware and New  
16 Jersey, \$570,000;

17 Tampa Harbor, Alafia Channel, Florida,  
18 \$200,000;

19 Barnegat Inlet to Little Egg Harbor Inlet, New  
20 Jersey, \$322,000;

21 Brigantine Inlet to Great Egg Harbor Inlet,  
22 New Jersey, \$313,000;

23 Great Egg Harbor Inlet to Townsends Inlet,  
24 New Jersey, \$300,000;

1 Lower Cape May Meadows—Cape May Point,  
2 New Jersey, \$100,000;

3 Manasquan Inlet to Barnegat Inlet, New Jer-  
4 sey, \$400,000;

5 Raritan Bay to Sandy Hook Bay, New Jersey,  
6 \$1,100,000; and

7 Townsends Inlet to Cape May Inlet, New Jer-  
8 sey, \$500,000: *Provided*, That the Secretary of the  
9 Army, acting through the Chief of Engineers, is di-  
10 rected to use \$700,000 of the funds appropriated in  
11 Public Law 102-377 for the Red River Waterway,  
12 Shreveport, Louisiana, to Daingerfield, Texas,  
13 project for the feasibility phase of the Red River  
14 Navigation, Southwest Arkansas, study: *Provided*  
15 *further*, That the Secretary of the Army is directed  
16 to use \$500,000 of the funds appropriated herein to  
17 implement section 211(f)(7) of Public Law 104-303  
18 (110 Stat. 3684) and to reimburse the non-Federal  
19 sponsor a portion of the Federal share of project  
20 costs for the Hunting Bayou element of the project  
21 for flood control, Buffalo Bayou and tributaries,  
22 Texas: *Provided further*, That the Secretary of the  
23 Army is directed to use \$300,000 of the funds ap-  
24 propriated herein to implement section 211(f)(8) of  
25 Public Law 104-303 (110 Stat. 3684) and to reim-

1       burse the non-Federal sponsor a portion of the Fed-  
2       eral share of project costs for the project for flood  
3       control, White Oak Bayou watershed, Texas.

4                                   CONSTRUCTION, GENERAL

5       For the prosecution of river and harbor, flood control,  
6 shore protection, and related projects authorized by laws;  
7 and detailed studies, and plans and specifications, of  
8 projects (including those for development with participa-  
9 tion or under consideration for participation by States,  
10 local governments, or private groups) authorized or made  
11 eligible for selection by law (but such studies shall not con-  
12 stitute a commitment of the Government to construction),  
13 \$1,456,529,000, to remain available until expended, of  
14 which such sums as are necessary for the Federal share  
15 of construction costs for facilities under the Dredged Ma-  
16 terial Disposal Facilities program shall be derived from  
17 the Harbor Maintenance Trust Fund, as authorized by  
18 Public Law 104-303; and of which such sums as are nec-  
19 essary pursuant to Public Law 99-662 shall be derived  
20 from the Inland Waterways Trust Fund, for one-half of  
21 the costs of construction and rehabilitation of inland wa-  
22 terways projects, including rehabilitation costs for the  
23 Lock and Dam 25, Mississippi River, Illinois and Mis-  
24 souri; Lock and Dam 14, Mississippi River, Iowa; Lock  
25 and Dam 24, Part 1, Mississippi River, Illinois and Mis-

1 sours, and Lock and Dam 3, Mississippi River, Minnesota,  
2 projects, and of which funds are provided for the following  
3 projects in the amounts specified:

4           Noreo Bluffs, California, \$4,400,000;

5           Tybee Island, Georgia, \$1,200,000;

6           Indianapolis Central Waterfront, Indiana,  
7 \$4,000,000;

8           Indiana Shoreline Erosion, Indiana, \$700,000;

9           Ohio River Flood Protection, Indiana,  
10 \$1,700,000;

11           Harlan/Clover Fork, Williamsburg,  
12 Middlesboro, Martin County, Pike County, and  
13 Town of Martin elements of the Levisa and Tug  
14 Forks of the Big Sandy River and Upper Cum-  
15 berland River, Kentucky, \$26,730,000;

16           Southern and Eastern Kentucky, Kentucky,  
17 \$4,000,000;

18           Lake Pontchartrain and Vicinity (Hurricane  
19 Protection), Louisiana, \$18,000,000;

20           Lake Pontchartrain (Jefferson Parish)  
21 Stormwater Discharge, Louisiana, \$3,000,000;

22           Southeast Louisiana, Louisiana, \$85,200,000;

23           Jackson County, Mississippi, \$7,000,000;

24           Passaic River Streambank Restoration, New  
25 Jersey, \$5,000,000;

1           Lackawanna River, Olyphant, Pennsylvania,  
2           \$14,400,000;

3           Lackawanna River, Scranton, Pennsylvania,  
4           \$43,551,000;

5           South Central Pennsylvania Environment Im-  
6           provement Program, \$45,000,000, of which  
7           \$15,000,000 shall be available only for water-related  
8           environmental infrastructure and resource protection  
9           and development projects in Lackawanna, Lycoming,  
10          Susquehanna, Wyoming, Pike, and Monroe counties  
11          in Pennsylvania in accordance with the purposes of  
12          subsection (a) and requirements of subsections (b)  
13          through (e) of section 313 of the Water Resources  
14          Development Act of 1992, as amended;

15          Wallisville Lake, Texas, \$5,500,000;

16          Virginia Beach, Virginia (Hurricane Protec-  
17          tion), \$13,000,000; and

18          West Virginia and Pennsylvania Flood Control,  
19          West Virginia and Pennsylvania, \$750,000. *Pro-*  
20          *vided,* That the Secretary of the Army is directed to  
21          incorporate the economic analyses for the Green  
22          Ridge and Plot sections of the Lackawanna River,  
23          Scranton, Pennsylvania, project with the economic  
24          analysis for the Albright Street section of the  
25          project, and to cost-share and implement these com-

1 bined sections as a single project with no separable  
2 elements, except that each section may be under-  
3 taken individually when the non-Federal sponsor  
4 provides the applicable local cooperation require-  
5 ments: *Provided further*, That any funds heretofore  
6 appropriated and made available in Public Law 103-  
7 126 for projects associated with the restoration of  
8 the Lackawanna River Basin Greenway Corridor,  
9 Pennsylvania, may be utilized by the Secretary of  
10 the Army in carrying out other projects and activi-  
11 ties on the Lackawanna River in Pennsylvania: *Pro-*  
12 *vided further*, That the Secretary of the Army is di-  
13 rected to use \$6,000,000 of the funds appropriated  
14 herein to implement section 211(f)(6) of Public Law  
15 104-303 (110 Stat. 3683) and to reimburse the  
16 non-Federal sponsor a portion of the Federal share  
17 of project construction costs for the flood control  
18 components comprising the Brays Bayou element of  
19 the project for flood control, Buffalo Bayou and trib-  
20 utaries, Texas.

21 FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,  
22 ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA,  
23 MISSISSIPPI, MISSOURI, AND TENNESSEE

24 For expenses necessary for prosecuting work of flood  
25 control, and rescue work, repair, restoration, or mainte-

1 nance of flood control projects threatened or destroyed by  
2 flood, as authorized by law (33 U.S.C. 702a, 702g-1),  
3 \$312,077,000, to remain available until expended.

4 OPERATION AND MAINTENANCE, GENERAL

5 For expenses necessary for the preservation, oper-  
6 ation, maintenance, and care of existing river and harbor,  
7 flood control, and related works, including such sums as  
8 may be necessary for the maintenance of harbor channels  
9 provided by a State, municipality or other public agency,  
10 outside of harbor lines, and serving essential needs of gen-  
11 eral commerce and navigation; surveys and charting of  
12 northern and northwestern lakes and connecting waters;  
13 clearing and straightening channels; and removal of ob-  
14 structions to navigation, \$1,637,719,000, to remain avail-  
15 able until expended, of which such sums as become avail-  
16 able in the Harbor Maintenance Trust Fund, pursuant to  
17 Public Law 99-662, may be derived from that Fund, and  
18 of which such sums as become available from the special  
19 account established by the Land and Water Conservation  
20 Act of 1965, as amended (16 U.S.C. 4601), may be derived  
21 from that Fund for construction, operation, and mainte-  
22 nance of outdoor recreation facilities, and of which  
23 \$4,200,000 is provided for repair of Chickamauga Lock,  
24 Tennessee, subject to authorization.



1 of congressional affairs within the executive office of the  
2 Chief of Engineers.

3 ADMINISTRATIVE PROVISION

4 Appropriations in this title shall be available for offi-  
5 cial reception and representation expenses (not to exceed  
6 \$5,000); and during the current fiscal year the Revolving  
7 Fund, Corps of Engineers, shall be available for purchase  
8 (not to exceed 100 for replacement only) and hire of pas-  
9 senger motor vehicles.

10 TITLE II

11 DEPARTMENT OF THE INTERIOR

12 CENTRAL UTAH PROJECT

13 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

14 For carrying out activities authorized by the Central  
15 Utah Project Completion Act, and for activities related to  
16 the Uintah and Upalco Units authorized by 43 U.S.C.  
17 620, \$39,665,000, to remain available until expended, of  
18 which \$15,476,000 shall be deposited into the Utah Rec-  
19 lamation Mitigation and Conservation Account. *Provided,*  
20 That of the amounts deposited into that account,  
21 \$5,000,000 shall be considered the Federal contribution  
22 authorized by paragraph 402(b)(2) of the Central Utah  
23 Project Completion Act and \$10,476,000 shall be available  
24 to the Utah Reclamation Mitigation and Conservation

1 Commission to carry out activities authorized under that  
2 Act.

3 In addition, for necessary expenses incurred in carry-  
4 ing out related responsibilities of the Secretary of the Inte-  
5 rior, \$1,283,000, to remain available until expended.

6 BUREAU OF RECLAMATION

7 For carrying out the functions of the Bureau of Ree-  
8 clamation as provided in the Federal reclamation laws (Act  
9 of June 17, 1902, 32 Stat. 388, and Acts amendatory  
10 thereof or supplementary thereto) and other Acts applica-  
11 ble to that Bureau as follows:

12 WATER AND RELATED RESOURCES  
13 (INCLUDING TRANSFER OF FUNDS)

14 For management, development, and restoration of  
15 water and related natural resources and for related activi-  
16 ties, including the operation, maintenance and rehabilita-  
17 tion of reclamation and other facilities, participation in  
18 fulfilling related Federal responsibilities to Native Ameri-  
19 cans, and related grants to, and cooperative and other  
20 agreements with, State and local governments, Indian  
21 Tribes, and others, \$622,054,000, to remain available  
22 until expended, of which \$1,873,000 shall be available for  
23 transfer to the Upper Colorado River Basin Fund and  
24 \$49,908,000 shall be available for transfer to the Lower  
25 Colorado River Basin Development Fund, and of which  
26 such amounts as may be necessary may be advanced to

1 the Colorado River Dam Fund: *Provided*, That such trans-  
 2 fers may be increased or decreased within the overall ap-  
 3 propriation under this heading: *Provided further*, That of  
 4 the total appropriated, the amount for program activities  
 5 that can be financed by the Reclamation Fund or the Bu-  
 6 reau of Reclamation special fee account established by 46  
 7 U.S.C. 4601-6a(i) shall be derived from that Fund or ac-  
 8 count: *Provided further*, That funds contributed under 43  
 9 U.S.C. 395 are available until expended for the purposes  
 10 for which contributed: *Provided further*, That funds ad-  
 11 vanced under 43 U.S.C. 397a shall be credited to this ac-  
 12 count and are available until expended for the same pur-  
 13 poses as the sums appropriated under this heading: *Pro-*  
 14 *vided further*, That of the total appropriated, \$25,800,000  
 15 shall be derived by transfer of unexpended balances from  
 16 the Bureau of Reclamation Working Capital Fund.

17 BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

18 For the cost of direct loans and/or grants,  
 19 \$12,000,000, to remain available until expended, as au-  
 20 thorized by the Small Reclamation Projects Act of August  
 21 6, 1956, as amended (43 U.S.C. 422a-422i): *Provided*,  
 22 That such costs, including the cost of modifying such  
 23 loans, shall be as defined in section 502 of the Congres-  
 24 sional Budget Act of 1974: *Provided further*, That these  
 25 funds are available to subsidize gross obligations for the

1 principal amount of direct loans not to exceed  
2 \$38,000,000.

3 In addition, for administrative expenses necessary to  
4 carry out the program for direct loans and/or grants,  
5 \$425,000, to remain available until expended: *Provided*,  
6 That of the total sums appropriated, the amount of pro-  
7 gram activities that can be financed by the Reclamation  
8 Fund shall be derived from that Fund.

9 CENTRAL VALLEY PROJECT RESTORATION FUND

10 For carrying out the programs, projects, plans, and  
11 habitat restoration, improvement, and acquisition provi-  
12 sions of the Central Valley Project Improvement Act,  
13 \$33,130,000, to be derived from such sums as may be col-  
14 lected in the Central Valley Project Restoration Fund pur-  
15 suant to sections 3407(d), 3404(e)(3), 3405(f), and  
16 3406(e)(1) of Public Law 102-575, to remain available  
17 until expended: *Provided*, That the Bureau of Reclamation  
18 is directed to assess and collect the full amount of the  
19 additional mitigation and restoration payments authorized  
20 by section 3407(d) of Public Law 102-575.

21 CALIFORNIA BAY-DELTA ECOSYSTEM RESTORATION

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses of the Department of the In-  
24 terior and other participating Federal agencies in carrying  
25 out the California Bay-Delta Environmental Enhancement  
26 and Water Security Act consistent with plans to be ap-

1 proved by the Secretary of the Interior, in consultation  
2 with such Federal agencies, \$75,000,000, to remain avail-  
3 able until expended, of which such amounts as may be nec-  
4 essary to conform with such plans shall be transferred to  
5 appropriate accounts of such Federal agencies: *Provided*,  
6 That such funds may be obligated only as non-Federal  
7 sources provide their share in accordance with the cost-  
8 sharing agreement required under section 102(d) of such  
9 Act: *Provided further*, That such funds may be obligated  
10 prior to the completion of a final programmatic environ-  
11 mental impact statement only if: (1) consistent with 40  
12 CFR 1506.1(e); and (2) used for purposes that the Sec-  
13 retary finds are of sufficiently high priority to warrant  
14 such an expenditure.

15 POLICY AND ADMINISTRATION

16 For necessary expenses of policy, administration, and  
17 related functions in the office of the Commissioner, the  
18 Denver office, and offices in the five regions of the Bureau  
19 of Reclamation, to remain available until expended,  
20 \$46,000,000, to be derived from the Reclamation Fund  
21 and be nonreimbursable as provided in 43 U.S.C. 377:  
22 *Provided*, That no part of any other appropriation in this  
23 Act shall be available for activities or functions budgeted  
24 as policy and administration expenses.

## 1 ADMINISTRATIVE PROVISION

2 Appropriations for the Bureau of Reclamation shall  
3 be available for purchase of not to exceed six passenger  
4 motor vehicles for replacement only.

## 5 TITLE III

## 6 DEPARTMENT OF ENERGY

## 7 ENERGY PROGRAMS

## 8 ENERGY SUPPLY

9 For expenses of the Department of Energy activities  
10 including the purchase, construction and acquisition of  
11 plant and capital equipment and other expenses necessary  
12 for energy supply, and uranium supply and enrichment ac-  
13 tivities in carrying out the purposes of the Department  
14 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
15 cluding the acquisition or condemnation of any real prop-  
16 erty or any facility or for plant or facility acquisition, con-  
17 struction, or expansion; and the purchase of not to exceed  
18 22 passenger motor vehicles for replacement only,  
19 \$882,834,000, of which not to exceed \$3,000 may be used  
20 for official reception and representation expenses for  
21 transparency activities.

## 22 NON-DEFENSE ENVIRONMENTAL MANAGEMENT

23 For Department of Energy expenses, including the  
24 purchase, construction and acquisition of plant and capital  
25 equipment and other expenses necessary for non-defense

1 environmental management activities in carrying out the  
2 purposes of the Department of Energy Organization Act  
3 (~~42 U.S.C. 7101 et seq.~~), including the acquisition or con-  
4 demnation of any real property or any facility or for plant  
5 or facility acquisition, construction or expansion,  
6 ~~\$466,700,000~~, to remain available until expended.

7           URANIUM ENRICHMENT DECONTAMINATION AND  
8                                   DECOMMISSIONING FUND

9           For necessary expenses in carrying out uranium en-  
10 richment facility decontamination and decommissioning,  
11 remedial actions and other activities of title II of the  
12 Atomic Energy Act of 1954 and title X, subtitle A of the  
13 Energy Policy Act of 1992, ~~\$225,000,000~~, to be derived  
14 from the Fund, to remain available until expended: *Pro-*  
15 *vided*, That ~~\$30,000,000~~ of amounts derived from the  
16 Fund for such expenses shall be available in accordance  
17 with title X, subtitle A, of the Energy Policy Act of 1992.

18                                   SCIENCE

19           For expenses of the Department of Energy activities  
20 including the purchase, construction and acquisition of  
21 plant and capital equipment and other expenses necessary  
22 for science activities in carrying out the purposes of the  
23 Department of Energy Organization Act (~~42 U.S.C. 7101~~  
24 ~~et seq.~~), including the acquisition or condemnation of any  
25 real property or facility or for plant or facility acquisition,

1 construction, or expansion, and purchase of not to exceed  
2 5 passenger motor vehicles for replacement only,  
3 \$2,399,500,000, to remain available until expended: *Pro-*  
4 *vided*, That in addition, \$7,600,000 of the unobligated bal-  
5 ances originally available for Superconducting Super  
6 Collider termination activities shall be made available for  
7 other activities under this heading.

#### 8 NUCLEAR WASTE DISPOSAL FUND

9 For nuclear waste disposal activities to carry out the  
10 purposes of Public Law 97-425, as amended, including  
11 the acquisition of real property or facility construction or  
12 expansion, \$160,000,000, to remain available until ex-  
13 pended, to be derived from the Nuclear Waste Fund: *Pro-*  
14 *vided*, That none of the funds provided herein shall be dis-  
15 tributed to the State of Nevada or affected units of local  
16 government (as defined by Public Law 97-425) by direct  
17 payment, grant, or other means, for financial assistance  
18 under section 116 of the Nuclear Waste Policy Act of  
19 1982, as amended: *Provided further*, That the foregoing  
20 proviso shall not apply to payments in lieu of taxes under  
21 section 116(e)(3)(A) of the Nuclear Waste Policy Act of  
22 1982, as amended.

#### 23 DEPARTMENTAL ADMINISTRATION

24 For salaries and expenses of the Department of En-  
25 ergy necessary for departmental administration in carry-

1 ing out the purposes of the Department of Energy Organi-  
2 zation Act (42 U.S.C. 7101 et seq.), including the hire  
3 of passenger motor vehicles and official reception and rep-  
4 resentation expenses (not to exceed \$5,000),  
5 \$175,365,000, to remain available until expended, plus  
6 such additional amounts as necessary to cover increases  
7 in the estimated amount of cost of work for others not-  
8 withstanding the provisions of the Anti-Deficiency Act (31  
9 U.S.C. 1511 et seq.): *Provided*, That such increases in  
10 cost of work are offset by revenue increases of the same  
11 or greater amount, to remain available until expended:  
12 *Provided further*, That moneys received by the Department  
13 for miscellaneous revenues estimated to total  
14 \$136,530,000 in fiscal year 1999 may be retained and  
15 used for operating expenses within this account, and may  
16 remain available until expended, as authorized by section  
17 201 of Public Law 95-238, notwithstanding the provisions  
18 of 31 U.S.C. 3302: *Provided further*, That the sum herein  
19 appropriated shall be reduced by the amount of mis-  
20 cellaneous revenues received during fiscal year 1999 so as  
21 to result in a final fiscal year 1999 appropriation from  
22 the General Fund estimated at not more than  
23 \$38,835,000.

## 1 OFFICE OF THE INSPECTOR GENERAL

2 For necessary expenses of the Office of the Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978, as amended, \$14,500,000, to remain  
5 available until expended.

## 6 ATOMIC ENERGY DEFENSE ACTIVITIES

## 7 WEAPONS ACTIVITIES

8 For Department of Energy expenses, including the  
9 purchase, construction and acquisition of plant and capital  
10 equipment and other incidental expenses necessary for  
11 atomic energy defense weapons activities in carrying out  
12 the purposes of the Department of Energy Organization  
13 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
14 condemnation of any real property or any facility or for  
15 plant or facility acquisition, construction, or expansion;  
16 the purchase of not to exceed one fixed wing aircraft; and  
17 the purchase of passenger motor vehicles (not to exceed  
18 32 for replacement only, and one bus), \$4,142,100,000,  
19 to remain available until expended.

## 20 DEFENSE ENVIRONMENTAL RESTORATION AND WASTE

## 21 MANAGEMENT

22 For Department of Energy expenses, including the  
23 purchase, construction and acquisition of plant and capital  
24 equipment and other expenses necessary for atomic energy  
25 defense environmental restoration and waste management

1 activities in carrying out the purposes of the Department  
2 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
3 cluding the acquisition or condemnation of any real prop-  
4 erty or any facility or for plant or facility acquisition, con-  
5 struction, or expansion; and the purchase of passenger  
6 motor vehicles (not to exceed 3 new sedans and 6 for re-  
7 placement only, of which 3 are sedans, 2 are buses, and  
8 1 is an ambulance), \$4,358,554,000, to remain available  
9 until expended.

10 DEFENSE FACILITIES CLOSURE PROJECTS

11 For expenses of the Department of Energy to acceler-  
12 ate the closure of defense environmental management  
13 sites, including the purchase, construction and acquisition  
14 of plant and capital equipment and other necessary ex-  
15 penses, \$1,038,240,000, to remain available until ex-  
16 pended.

17 DEFENSE ENVIRONMENTAL MANAGEMENT

18 PRIVATIZATION

19 For Department of Energy expenses for privatization  
20 projects necessary for atomic energy defense environ-  
21 mental management activities authorized by the Depart-  
22 ment of Energy Organization Act (42 U.S.C. 7101 et  
23 seq.), \$286,857,000, to remain available until expended.

## 1                   OTHER DEFENSE ACTIVITIES

2           For Department of Energy expenses, including the  
3 purchase, construction and acquisition of plant and capital  
4 equipment and other expenses necessary for atomic energy  
5 defense, other defense activities, in carrying out the pur-  
6 poses of the Department of Energy Organization Act (42  
7 U.S.C. 7101 et seq.); including the acquisition or con-  
8 demnation of any real property or any facility or for plant  
9 or facility acquisition, construction, or expansion,  
10 \$1,761,260,000, to remain available until expended.

## 11                   DEFENSE NUCLEAR WASTE DISPOSAL

12          For nuclear waste disposal activities to carry out the  
13 purposes of Public Law 97-425, as amended, including  
14 the acquisition of real property or facility construction or  
15 expansion, \$190,000,000, to remain available until ex-  
16 pended.

## 17                   POWER MARKETING ADMINISTRATIONS

## 18                   BONNEVILLE POWER ADMINISTRATION FUND

19          Expenditures from the Bonneville Power Administra-  
20 tion Fund, established pursuant to Public Law 93-454,  
21 are approved for official reception and representation ex-  
22 penses in an amount not to exceed \$1,500.

23          During fiscal year 1999, no new direct loan obliga-  
24 tions may be made.

1 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER  
2 ADMINISTRATION

3 For necessary expenses of operation and maintenance  
4 of power transmission facilities and of marketing electric  
5 power and energy pursuant to the provisions of section  
6 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as  
7 applied to the southeastern power area, \$8,500,000, to re-  
8 main available until expended; in addition, notwithstand-  
9 ing 31 U.S.C. 3302, not to exceed \$28,000,000 in reim-  
10 bursements, of which \$20,000,000 is for transmission  
11 wheeling and ancillary services and \$8,000,000 is for  
12 power purchases at the Richard B. Russell Project, to re-  
13 main available until expended.

14 OPERATION AND MAINTENANCE, SOUTHWESTERN  
15 POWER ADMINISTRATION

16 For necessary expenses of operation and maintenance  
17 of power transmission facilities and of marketing electric  
18 power and energy, and for construction and acquisition of  
19 transmission lines, substations and appurtenant facilities,  
20 and for administrative expenses, including official recep-  
21 tion and representation expenses in an amount not to ex-  
22 ceed \$1,500 in carrying out the provisions of section 5  
23 of the Flood Control Act of 1944 (16 U.S.C. 825s), as  
24 applied to the southwestern power area, \$24,710,000, to  
25 remain available until expended; in addition, notwith-

1 standing the provisions of 31 U.S.C. 3302, not to exceed  
2 \$4,200,000 in reimbursements, to remain available until  
3 expended.

4 CONSTRUCTION, REHABILITATION, OPERATION AND  
5 MAINTENANCE, WESTERN AREA POWER ADMINIS-  
6 TRATION

7 For carrying out the functions authorized by title III,  
8 section 302(a)(1)(E) of the Act of August 4, 1977 (42  
9 U.S.C. 7152), and other related activities including con-  
10 servation and renewable resources programs as author-  
11 ized, including official reception and representation ex-  
12 penses in an amount not to exceed \$1,500, \$205,000,000,  
13 to remain available until expended, of which \$195,787,000  
14 shall be derived from the Department of the Interior Rec-  
15 lamation Fund: *Provided*, That of the amount herein ap-  
16 propriated, \$5,036,000 is for deposit into the Utah Rec-  
17 lamation Mitigation and Conservation Account pursuant  
18 to title IV of the Reclamation Projects Authorization and  
19 Adjustment Act of 1992.

20 FALCON AND AMISTAD OPERATING AND MAINTENANCE  
21 FUND

22 For operation, maintenance, and emergency costs for  
23 the hydroelectric facilities at the Falcon and Amistad  
24 Dams, \$970,000, to remain available until expended, and  
25 to be derived from the Falcon and Amistad Operating and

1 Maintenance Fund of the Western Area Power Adminis-  
2 tration, as provided in section 423 of the Foreign Rela-  
3 tions Authorization Act, Fiscal Years 1994 and 1995.

4 FEDERAL ENERGY REGULATORY COMMISSION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Energy Regu-  
7 latory Commission to carry out the provisions of the De-  
8 partment of Energy Organization Act (42 U.S.C. 7101 et  
9 seq.); including services as authorized by 5 U.S.C. 3109,  
10 the hire of passenger motor vehicles, and official reception  
11 and representation expenses (not to exceed \$3,000),  
12 \$166,500,000, to remain available until expended: *Pro-*  
13 *vided*, That notwithstanding any other provision of law,  
14 not to exceed \$166,500,000 of revenues from fees and an-  
15 nual charges, and other services and collections in fiscal  
16 year 1999 shall be retained and used for necessary ex-  
17 penses in this account, and shall remain available until  
18 expended: *Provided further*, That the sum herein appro-  
19 priated from the General Fund shall be reduced as reve-  
20 nues are received during fiscal year 1999 so as to result  
21 in a final fiscal year 1999 appropriation from the General  
22 Fund estimated at not more than \$0.



1           (b) At least 60 days before a contract award, amend-  
2 ment, or modification for which the Secretary intends to  
3 grant such a waiver, the Secretary shall submit to the  
4 Subcommittees on Energy and Water Development of the  
5 Committees on Appropriations of the House of Represent-  
6 atives and the Senate a report notifying the subcommit-  
7 tees of the waiver and setting forth the reasons for the  
8 waiver.

9           ~~SEC. 303.~~ None of the funds appropriated by this Act  
10 or any prior appropriations Act may be used to—

11           (1) develop or implement a workforce restruc-  
12 turing plan that covers employees of the Department  
13 of Energy; or

14           (2) provide enhanced severance payments or  
15 other benefits for employees of the Department of  
16 Energy; under section 3161 of the National Defense  
17 Authorization Act for Fiscal Year 1993 (Public Law  
18 102-484; 106 Stat. 2644; 42 U.S.C. 7274h).

19           ~~SEC. 304.~~ None of the funds appropriated by this Act  
20 or any prior appropriations Act may be used to augment  
21 the \$29,800,000 made available for obligation by this Act  
22 for severance payments and other benefits and community  
23 assistance grants under section 3161 of the National De-  
24 fense Authorization Act for Fiscal Year 1993 (Public Law  
25 102-484; 106 Stat. 2644; 42 U.S.C. 7274h).

1       SEC. 305. None of the funds appropriated by this Act  
2 or any prior appropriations Act may be used to prepare  
3 or initiate Requests For Proposals (RFPs) for a program  
4 if the program has not been funded by Congress.

5       SEC. 306. (a) Except as provided in subsection (b),  
6 none of the funds appropriated by this Act or any prior  
7 appropriations Act may be used by any program, project,  
8 or activity of the Department of Energy to produce or pro-  
9 vide articles or services for the purpose of selling the arti-  
10 cles or services to a person outside the Federal Govern-  
11 ment, unless the Secretary of Energy determines that the  
12 articles or services are not available from a commercial  
13 source in the United States.

14       (b) Subsection (a) does not apply to the transmission  
15 and sale of electricity by any Federal power marketing ad-  
16 ministration.

17               (TRANSFERS OF UNEXPENDED BALANCES)

18       SEC. 307. The unexpended balances of prior appro-  
19 priations provided for activities in this Act may be trans-  
20 ferred to appropriation accounts for such activities estab-  
21 lished pursuant to this title. Balances so transferred may  
22 be merged with funds in the applicable established ac-  
23 counts and thereafter may be accounted for as one fund  
24 for the same time period as originally enacted.

1 WASTE ISOLATION PILOT PLANT LAND WITHDRAWAL ACT  
2 SEC. 308. None of the funds appropriated by this Act  
3 or any prior appropriations Act may be used to provide  
4 economic assistance or miscellaneous payments under sec-  
5 tion 15 of the Waste Isolation Pilot Plant Land With-  
6 drawal Act (Public Law 102-579; 106 Stat. 4777) until  
7 the Waste Isolation Pilot Plant commences disposal oper-  
8 ations.

#### 9 TITLE IV

#### 10 INDEPENDENT AGENCIES

#### 11 APPALACHIAN REGIONAL COMMISSION

12 For expenses necessary to carry out the programs au-  
13 thorized by the Appalachian Regional Development Act of  
14 1965, as amended, notwithstanding section 405 of said  
15 Act, for necessary expenses for the Federal Co-Chairman  
16 and the alternate on the Appalachian Regional Commis-  
17 sion, for payment of the Federal share of the administra-  
18 tive expenses of the Commission, including services as au-  
19 thorized by 5 U.S.C. 3109, and hire of passenger motor  
20 vehicles, \$65,900,000, to remain available until expended.

#### 21 DEFENSE NUCLEAR FACILITIES SAFETY

#### 22 BOARD

#### 23 SALARIES AND EXPENSES

24 For necessary expenses of the Defense Nuclear Fa-  
25 cilities Safety Board in carrying out activities authorized

1 by the Atomic Energy Act of 1954, as amended by Public  
2 Law 100-456, section 1441, \$16,500,000, to remain  
3 available until expended.

4           NUCLEAR REGULATORY COMMISSION

5                       SALARIES AND EXPENSES

6           For necessary expenses of the Commission in carry-  
7 ing out the purposes of the Energy Reorganization Act  
8 of 1974, as amended, and the Atomic Energy Act of 1954,  
9 as amended, including official representation expenses  
10 (not to exceed \$5,000), \$462,700,000, to remain available  
11 until expended: *Provided*, That of the amount appro-  
12 priated herein, \$14,800,000 shall be derived from the Nu-  
13 clear Waste Fund: *Provided further*, That revenues from  
14 licensing fees, inspection services, and other services and  
15 collections estimated at \$444,700,000 in fiscal year 1999  
16 shall be retained and used for necessary salaries and ex-  
17 penses in this account, notwithstanding 31 U.S.C. 3302,  
18 and shall remain available until expended: *Provided fur-*  
19 *ther*, That \$3,200,000 of the funds herein appropriated  
20 for regulatory reviews and other assistance provided to the  
21 Department of Energy and other Federal agencies shall  
22 be excluded from license fee revenues, notwithstanding 42  
23 U.S.C. 2214: *Provided further*, That the sum herein ap-  
24 propriated shall be reduced by the amount of revenues re-  
25 ceived during fiscal year 1999 so as to result in a final

1 fiscal year 1999 appropriation estimated at not more than  
2 \$18,000,000.

3 ~~OFFICE OF INSPECTOR GENERAL~~

4 For necessary expenses of the Office of Inspector  
5 General in carrying out the provisions of the Inspector  
6 General Act of 1978, as amended, \$4,800,000, to remain  
7 available until expended: *Provided*, That the sum herein  
8 appropriated shall be reduced by the amount of revenues  
9 received during fiscal year 1999 so as to result in a final  
10 fiscal year 1999 appropriation estimated at not more than  
11 \$0.

12 ~~NUCLEAR WASTE TECHNICAL REVIEW BOARD~~

13 ~~SALARIES AND EXPENSES~~

14 For necessary expenses of the Nuclear Waste Tech-  
15 nical Review Board, as authorized by Public Law 100-  
16 203, section 5051, \$2,600,000, to be derived from the Nu-  
17 clear Waste Fund, and to remain available until expended.

18 ~~TITLE V—GENERAL PROVISIONS~~

19 ~~SEC. 501.~~ None of the funds appropriated by this Act  
20 may be used in any way, directly or indirectly, to influence  
21 congressional action on any legislation or appropriation  
22 matters pending before Congress, other than to commu-  
23 nicate to Members of Congress as described in section  
24 1913 of title 18, United States Code.

1       SEC. 502. (a) PURCHASE OF AMERICAN-MADE  
2 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-  
3 gress that, to the greatest extent practicable, all equip-  
4 ment and products purchased with funds made available  
5 in this Act should be American-made.

6       (b) NOTICE REQUIREMENT.—In providing financial  
7 assistance to, or entering into any contract with, any en-  
8 tity using funds made available in this Act, the head of  
9 each Federal agency, to the greatest extent practicable,  
10 shall provide to such entity a notice describing the state-  
11 ment made in subsection (a) by the Congress.

12       (c) PROHIBITION OF CONTRACTS WITH PERSONS  
13 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—  
14 If it has been finally determined by a court or Federal  
15 agency that any person intentionally affixed a label bear-  
16 ing a “Made in America” inscription, or any inscription  
17 with the same meaning, to any product sold in or shipped  
18 to the United States that is not made in the United  
19 States, the person shall be ineligible to receive any con-  
20 tract or subcontract made with funds made available in  
21 this Act, pursuant to the debarment, suspension, and ineli-  
22 gibility procedures described in sections 9.400 through  
23 9.409 of title 48, Code of Federal Regulations.

24       SEC. 503. (a) None of the funds appropriated or oth-  
25 erwise made available by this Act may be used to deter-

1 mine the final point of discharge for the interceptor drain  
2 for the San Luis Unit until development by the Secretary  
3 of the Interior and the State of California of a plan, which  
4 shall conform to the water quality standards of the State  
5 of California as approved by the Administrator of the En-  
6 vironmental Protection Agency, to minimize any detrimen-  
7 tal effect of the San Luis drainage waters.

8 (b) The costs of the Kesterson Reservoir Cleanup  
9 Program and the costs of the San Joaquin Valley Drain-  
10 age Program shall be classified by the Secretary of the  
11 Interior as reimbursable or nonreimbursable and collected  
12 until fully repaid pursuant to the “Cleanup Program—  
13 Alternative Repayment Plan” and the “SJVDP—Alter-  
14 native Repayment Plan” described in the report entitled  
15 “Repayment Report, Kesterson Reservoir Cleanup Pro-  
16 gram and San Joaquin Valley Drainage Program, Feb-  
17 ruary 1995”, prepared by the Department of the Interior,  
18 Bureau of Reclamation. Any future obligations of funds  
19 by the United States relating to, or providing for, drainage  
20 service or drainage studies for the San Luis Unit shall  
21 be fully reimbursable by San Luis Unit beneficiaries of  
22 such service or studies pursuant to Federal Reclamation  
23 law.

1       SEC. 504. None of the funds made available in this  
2 or any other Act may be used to restart the High Flux  
3 Beam Reactor.

4       SEC. 505. Section 6101(a)(3) of the Omnibus Budget  
5 Reconciliation Act of 1990, as amended, (42 U.S.C.  
6 2214(a)(3)) is amended by striking “September 30, 1998”  
7 and inserting “September 30, 1999”.

8       SEC. 506. (a) Funds appropriated for “Nuclear Reg-  
9 ulatory Commission—Salaries and Expenses” shall be  
10 available to the Commission for the following additional  
11 purposes:

12               (1) Employment of aliens.

13               (2) Services authorized by section 3109 of title  
14 5, United States Code.

15               (3) Publication and dissemination of atomic in-  
16 formation.

17               (4) Purchase, repair, and cleaning of uniforms.

18               (5) Reimbursements to the General Services  
19 Administration for security guard services.

20               (6) Hire of passenger motor vehicles and air-  
21 craft.

22               (7) Transfers of funds to other agencies of the  
23 Federal Government for the performance of the  
24 work for which such funds are appropriated, and

1 such transferred funds may be merged with the ap-  
2 propriations to which they are transferred.

3 (8) Transfers to the Office of Inspector General  
4 of the Commission, not to exceed an additional  
5 amount equal to 5 percent of the amount otherwise  
6 appropriated to the Office for the fiscal year. Notice  
7 of such transfers shall be submitted to the Commit-  
8 tees on Appropriations.

9 (b) Funds appropriated for “Nuclear Regulatory  
10 Commission—Office of Inspector General” shall be avail-  
11 able to the Office for the additional purposes described  
12 in paragraphs (2) and (7) of subsection (a).

13 (c) Moneys received by the Commission for the coop-  
14 erative nuclear research program, services rendered to  
15 State governments, foreign governments, and inter-  
16 national organizations, and the material and information  
17 access authorization programs, including criminal history  
18 checks under section 149 of the Atomic Energy Act of  
19 1954 (42 U.S.C. 2169) may be retained and used for sala-  
20 ries and expenses associated with those activities, notwith-  
21 standing 31 U.S.C. 3302, and shall remain available until  
22 expended.

23 (d) This section shall apply to fiscal year 1999 and  
24 each succeeding fiscal year.

1       ~~SEC. 507. Sec. 505 of Public Law 102-377, the Fis-~~  
2 ~~cal Year 1993 Energy and Water Development Appropria-~~  
3 ~~tions Act, and section 208 of Public Law 99-349, the Ur-~~  
4 ~~gent Supplemental Appropriations Act, 1986, are re-~~  
5 ~~pealed.~~

6           IMPLEMENTATION OF EXTERNAL REGULATION

7       ~~SEC. 508. (a) TRANSFER OF AUTHORITY.—Notwith-~~  
8 ~~standing any other provision of law, no later than March~~  
9 ~~31, 1999, the Department of Energy shall not implement~~  
10 ~~and enforce its own regulatory system, through rules, reg-~~  
11 ~~ulations, orders, or standards, with regard to the Ernest~~  
12 ~~Orlando Lawrence Berkeley National Laboratory for envi-~~  
13 ~~ronment, safety, and health, but shall be regulated by the~~  
14 ~~appropriate Federal, State, and local agencies as provided~~  
15 ~~by the applicable Federal, State, and local laws and regu-~~  
16 ~~lations: *Provided*, That for this facility, the Department~~  
17 ~~shall be deemed to be a “person” under the Atomic En-~~  
18 ~~ergy Act of 1954, as amended.~~

19       ~~(b) DEPARTMENT OF ENERGY REPORTING REQUIRE-~~  
20 ~~MENT.—By October 31, 1998, the Secretary of Energy~~  
21 ~~shall transmit to the Congress a plan for termination of~~  
22 ~~its authority to regulate its contractors and to self-regu-~~  
23 ~~late its own operations in the areas of environment, safety,~~  
24 ~~and health at the facility named in section (a). The report~~  
25 ~~shall include—~~

1           (1) A detailed transition plan, giving the sched-  
2           ule for termination of self-regulation authority as  
3           outlined in section (a), including the activities to be  
4           coordinated with the Nuclear Regulatory Commis-  
5           sion (NRC) and the Occupational Safety and Health  
6           Administration (OSHA);

7           (2) A description of any issues remaining to be  
8           resolved with the NRC and OSHA or other external  
9           regulators, and a timetable for resolving such issues  
10          before March 31, 1999; and

11          (3) An estimate of the current annual cost of  
12          administering and implementing self-regulation of  
13          environment, safety, and health activities at all De-  
14          partment of Energy facilities, and an estimate of the  
15          number of Federal and contractor employees cur-  
16          rently administering and implementing self-regula-  
17          tion of environment, safety and health activities at  
18          each of the facilities. For the Lawrence Berkeley  
19          National Laboratory, there should also be an esti-  
20          mate of the cost of the external regulators based on  
21          the pilot project of simulated NRC regulation which  
22          has already been conducted; an estimate of the cost  
23          and number of Federal and contractor employees  
24          currently administering and implementing self-regu-  
25          lation of environment, safety and health activities at

1 the Laboratory; and an estimate of the extent and  
2 schedule by which the Department and Laboratory  
3 staffs will be reduced as a result of implementation  
4 of section (a).

5 (c) NUCLEAR REGULATORY COMMISSION REPORTING  
6 REQUIREMENT.—By January 30, 1999, the Chairman of  
7 the Nuclear Regulatory Commission shall submit to Con-  
8 gress a plan for regulating accelerator-produced radio-  
9 active material, and ionizing radiation generating ma-  
10 chines at Department of Energy facilities. The report  
11 shall:

12 (1) Recommend what statutory changes, if any,  
13 would be needed to provide the Commission with the  
14 authority to regulate accelerator use at Department  
15 of Energy facilities;

16 (2) Identify what additional Commission re-  
17 sources would be needed to accomplish such regula-  
18 tion; and

19 (3) Identify any existing technical or regulatory  
20 obstacles to the Commission regulation of accelera-  
21 tor use.

22 This Act may be cited as the “Energy and Water De-  
23 velopment Appropriations Act, 1999”.

24 *That the following sums are appropriated, out of any*  
25 *money in the Treasury not otherwise appropriated, for the*

1 *fiscal year ending September 30, 1999, for energy and*  
2 *water development, and for other purposes, namely:*

3 *TITLE I*

4 *DEPARTMENT OF DEFENSE—CIVIL*

5 *DEPARTMENT OF THE ARMY*

6 *CORPS OF ENGINEERS—CIVIL*

7 *The following appropriations shall be expended under*  
8 *the direction of the Secretary of the Army and the super-*  
9 *vision of the Chief of Engineers for authorized civil func-*  
10 *tions of the Department of the Army pertaining to rivers*  
11 *and harbors, flood control, beach erosion, and related pur-*  
12 *poses.*

13 *GENERAL INVESTIGATIONS*

14 *For expenses necessary for the collection and study of*  
15 *basic information pertaining to river and harbor, flood con-*  
16 *trol, shore protection, and related projects, restudy of au-*  
17 *thorized projects, miscellaneous investigations, and, when*  
18 *authorized by laws, surveys and detailed studies and plans*  
19 *and specifications of projects prior to construction,*  
20 *\$165,390,000, to remain available until expended, of which*  
21 *funds are provided for the following projects in the amounts*  
22 *specified:*

23 *Rehoboth and Dewey Beaches, Delaware,*  
24 *\$150,000;*

25 *Fort Pierce Shore Protection, Florida, \$300,000;*

26 *Lido Key Beach, Florida, \$300,000;*



1 104–303; and of which such sums as are necessary pursuant  
2 to Public Law 99–662 shall be derived from the Inland Wa-  
3 terways Trust Fund, for one-half of the costs of construction  
4 and rehabilitation of inland waterways projects, including  
5 rehabilitation costs for the Lock and Dam 25, Mississippi  
6 River, Illinois and Missouri; Lock and Dam 14, Mississippi  
7 River, Iowa; Lock and Dam 24, Mississippi River, Illinois  
8 and Missouri; and Lock and Dam 3, Mississippi River,  
9 Minnesota, projects, and of which funds are provided for  
10 the following projects in the amounts specified:

11           Norco Bluffs, California, \$4,000,000;

12           Panama City Beaches, Florida, \$5,000,000;

13           Indianapolis Central Waterfront, Indiana,  
14 \$4,000,000;

15           Harlan, Williamsburg, Pike County Middlesboro,  
16 Cumberland City/Harland County, and Martin  
17 County, elements of the Levisa and Tug Forks of the  
18 Big Sandy River and Upper Cumberland River  
19 project in Kentucky, \$28,500,000;

20           Lake Pontchartrain and Vicinity (Hurricane  
21 Protection), Louisiana, \$10,000,000;

22           Lake Pontchartrain (Jefferson Parish)  
23 Stormwater Discharge, Louisiana, \$6,000,000;

24           Jackson County, Mississippi, \$4,500,000;

25           Pascagoula Harbor, Mississippi, \$10,000,000;

1            *Wallisville Lake, Texas, \$8,000,000;*

2            *Virginia Beach, Virginia (Hurricane Protec-*  
3            *tion), \$20,000,000;*

4            *Upper Mingo County (including Mingo County*  
5            *Tributaries), Lower Mingo County (Kermit), Wayne*  
6            *County, Hatfield Bottom, and McDowell County, ele-*  
7            *ments of the Levisa and Tug Forks of the Big Sandy*  
8            *River and Upper Cumberland River project in West*  
9            *Virginia, \$12,300,000; and the Grundy, Virginia ele-*  
10           *ment of the Levisa and Tug Forks of the Big Sandy*  
11           *River and Upper Cumberland River project,*  
12           *\$1,000,000:*

13 *Provided, That the navigation project for Cook Inlet Navi-*  
14 *gation, Alaska, authorized by Section 101(b)(2) of Public*  
15 *Law 104–303 is modified to authorize the Secretary of the*  
16 *Army, acting through the Chief of Engineers to construct*  
17 *the project at a total cost of \$12,600,000 with an estimated*  
18 *first Federal cost of \$9,450,000 and an estimated first non-*  
19 *Federal cost of \$3,150,000: Provided further, That the Sec-*  
20 *retary of the Army, acting through the Chief of Engineers*  
21 *is directed to use \$5,000,000 provided herein to construct*  
22 *bluff stabilization measures at authorized locations for the*  
23 *Natchez Bluff, Mississippi at a total estimated cost of*  
24 *\$26,065,000 with an estimated first Federal cost of*  
25 *\$19,549,000 and an estimated first non-Federal cost of*

1 \$6,516,000 and to award continuing contracts, which are  
2 not to be considered fully funded: Provided further, That  
3 the Secretary of the Army, acting through the Chief of Engi-  
4 neers, is directed to use funds previously appropriated for  
5 the LaFarge Lake, Kickapoo River, Wisconsin project to  
6 complete and transmit to the appropriate committees of  
7 Congress by January 15, 1999 a decision document on the  
8 advisability of undertaking activities authorized by Public  
9 Law 104–303: Provided further, That the Secretary of the  
10 Army, acting through the Chief of Engineers, may use up  
11 to \$8,000,000 of the funding appropriated herein to initiate  
12 construction of an emergency outlet from Devils Lake, North  
13 Dakota, to the Sheyenne River, and that this amount is  
14 designated by Congress as an emergency requirement pursu-  
15 ant to section 251(b)(2)(A) of the Balanced Budget and  
16 Emergency Deficit Control Act of 1985, as amended (2  
17 U.S.C. 901(b)(2)(D)(i)); except that funds shall not become  
18 available unless the Secretary of the Army determines that  
19 an emergency (as defined in section 102 of the Robert T.  
20 Stafford Disaster Relief and Emergency Assistance Act (42  
21 U.S.C. 5122)) exists with respect to the emergency need for  
22 the outlet and reports to Congress that the construction is  
23 technically sound, economically justified, and environ-  
24 mentally acceptable and in compliance with the National  
25 Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.):

1 *Provided further, That the economic justification for the*  
2 *emergency outlet shall be prepared in accordance with the*  
3 *principles and guidelines for economic evaluation as re-*  
4 *quired by regulations and procedures of the Army Corps*  
5 *of Engineers for all flood control projects, and that the eco-*  
6 *nomie justification be fully described, including the analy-*  
7 *sis of the benefits and costs, in the project plan documents:*  
8 *Provided further, That the plans for the emergency outlet*  
9 *shall be reviewed and, to be effective, shall contain assur-*  
10 *ances provided by the Secretary of State, after consultation*  
11 *with the International Joint Commission, that the project*  
12 *will not violate the requirements or intent of the Treaty*  
13 *Between the United States and Great Britain Relating to*  
14 *Boundary Waters Between the United States and Canada,*  
15 *signed at Washington January 11, 1909 (36 Stat. 2448;*  
16 *TS 548) (commonly known as the “Boundary Waters Trea-*  
17 *ty of 1909”): Provided further, That the Secretary of the*  
18 *Army shall submit the final plans and other documents for*  
19 *the emergency outlet to Congress: Provided further, That no*  
20 *funds made available under this Act or any other Act for*  
21 *any fiscal year may be used by the Secretary of the Army*  
22 *to carry out the portion of the feasibility study of the Devils*  
23 *Lake Basin, North Dakota, authorized under the Energy*  
24 *and Water Development Appropriations Act, 1993 (Public*  
25 *Law 102–377), that addresses the needs of the area for sta-*

1 *bilized lake levels through inlet controls, or to otherwise*  
2 *study any facility or carry out any activity that would per-*  
3 *mit the transfer of water from the Missouri River Basin*  
4 *into Devils Lake: Provided further, That the entire amount*  
5 *of \$8,000,000 shall be available only to the extent an official*  
6 *budget request, that includes the designation of the entire*  
7 *amount of the request as an emergency requirement as de-*  
8 *finied by the Balanced Budget and Emergency Deficit Con-*  
9 *trol Act of 1985, as amended, is transmitted by the Presi-*  
10 *dent to the Congress: Provided further, That the Secretary*  
11 *of the Army, acting through the Chief of Engineers is di-*  
12 *rected to use \$500,000 of funds appropriated herein to con-*  
13 *tinue construction of the Joseph G. Minish Passaic River*  
14 *waterfront park and historic area, New Jersey project: Pro-*  
15 *vided further, That of amounts made available by this Act*  
16 *for project modifications for improvement of the environ-*  
17 *ment under section 1135 of the Water Resources Develop-*  
18 *ment Act of 1986 (33 U.S.C. 2309a), \$500,000 may be made*  
19 *available for demonstration of sediment remediation tech-*  
20 *nology under section 401 of the Water Resources Develop-*  
21 *ment Act of 1990 (33 U.S.C. 1268 note; 104 Stat. 4644):*  
22 *Provided further, That the Secretary of the Army may make*  
23 *available \$100,000 for the Belle Isle Shoreline Erosion Pro-*  
24 *tection, Michigan project; \$100,000 for the Riverfront Tow-*  
25 *ers to Renaissance Center Shoreline Protection, Michigan*

1 *project; and \$200,000 for the Great Lakes Basin, Sea Lam-*  
2 *prey Control, section 206, Michigan project.*

3 *FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,*  
4 *ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MIS-*  
5 *SISSIPPI, MISSOURI, AND TENNESSEE*

6 *For expenses necessary for prosecuting work of flood*  
7 *control, and rescue work, repair, restoration, or mainte-*  
8 *nance of flood control projects threatened or destroyed by*  
9 *flood, as authorized by law (33 U.S.C. 702a, 702g-1),*  
10 *\$313,234,000, to remain available until expended.*

11 *OPERATION AND MAINTENANCE, GENERAL*

12 *For expenses necessary for the preservation, operation,*  
13 *maintenance, and care of existing river and harbor, flood*  
14 *control, and related works, including such sums as may be*  
15 *necessary for the maintenance of harbor channels provided*  
16 *by a State, municipality or other public agency, outside*  
17 *of harbor lines, and serving essential needs of general com-*  
18 *merce and navigation; surveys and charting of northern*  
19 *and northwestern lakes and connecting waters; clearing and*  
20 *straightening channels; and removal of obstructions to navi-*  
21 *gation, \$1,667,572,000, to remain available until expended,*  
22 *of which \$460,000 may be made available for the Omaha*  
23 *District to pay pending takings claims for flooding of prop-*  
24 *erty adjacent to the Missouri River caused by actions taken*  
25 *by the Army Corps of Engineers, of which \$2,540,000 shall*  
26 *be available for the project on the Missouri River between*

1 *Fort Peck Dam and Gavins Point in South Dakota and*  
2 *Montana, under section 9(f) of the Act entitled “An Act au-*  
3 *thorizing the construction of certain public works on rivers*  
4 *and harbors for flood control, and for other purposes”, ap-*  
5 *proved December 22, 1944 (102 Stat. 4031), of which such*  
6 *sums as become available from the special account estab-*  
7 *lished by the Land and Water Conservation Act of 1965,*  
8 *as amended (16 U.S.C. 460l), may be derived from that*  
9 *Fund for construction, operation, and maintenance of out-*  
10 *door recreation facilities, and of which funds are provided*  
11 *for the following projects in the amounts specified:*

12 *Ponce DeLeon Inlet, Florida, \$4,000,000;*

13 *Delaware River, Philadelphia to the Sea, Pea*  
14 *Patch Island, Delaware and New Jersey, \$1,500,000;*  
15 *and*

16 *Yuquina Bay and Harbor, North Marina Break-*  
17 *water, Oregon, \$1,100,000:*

18 *Provided, That no funds, whether appropriated, contrib-*  
19 *uted, or otherwise provided, shall be available to the United*  
20 *States Army Corps of Engineers for the purpose of acquir-*  
21 *ing land in Jasper County, South Carolina, in connection*  
22 *with the Savannah Harbor navigation project: Provided*  
23 *further, That notwithstanding section 103(c)(1) of Public*  
24 *Law 99–662, the Secretary of the Army is directed to use*  
25 *up to \$100,000 of the funds appropriated herein for the*

1 *Bluestone Lake, West Virginia, project to reimburse the Tri-*  
2 *Cities Power Authority the total amount provided by the*  
3 *Authority to the Department of the Army after fiscal year*  
4 *1997 for the reevaluation study for the project.*

5 *REGULATORY PROGRAM*

6 *For expenses necessary for administration of laws per-*  
7 *taining to regulation of navigable waters and wetlands,*  
8 *\$106,000,000, to remain available until expended, of which*  
9 *\$250,000 may be made available to support the National*  
10 *Contaminated Sediment Task Force established by section*  
11 *502 of the Water Resources Development Act of 1992 (33*  
12 *U.S.C. 1271 note; Public Law 102-580).*

13 *FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM*  
14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For expenses necessary to clean up contaminated sites*  
16 *throughout the United States where work was performed as*  
17 *part of the Nation's early atomic energy program,*  
18 *\$140,000,000, to remain available until expended: Pro-*  
19 *vided, That the remedial actions by the U.S. Army Corps*  
20 *of Engineers under this program shall consist of the follow-*  
21 *ing functions and activities to be performed at eligible sites*  
22 *where remediation has not been completed: sampling and*  
23 *assessment of contaminated areas, characterization of site*  
24 *conditions, determination of the nature and extent of con-*  
25 *tamination, preparation of designation reports, cleanup*  
26 *and closeout of sites, and any other functions determined*

1 *by the Chief of Engineers as necessary of remediation: Pro-*  
2 *vided further, That remedial actions by the U.S. Army*  
3 *Corps of Engineers under this program shall be subject to*  
4 *the administrative, procedural, and regulatory provisions*  
5 *of the Comprehensive Environmental Response, Compensa-*  
6 *tion and Liability Act, 42 U.S.C. 9601 et seq., and the Na-*  
7 *tional Oil and Hazardous Substances Pollution Contin-*  
8 *gency Plan, 40 C.F.R., Chapter 1, Part 300: Provided fur-*  
9 *ther, That, except as stated herein, these provisions do not*  
10 *alter, curtail or limit the authorities, function or respon-*  
11 *sibilities of other agencies under the Atomic Energy Act,*  
12 *42 U.S.C. 2011 et seq.: Provided further, That the unex-*  
13 *pected balances of prior appropriations provided for these*  
14 *activities in this Act or any previous Energy and Water*  
15 *Development Appropriations Act may be transferred to and*  
16 *merged with this appropriation account, and thereafter,*  
17 *may be accounted for as one fund for the same time period*  
18 *as originally enacted.*

19 *GENERAL EXPENSES*

20 *For expenses necessary for general administration and*  
21 *related functions in the Office of the Chief of Engineers and*  
22 *offices of the Division Engineers; activities of the Coastal*  
23 *Engineering Research Board, the Humphreys Engineer*  
24 *Center Support Activity, the Water Resources Support Cen-*  
25 *ter, and the USACE Finance Center; and for costs of imple-*  
26 *menting the Secretary of the Army's plan to reduce the*

1 *number of division offices as directed in title I, Public Law*  
2 *104–206, \$148,000,000, to remain available until expended:*  
3 *Provided, That no part of any other appropriation pro-*  
4 *vided in title I of this Act shall be available to fund the*  
5 *activities of the Office of the Chief of Engineers or the execu-*  
6 *tive direction and management activities of the division of-*  
7 *fices.*

8 *REVOLVING FUND*

9 *Amounts in the Revolving Fund may be used to con-*  
10 *struct a 17,000 square foot addition to the United States*  
11 *Army Corps of Engineers Alaska District main office build-*  
12 *ing on Elemendorf Air Force Base. The Revolving Fund*  
13 *shall be reimbursed for such funding from appropriations*  
14 *of the benefitting programs by collection each year of user*  
15 *fees sufficient to repay the capitalized cost of the asset and*  
16 *to operate and maintain the asset. Using amounts available*  
17 *in the Revolving Fund, the Secretary of the Army is author-*  
18 *ized to renovate office space in the General Accounting Of-*  
19 *fice headquarters building in Washington, DC, for use by*  
20 *the Corps and GAO. The Secretary is authorized to enter*  
21 *into a lease with GAO to occupy such renovated space as*  
22 *appropriate, for the Corps' headquarters. The Secretary*  
23 *shall ensure that the Revolving Fund is appropriately reim-*  
24 *bursed from appropriations of the Corps' benefitting pro-*  
25 *grams by collection each year of amounts sufficient to repay*

1 *the capitalized cost of such renovation and through rent re-*  
2 *ductions or rebates from GAO.*

3 *ADMINISTRATIVE PROVISION*

4 *Appropriations in this title shall be available for offi-*  
5 *cial reception and representation expenses (not to exceed*  
6 *\$5,000); and during the current fiscal year the Revolving*  
7 *Fund, Corps of Engineers, shall be available for purchase*  
8 *(not to exceed 100 for replacement only) and hire of pas-*  
9 *senger motor vehicles.*

10 *GENERAL PROVISIONS*

11 *CORPS OF ENGINEERS—CIVIL*

12 *SEC. 101. Notwithstanding any other provisions of*  
13 *law, no fully allocated funding policy shall be applied to*  
14 *projects for which funds are identified in the Committee re-*  
15 *ports accompanying the Act or a subsequent Energy and*  
16 *Water Development Appropriations Act under the Con-*  
17 *struction, General; Operation and Maintenance, General;*  
18 *and Flood Control, Mississippi River and Tributaries, ap-*  
19 *propriation accounts: Provided, That the Secretary of the*  
20 *Army, acting through the Chief of Engineers, is directed*  
21 *to undertake these projects using continuing contracts, as*  
22 *authorized in section 10 of the Rivers and Harbors Act of*  
23 *September 22, 1922 (33 U.S.C. 621).*

24 *SEC. 102. In fiscal year 1999, the Secretary of the*  
25 *Army is authorized and directed to provide planning, de-*  
26 *sign and construction assistance to non-Federal interests in*

1 *carrying out water-related environmental infrastructure*  
2 *and environmental resources development projects in Alas-*  
3 *ka, including assistance for wastewater treatment and re-*  
4 *lated facilities; water supply, storage, treatment and dis-*  
5 *tribution facilities; development, restoration or improve-*  
6 *ment of wetlands and other aquatic areas for the purpose*  
7 *of protection or development of surface water resources; and*  
8 *bulk fuel storage, rural power, erosion control, and com-*  
9 *prehensive utility planning: Provided, That the non-Fed-*  
10 *eral interest shall enter into a binding agreement with the*  
11 *Secretary wherein the non-Federal interest will provide all*  
12 *lands, easements, rights-of-way, relocations, and dredge ma-*  
13 *terial disposal areas required for the project, and pay 50*  
14 *per centum of the costs of required feasibility studies, 25*  
15 *per centum of the costs of designing and constructing the*  
16 *project, and 100 per centum of the costs of operation, main-*  
17 *tenance, repair, replacement or rehabilitation of the project:*  
18 *Provided further, That the value of lands, easements, rights-*  
19 *of-way, relocations and dredged material disposal areas*  
20 *provided by the non-Federal interest shall be credited to-*  
21 *ward the non-Federal share, not to exceed 25 per centum,*  
22 *of the costs of designing and constructing the project: Pro-*  
23 *vided further, That utilizing \$5,000,000 of the funds appro-*  
24 *riated herein, the Secretary is directed to carry out this*  
25 *section.*





1 heading: *Provided further, That of the total appropriated,*  
2 *the amount for program activities that can be financed by*  
3 *the Reclamation Fund or the Bureau of Reclamation spe-*  
4 *cial fee account established by 16 U.S.C. 460l–6a(i) shall*  
5 *be derived from that Fund or account: Provided further,*  
6 *That funds contributed under 43 U.S.C. 395 are available*  
7 *until expended for the purposes for which contributed: Pro-*  
8 *vided further, That funds advanced under 43 U.S.C. 397a*  
9 *shall be credited to this account and are available until ex-*  
10 *pended for the same purposes as the sums appropriated*  
11 *under this heading: Provided further, That of the total ap-*  
12 *propriated, \$25,800,000 shall be derived by transfer of un-*  
13 *expended balances from the Bureau of Reclamation Work-*  
14 *ing Capital Fund: Provided further, That funds available*  
15 *for expenditure for the Departmental Irrigation Drainage*  
16 *Program may be expended by the Bureau of Reclamation*  
17 *for site remediation on a non-reimbursable basis: Provided*  
18 *further, That the amount authorized for Indian municipal,*  
19 *rural, and industrial water features by section 10 of Public*  
20 *Law 89–108, as amended by section 8 of Public Law 99–*  
21 *294 and section 1701(b) of Public Law 102–575, is in-*  
22 *creased by \$2,000,000 (October 1997 prices): Provided fur-*  
23 *ther, That the Secretary of the Interior is directed to use*  
24 *not to exceed \$3,600,000 of funds appropriated herein as*  
25 *the Bureau of Reclamation share for completion of the*

1 *McCall Area Wastewater Reclamation and Reuse, Idaho,*  
2 *project authorized in Public Law 105-62 and described in*  
3 *PN-FONSI-96-05: Provided further, That the Secretary of*  
4 *the Interior is directed to use not to exceed \$200,000 of*  
5 *funds appropriated herein to provide technical assistance*  
6 *in a study of measures to increase the efficiency of existing*  
7 *water systems developed to serve sugar cane plantations and*  
8 *surrounding communities in the State of Hawaii: Provided*  
9 *further, That the Secretary of the Interior shall waive the*  
10 *scheduled annual payments for fiscal years 1998 and 1999*  
11 *under section 208 of Public Law 100-202 (101 Stat. 1329-*  
12 *118).*

13 *BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT*

14 *For the cost of direct loans and/or grants, \$12,000,000,*  
15 *to remain available until expended, as authorized by the*  
16 *Small Reclamation Projects Act of August 6, 1956, as*  
17 *amended (43 U.S.C. 422a-422l): Provided, That such costs,*  
18 *including the cost of modifying such loans, shall be as de-*  
19 *finied in section 502 of the Congressional Budget Act of*  
20 *1974: Provided further, That these funds are available to*  
21 *subsidize gross obligations for the principal amount of di-*  
22 *rect loans not to exceed \$38,000,000.*

23 *In addition, for administrative expenses necessary to*  
24 *carry out the program for direct loans and/or grants,*  
25 *\$425,000, to remain available until expended: Provided,*  
26 *That of the total sums appropriated, the amount of program*

1 *activities that can be financed by the Reclamation Fund*  
2 *shall be derived from that Fund.*

3 *CENTRAL VALLEY PROJECT RESTORATION FUND*

4 *For carrying out the programs, projects, plans, and*  
5 *habitat restoration, improvement, and acquisition provi-*  
6 *sions of the Central Valley Project Improvement Act,*  
7 *\$39,500,000 to be derived from such sums as may be col-*  
8 *lected in the Central Valley Project Restoration Fund pur-*  
9 *suant to sections 3407(d), 3404(c)(3), 3405(f), and*  
10 *3406(c)(1) of Public Law 102–575, to remain available*  
11 *until expended: Provided, That the Bureau of Reclamation*  
12 *is directed to assess and collect the full amount of the addi-*  
13 *tional mitigation and restoration payments authorized by*  
14 *section 3407(d) of Public Law 102–575.*

15 *CALIFORNIA BAY-DELTA ECOSYSTEM RESTORATION*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For necessary expenses of the Department of the Inte-*  
18 *rior and other participating Federal agencies in carrying*  
19 *out the California Bay-Delta Environmental Enhancement*  
20 *and Water Security Act consistent with plans to be ap-*  
21 *proved by the Secretary of the Interior, in consultation with*  
22 *such Federal agencies, \$65,000,000, to remain available*  
23 *until expended, of which such amounts as may be necessary*  
24 *to conform with such plans shall be transferred to appro-*  
25 *priate accounts of such Federal agencies: Provided, That*  
26 *such funds may be obligated only as non-Federal sources*

1 *provide their share in accordance with the cost-sharing*  
2 *agreement required under section 102(d) of such Act: Pro-*  
3 *vided further, That such funds may be obligated prior to*  
4 *the completion of a final programmatic environmental im-*  
5 *pact statement only if: (1) consistent with 40 CFR*  
6 *1506.1(c); and (2) used for purposes that the Secretary finds*  
7 *are of sufficiently high priority to warrant such an expend-*  
8 *iture.*

9 *POLICY AND ADMINISTRATION*

10 *For necessary expenses of policy, administration, and*  
11 *related functions in the office of the Commissioner, the Den-*  
12 *ver office, and offices in the five regions of the Bureau of*  
13 *Reclamation, to remain available until expended,*  
14 *\$48,000,000, to be derived from the Reclamation Fund and*  
15 *be nonreimbursable as provided in 43 U.S.C. 377: Provided,*  
16 *That no part of any other appropriation in this Act shall*  
17 *be available for activities or functions budgeted as policy*  
18 *and administration expenses.*

19 *ADMINISTRATIVE PROVISION*

20 *Appropriations for the Bureau of Reclamation shall*  
21 *be available for purchase of not to exceed six passenger*  
22 *motor vehicles for replacement only.*

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*TITLE III*

*DEPARTMENT OF ENERGY*

*ENERGY PROGRAMS*

*ENERGY SUPPLY*

*For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for energy supply, uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of 22 passenger motor vehicles for replacement only, \$786,854,000, to remain available until October 1, 2000, of which not less than \$3,860,000 shall be available for solar building technology research, not less than \$72,966,000 shall be available for photovoltaic energy systems, not less than \$21,617,500 shall be available for solar thermal energy systems (of which not less than \$3,000,000 shall be available for the dish/engine field verification initiative), not less than \$35,750,000 shall be available for power systems in biomass/biofuels energy systems, not less than \$41,083,500 shall be available for transportation in biomass/biofuels energy systems (of which not less than \$3,000,000 shall be available to fund the Con-*

1 *sortium for Plant Biotechnology Research), not less than*  
2 *\$38,265,000 shall be available for wind energy systems, not*  
3 *less than \$4,000,000 shall be available for the renewable en-*  
4 *ergy production incentive program, not less than*  
5 *\$7,000,000 shall be available for solar program support, not*  
6 *less than \$5,087,500 shall be available for the international*  
7 *solar energy program, not less than \$680,000 shall be avail-*  
8 *able for solar technology transfer, not less than \$5,000,000*  
9 *shall be available for the National Renewable Energy Lab-*  
10 *oratory, not less than \$31,250,000 shall be available for geo-*  
11 *thermal technology development, not less than \$5,000,000*  
12 *shall be available for the Federal building/Remote power*  
13 *initiative, not less than \$16,325,500 shall be available for*  
14 *program direction, not to exceed \$25,000 may be used for*  
15 *official reception and representation expenses for trans-*  
16 *parency activities and of which not to exceed \$1,500,000*  
17 *may be used to pay a portion of the expenses necessary to*  
18 *meet the United States' annual obligations of membership*  
19 *in the Nuclear Energy Agency.*

20 *NON-DEFENSE ENVIRONMENTAL MANAGEMENT*

21 *For Department of Energy expenses, including the*  
22 *purchase, construction and acquisition of plant and capital*  
23 *equipment and other expenses necessary for non-defense en-*  
24 *vironmental management activities in carrying out the*  
25 *purposes of the Department of Energy Organization Act (42*  
26 *U.S.C. 7101 et seq.), including the acquisition or con-*

1 *demnation of any real property or any facility or for plant*  
2 *or facility acquisition, construction or expansion,*  
3 *\$424,600,000, to remain available until expended.*

4 *URANIUM ENRICHMENT DECONTAMINATION AND*  
5 *DECOMMISSIONING FUND*

6 *For necessary expenses in carrying out uranium en-*  
7 *richment facility decontamination and decommissioning,*  
8 *remedial actions and other activities of title II of the Atom-*  
9 *ic Energy Act of 1954 and title X, subtitle A of the Energy*  
10 *Policy Act of 1992, \$200,000,000, to be derived from the*  
11 *Fund, to remain available until expended: Provided, That*  
12 *\$30,000,000 of amounts derived from the Fund for such ex-*  
13 *penses shall be available in accordance with title X, subtitle*  
14 *A, of the Energy Policy Act of 1992.*

15 *SCIENCE*

16 *For expenses of the Department of Energy activities*  
17 *including the purchase, construction and acquisition of*  
18 *plant and capital equipment and other expenses necessary*  
19 *for science activities in carrying out the purposes of the De-*  
20 *partment of Energy Organization Act (42 U.S.C. 7101 et*  
21 *seq.), including the acquisition or condemnation of any real*  
22 *property or facility or for plant or facility acquisition, con-*  
23 *struction, or expansion, and purchase of 15 passenger motor*  
24 *vehicles for replacement only, \$2,676,560,000, to remain*  
25 *available until expended: Provided, That \$7,600,000 of the*  
26 *unobligated balances originally available for Super-*

1 *conducting Super Collider termination activities shall be*  
2 *made available for other activities under this heading: Pro-*  
3 *vided further, That \$500,000 of the unobligated balances*  
4 *may be applied to the identification of trace element iso-*  
5 *topes in environmental samples at the University of Nevada*  
6 *Las Vegas.*

7 *NUCLEAR WASTE DISPOSAL FUND*

8 *For nuclear waste disposal activities to carry out the*  
9 *purposes of Public Law 97-425, as amended, including the*  
10 *acquisition of real property or facility construction or ex-*  
11 *pansion, \$190,000,000, to remain available until expended,*  
12 *to be derived from the Nuclear Waste Fund; of which not*  
13 *to exceed \$4,875,000 may be provided to the State of Nevada*  
14 *solely to conduct scientific oversight responsibilities pursu-*  
15 *ant to the Nuclear Waste Policy Act of 1982; and of which*  
16 *not to exceed \$5,540,000 may be provided to affected local*  
17 *governments, as defined in Public Law 97-425, to conduct*  
18 *appropriate activities pursuant to the Act: Provided, That*  
19 *the distribution of the funds to the units of local government*  
20 *shall be determined by the Department of Energy: Provided*  
21 *further, That the funds shall be made available to the units*  
22 *of local government by direct payment: Provided further,*  
23 *That within ninety days of the completion of each Federal*  
24 *fiscal year, each local entity shall provide certification to*  
25 *the Department of Energy, that all funds expended from*  
26 *such payments have been expended for activities as defined*

1 *in Public Law 97-425. Failure to provide such certification*  
2 *shall cause such entity to be prohibited from any further*  
3 *funding provided for similar activities: Provided further,*  
4 *That none of the funds herein appropriated may be: (1)*  
5 *used directly or indirectly to influence legislative action on*  
6 *any matter pending before Congress or a State legislature*  
7 *or for lobbying activity as provided in 18 U.S.C. 1913; (2)*  
8 *used for litigation expenses; or (3) used to support*  
9 *multistate efforts or other coalition building activities in-*  
10 *consistent with the restrictions contained in this Act.*

11 *DEPARTMENTAL ADMINISTRATION*

12 *For salaries and expenses of the Department of Energy*  
13 *necessary for departmental administration in carrying out*  
14 *the purposes of the Department of Energy Organization Act*  
15 *(42 U.S.C. 7101 et seq.), including the hire of passenger*  
16 *motor vehicles and official reception and representation ex-*  
17 *penses (not to exceed \$35,000), \$238,539,000, to remain*  
18 *available until expended: Provided, That moneys received*  
19 *by the Department for miscellaneous revenues estimated to*  
20 *total \$136,530,000 in fiscal year 1999 may be retained and*  
21 *used for operating expenses within this account, and may*  
22 *remain available until expended, as authorized by section*  
23 *201 of Public Law 95-238, notwithstanding the provisions*  
24 *of 31 U.S.C. 3302: Provided further, That the sum herein*  
25 *appropriated shall be reduced by the amount of miscellane-*  
26 *ous revenues received during fiscal year 1999 so as to result*

1 *in a final fiscal year 1999 appropriation from the General*  
2 *Fund estimated at not more than \$102,009,000.*

3 *OFFICE OF THE INSPECTOR GENERAL*

4 *For necessary expenses of the Office of the Inspector*  
5 *General in carrying out the provisions of the Inspector Gen-*  
6 *eral Act of 1978, as amended, \$27,500,000, to remain avail-*  
7 *able until expended.*

8 *ATOMIC ENERGY DEFENSE ACTIVITIES*

9 *WEAPONS ACTIVITIES*

10 *For Department of Energy expenses, including the*  
11 *purchase, construction and acquisition of plant and capital*  
12 *equipment and other incidental expenses necessary for*  
13 *atomic energy defense weapons activities in carrying out*  
14 *the purposes of the Department of Energy Organization Act*  
15 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*  
16 *demnation of any real property or any facility or for plant*  
17 *or facility acquisition, construction, or expansion; the pur-*  
18 *chase of one fixed wing aircraft; and the purchase of pas-*  
19 *senger motor vehicles (not to exceed 32 for replacement only,*  
20 *and one bus), \$4,445,700,000, to remain available until ex-*  
21 *pended: Provided, That funding for any ballistic missile de-*  
22 *fense program undertaken by the Department of Energy for*  
23 *the Department of Defense shall be provided by the Depart-*  
24 *ment of Defense according to procedures established for*  
25 *Work for Others by the Department of Energy.*



1 7101, et seq.), \$241,857,000, to remain available until ex-  
2 pended.

3 *OTHER DEFENSE ACTIVITIES*

4 *For Department of Energy expenses, including the*  
5 *purchase, construction and acquisition of plant and capital*  
6 *equipment and other expenses necessary for atomic energy*  
7 *defense, other defense activities, in carrying out the pur-*  
8 *poses of the Department of Energy Organization Act (42*  
9 *U.S.C. 7101, et seq.), including the acquisition or con-*  
10 *demnation of any real property or any facility or for plant*  
11 *or facility acquisition, construction, or expansion,*  
12 *\$1,658,160,000, to remain available until expended: Pro-*  
13 *vided, That of the amount appropriated herein \$5,000,000*  
14 *shall be available for the joint U.S.-Russian development*  
15 *of a passively safe advanced reactor technology to dispose*  
16 *of Russian excess weapons derived plutonium: Provided fur-*  
17 *ther, That \$56,700,000 appropriated herein is to procure*  
18 *plutonium disposition services and to begin Title I design*  
19 *for a mixed-oxide fuel fabrication facility: Provided further,*  
20 *That such funds shall not be available except as necessary*  
21 *to implement a bilateral program with the Russian Federa-*  
22 *tion to convert to non-weapons forms and dispose of excess*  
23 *weapons plutonium in accordance with which the United*  
24 *States will at no time convert to non-weapons forms quan-*  
25 *tities of excess weapons plutonium greater than those con-*  
26 *verted to non-weapons forms by the Russian Federation:*

1 *Provided further, That of the amount appropriated herein*  
2 *\$30,000,000 is to be available for the Initiatives for Pro-*  
3 *liferation Prevention program: Provided further, That of*  
4 *the amount appropriated herein \$30,000,000 shall be avail-*  
5 *able for the purpose of implementing the “nuclear cities”*  
6 *initiative pursuant to the discussions of March 1998 be-*  
7 *tween the Vice President of the United States and the Prime*  
8 *Minister of the Russian Federation and between the United*  
9 *States Secretary of Energy and the Minister of Atomic En-*  
10 *ergy of the Russian Federation.*

11 *DEFENSE NUCLEAR WASTE DISPOSAL*

12 *For nuclear waste disposal activities to carry out the*  
13 *purposes of Public Law 97–425, as amended, including the*  
14 *acquisition of real property or facility construction or ex-*  
15 *pansion, \$185,000,000, to remain available until expended.*

16 *POWER MARKETING ADMINISTRATIONS*

17 *OPERATION AND MAINTENANCE, ALASKA POWER*

18 *ADMINISTRATION*

19 *For capital assets acquisition, \$5,000,000, to remain*  
20 *available until expended.*

21 *BONNEVILLE POWER ADMINISTRATION FUND*

22 *Expenditures from the Bonneville Power Administra-*  
23 *tion Fund, established pursuant to Public Law 93–454, are*  
24 *approved for official reception and representation expenses*  
25 *in an amount not to exceed \$3,000.*



1 *available until expended; in addition, notwithstanding the*  
2 *provisions of 31 U.S.C. 3302, not to exceed \$4,200,000 in*  
3 *reimbursements, to remain available until expended.*

4       *CONSTRUCTION, REHABILITATION, OPERATION AND*  
5       *MAINTENANCE, WESTERN AREA POWER ADMINISTRATION*  
6               *(INCLUDING TRANSFER OF FUNDS)*

7       *For carrying out the functions authorized by title III,*  
8 *section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C.*  
9 *7152), and other related activities including conservation*  
10 *and renewable resources programs as authorized, including*  
11 *official reception and representation expenses in an amount*  
12 *not to exceed \$1,500, \$215,435,000, to remain available*  
13 *until expended, of which \$206,222,000 shall be derived from*  
14 *the Department of the Interior Reclamation Fund: Pro-*  
15 *vided, That of the amount herein appropriated, \$5,036,000*  
16 *is for deposit into the Utah Reclamation Mitigation and*  
17 *Conservation Account pursuant to title IV of the Reclama-*  
18 *tion Projects Authorization and Adjustment Act of 1992.*

19       *FALCON AND AMISTAD OPERATING AND MAINTENANCE*  
20               *FUND*

21       *For operation, maintenance, and emergency costs for*  
22 *the hydroelectric facilities at the Falcon and Amistad*  
23 *Dams, \$1,010,000, to remain available until expended, and*  
24 *to be derived from the Falcon and Amistad Operating and*  
25 *Maintenance Fund of the Western Area Power Administra-*

1 tion, as provided in section 423 of the Foreign Relations  
2 Authorization Act, Fiscal Years 1994 and 1995.

3 *FEDERAL ENERGY REGULATORY COMMISSION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Federal Energy Regu-*  
6 *latory Commission to carry out the provisions of the De-*  
7 *partment of Energy Organization Act (42 U.S.C. 7101 et*  
8 *seq.), including services as authorized by 5 U.S.C. 3109,*  
9 *the hire of passenger motor vehicles, and official reception*  
10 *and representation expenses (not to exceed \$3,000),*  
11 *\$168,898,000, to remain available until expended: Pro-*  
12 *vided, That notwithstanding any other provision of law, not*  
13 *to exceed \$168,898,000 of revenues from fees and annual*  
14 *charges, and other services and collections in fiscal year*  
15 *1999 shall be retained and used for necessary expenses in*  
16 *this account, and shall remain available until expended:*  
17 *Provided further, That the sum herein appropriated from*  
18 *the General Fund shall be reduced as revenues are received*  
19 *during fiscal year 1999 so as to result in a final fiscal year*  
20 *1999 appropriation from the General Fund estimated at*  
21 *not more than \$0.*

22 *GENERAL PROVISIONS*

23 *DEPARTMENT OF ENERGY*

24 *SEC. 301. (a) None of the funds appropriated by this*  
25 *Act or any prior appropriations Act may be used to award*

1 *a management and operating contract unless such contract*  
2 *is awarded using competitive procedures or the Secretary*  
3 *of Energy grants, on a case-by-case basis, a waiver to allow*  
4 *for such a deviation. The Secretary may not delegate the*  
5 *authority to grant such a waiver.*

6 *(b) At least 60 days before a contract award, amend-*  
7 *ment, or modification for which the Secretary intends to*  
8 *grant such a waiver, the Secretary shall submit to the Sub-*  
9 *committees on Energy and Water Development of the Com-*  
10 *mittees on Appropriations of the House of Representatives*  
11 *and the Senate a report notifying the subcommittees of the*  
12 *waiver and setting forth the reasons for the waiver.*

13 *SEC. 302. (a) None of the funds appropriated by this*  
14 *Act or any prior appropriations Act may be used to award,*  
15 *amend, or modify a contract in a manner that deviates*  
16 *from the Federal Acquisition Regulation, unless the Sec-*  
17 *retary of Energy grants, on a case-by-case basis, a waiver*  
18 *to allow for such a deviation. The Secretary may not dele-*  
19 *gate the authority to grant such a waiver.*

20 *(b) At least 60 days before a contract award, amend-*  
21 *ment, or modification for which the Secretary intends to*  
22 *grant such a waiver, the Secretary shall submit to the Sub-*  
23 *committees on Energy and Water Development of the Com-*  
24 *mittees on Appropriations of the House of Representatives*

1 *and the Senate a report notifying the subcommittees of the*  
2 *waiver and setting forth the reasons for the waiver.*

3 *SEC. 303. None of the funds appropriated by this Act*  
4 *or any prior appropriations Act may be used to—*

5 *(1) develop or implement a workforce restructur-*  
6 *ing plan that covers employees of the Department of*  
7 *Energy; or*

8 *(2) provide enhanced severance payments or*  
9 *other benefits for employees of the Department of En-*  
10 *ergy;*

11 *under section 3161 of the National Defense Authorization*  
12 *Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat.*  
13 *2644; 42 U.S.C. 7274h).*

14 *SEC. 304. None of the funds appropriated by this Act*  
15 *or any prior appropriations Act may be used to augment*  
16 *the \$40,000,000 made available for obligation by this Act*  
17 *for severance payments and other benefits and community*  
18 *assistance grants under section 3161 of the National De-*  
19 *fense Authorization Act for Fiscal Year 1993 (Public Law*  
20 *102–484; 106 Stat. 2644; 42 U.S.C. 7274h).*

21 *SEC. 305. None of the funds appropriated by this Act*  
22 *or any prior appropriations Act may be used to prepare*  
23 *or initiate Requests For Proposals (RFPs) for a program*  
24 *if the program has not been funded by Congress.*

1        *SEC. 306. None of the funds appropriated by this Act*  
2 *or any prior appropriations Act may be used to decrease*  
3 *the concentration of radioactive contamination in waste so*  
4 *that such waste complies with the waste acceptance criteria*  
5 *for the Waste Isolation Pilot Plant.*

6        *SEC. 307. CHANGE OF NAME OF THE OFFICE OF EN-*  
7 *ERGY RESEARCH. (a) IN GENERAL.—Section 209 of the De-*  
8 *partment of Energy Organization Act (42 U.S.C. 7139) is*  
9 *amended—*

10            *(1) in the section heading, by striking “ENERGY*  
11 *RESEARCH” and inserting “SCIENCE RESEARCH”; and*

12            *(2) in subsection (a), by striking “Energy Re-*  
13 *search” and inserting “Science Research”.*

14        *(b) CONFORMING AMENDMENTS.—*

15            *(1) TABLE OF CONTENTS.—The table of contents*  
16 *in the first section of the Department of Energy Orga-*  
17 *nization Act (42 U.S.C. prec. 7101) is amended by*  
18 *striking the item relating to section 209 and inserting*  
19 *the following:*

*“Section 209. Office of Science Research.”.*

20            *(2) REFERENCES IN OTHER LAW.—Each of the*  
21 *following is amended by striking “Energy Research”*  
22 *and inserting “Science Research”:*

23            *(A) The item relating to the Director, Office*  
24 *of Energy Research, Department of Energy in*  
25 *section 5315 of title 5, United States Code.*

1                   (B) Section 2902(b)(6) of title 10, United  
2 States Code.

3                   (C) Section 406(h)(2)(A)(v) of the Public  
4 Health Service Act (42 U.S.C. 284a(h)(2)(A)(v)).

5                   (D) Sections 3167(3) and 3168 of the De-  
6 partment of Energy Science Education Enhance-  
7 ment Act (42 U.S.C. 7381d(3), 7381e).

8                   (E) Paragraphs (1) and (2) of section  
9 224(b) of the Nuclear Waste Policy Act of 1982  
10 (42 U.S.C. 10204(b)).

11                   (F) Section 2203(b)(3)(A)(i) of the Energy  
12 Policy Act of 1992 (42 U.S.C.  
13 13503(b)(3)(A)(i)).

14           SEC. 308. MAINTENANCE OF SECURITY AT DOE URA-  
15 NIUM ENRICHMENT PLANTS.—Section 3107(h) of the USEC  
16 Privatization Act (42 U.S.C. 2297h–5(h)) is amended in  
17 paragraph (1), by striking “an adequate number of” and  
18 inserting “all”; and by inserting the following paragraph:

19           “(2) FUNDING.—The Secretary of Energy shall reim-  
20 burse a contractor or subcontractor for the costs of provid-  
21 ing security to a gaseous diffusion plant as required to com-  
22 ply with the guidelines referred to in paragraph (1).”.

23           SEC. 309. In order to facilitate administrative oper-  
24 ations and promote sales of Federal power, upon request  
25 of a joint operating entity, the Administrator of the Bonne-

1 *ville Power Administration shall sell, pursuant to section*  
2 *5(b)(1) of Public Law 96–501, as amended, 94 Stat. 2697,*  
3 *16 U.S.C. 839c, at wholesale to such joint operating entity*  
4 *electric power for the purpose of meeting the firm power*  
5 *loads of regional public bodies and cooperatives that are*  
6 *members or participants of the joint operating entity: Pro-*  
7 *vided, That the term “joint operating entity” means an en-*  
8 *tity that is lawfully organized under state law as a public*  
9 *body or cooperative by, and whose members or participants*  
10 *include only, two or more public bodies or cooperatives*  
11 *which are customers of the Administrator.*

12 *(TRANSFERS OF UNEXPENDED BALANCES)*

13 *SEC. 310. The unexpended balances of prior appro-*  
14 *priations provided for activities in this Act may be trans-*  
15 *ferred to appropriation accounts for such activities estab-*  
16 *lished pursuant to this title. Balances so transferred may*  
17 *be merged with funds in the applicable established accounts*  
18 *and thereafter may be accounted for as one fund for the*  
19 *same time period as originally enacted.*

20 *SEC. 311. OFFSETTING REDUCTIONS. Each amount*  
21 *made available under the headings “NON-DEFENSE ENVI-*  
22 *RONMENTAL MANAGEMENT”, “URANIUM ENRICHMENT DE-*  
23 *CONTAMINATION AND DECOMMISSIONING FUND”,*  
24 *“SCIENCE”, and “DEPARTMENTAL ADMINISTRATION” under*  
25 *the heading “ENERGY PROGRAMS” and “CONSTRUCTION,*  
26 *REHABILITATION, OPERATION AND MAINTENANCE, WESTERN*

1 *AREA POWER ADMINISTRATION (INCLUDING TRANSFER OF*  
2 *FUNDS)” under the heading “POWER MARKETING ADMINIS-*  
3 *TRATIONS” is reduced by 1.586516988447 percent.*

#### 4 *TITLE IV*

#### 5 *INDEPENDENT AGENCIES*

#### 6 *APPALACHIAN REGIONAL COMMISSION*

7 *For expenses necessary to carry out the programs au-*  
8 *thorized by the Appalachian Regional Development Act of*  
9 *1965, as amended, notwithstanding section 405 of said Act,*  
10 *and for necessary expenses for the Federal Co-Chairman*  
11 *and the alternate on the Appalachian Regional Commission*  
12 *and for payment of the Federal share of the administrative*  
13 *expenses of the Commission, including services as author-*  
14 *ized by 5 U.S.C. 3109, and hire of passenger motor vehicles,*  
15 *\$67,000,000, to remain available until expended.*

#### 16 *DENALI COMMISSION*

17 *For expenses of the Denali Commission including the*  
18 *purchase, construction and acquisition of plant and capital*  
19 *equipment as necessary and other expenses as authorized*  
20 *pursuant to this Act, \$20,000,000, to remain available until*  
21 *expended.*

#### 22 *DEFENSE NUCLEAR FACILITIES SAFETY BOARD*

#### 23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Defense Nuclear Facili-*  
25 *ties Safety Board in carrying out activities authorized by*

1 *the Atomic Energy Act of 1954, as amended by Public Law*  
2 *100-456, section 1441, \$17,500,000, to remain available*  
3 *until expended.*

4 *NUCLEAR REGULATORY COMMISSION*

5 *SALARIES AND EXPENSES*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses of the Commission in carrying*  
8 *out the purposes of the Energy Reorganization Act of 1974,*  
9 *as amended, and the Atomic Energy Act of 1954, as amend-*  
10 *ed, including the employment of aliens; services authorized*  
11 *by 5 U.S.C. 3109; publication and dissemination of atomic*  
12 *information; purchase, repair, and cleaning of uniforms; of-*  
13 *ficial representation expenses (not to exceed \$20,000); reim-*  
14 *bursements to the General Services Administration for secu-*  
15 *rity guard services; hire of passenger motor vehicles and*  
16 *aircraft, \$466,000,000, to remain available until expended:*  
17 *Provided, That of the amount appropriated herein,*  
18 *\$17,000,000 shall be derived from the Nuclear Waste Fund:*  
19 *Provided further, That from this appropriation, transfers*  
20 *of sums may be made to other agencies of the Government*  
21 *for the performance of the work for which this appropria-*  
22 *tion is made, and in such cases the sums so transferred may*  
23 *be merged with the appropriation to which transferred: Pro-*  
24 *vided further, That moneys received by the Commission for*  
25 *the cooperative nuclear safety research program, services*  
26 *rendered to State governments, foreign governments and*

1 *international organizations, and the material and informa-*  
2 *tion access authorization programs, including criminal his-*  
3 *tory checks under section 149 of the Atomic Energy Act may*  
4 *be retained and used for salaries and expenses associated*  
5 *with those activities, notwithstanding 31 U.S.C. 3302, and*  
6 *shall remain available until expended: Provided further,*  
7 *That revenues from licensing fees, inspection services, and*  
8 *other services and collections estimated at \$416,000,000 in*  
9 *fiscal year 1999 shall be retained and used for necessary*  
10 *salaries and expenses in this account, notwithstanding 31*  
11 *U.S.C. 3302, and shall remain available until expended:*  
12 *Provided further, That of the amount appropriated herein,*  
13 *\$33,000,000 shall be available only for agreement State*  
14 *oversight, international activities, the generic decommis-*  
15 *sioning management program, regulatory support to agree-*  
16 *ment States, the small entity program, the nonprofit edu-*  
17 *cational program, and other Federal agency programs, and*  
18 *shall be excluded from license fee revenues, notwithstanding*  
19 *42 U.S.C. 2214: Provided further, That the sum herein ap-*  
20 *propriated shall be reduced by the amount of revenues re-*  
21 *ceived during fiscal year 1999 from licensing fees, inspec-*  
22 *tion services and other services and collections, excluding*  
23 *those moneys received for the cooperative nuclear safety re-*  
24 *search program, services rendered to State governments, for-*  
25 *eign governments and international organizations, and the*

1 *material and information access authorization programs,*  
2 *so as to result in a final fiscal year 1999 appropriation*  
3 *estimated at not more than \$50,000,000.*

4 *OFFICE OF INSPECTOR GENERAL*  
5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For necessary expenses of the Office of Inspector Gen-*  
7 *eral in carrying out the provisions of the Inspector General*  
8 *Act of 1978, as amended, including services authorized by*  
9 *5 U.S.C. 3109, \$4,800,000, to remain available until ex-*  
10 *pended; and in addition, an amount not to exceed 5 percent*  
11 *of this sum may be transferred from Salaries and Expenses,*  
12 *Nuclear Regulatory Commission: Provided, That notice of*  
13 *such transfers shall be given to the Committees on Appro-*  
14 *priations of the House of Representatives and Senate: Pro-*  
15 *vided further, That from this appropriation, transfers of*  
16 *sums may be made to other agencies of the Government for*  
17 *the performance of the work for which this appropriation*  
18 *is made, and in such cases the sums so transferred may*  
19 *be merged with the appropriation to which transferred: Pro-*  
20 *vided further, That revenues from licensing fees, inspection*  
21 *services, and other services and collections shall be retained*  
22 *and used for necessary salaries and expenses in this ac-*  
23 *count, notwithstanding 31 U.S.C. 3302, and shall remain*  
24 *available until expended: Provided further, That the sum*  
25 *herein appropriated shall be reduced by the amount of reve-*

1 *nues received during fiscal year 1999 from licensing fees,*  
2 *inspection services, and other services and collections, so as*  
3 *to result in a final fiscal year 1999 appropriation estimated*  
4 *at not more than \$0.*

5 *NUCLEAR WASTE TECHNICAL REVIEW BOARD*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Nuclear Waste Technical*  
8 *Review Board, as authorized by Public Law 100–203, sec-*  
9 *tion 5051, \$2,600,000, to be derived from the Nuclear Waste*  
10 *Fund, and to remain available until expended.*

11 *TENNESSEE VALLEY AUTHORITY*

12 *For the purpose of carrying out the provisions of the*  
13 *Tennessee Valley Authority Act of 1933, as amended (16*  
14 *U.S.C. ch. 12A), including hire, maintenance, and oper-*  
15 *ation of aircraft, and purchase and hire of passenger motor*  
16 *vehicles, \$70,000,000, to remain available until expended.*

17 *TITLE V*

18 *GENERAL PROVISIONS*

19 *SEC. 501. None of the funds appropriated by this Act*  
20 *may be used in any way, directly or indirectly, to influence*  
21 *congressional action on any legislation or appropriation*  
22 *matters pending before Congress, other than to commu-*  
23 *nicate to Members of Congress as described in section 1913*  
24 *of title 18, United States Code.*

1        *SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIP-*  
2 *MENT AND PRODUCTS.—It is the sense of the Congress that,*  
3 *to the greatest extent practicable, all equipment and prod-*  
4 *ucts purchased with funds made available in this Act should*  
5 *be American-made.*

6        *(b) NOTICE REQUIREMENT.—In providing financial*  
7 *assistance to, or entering into any contract with, any entity*  
8 *using funds made available in this Act, the head of each*  
9 *Federal agency, to the greatest extent practicable, shall pro-*  
10 *vide to such entity a notice describing the statement made*  
11 *in subsection (a) by the Congress.*

12        *(c) PROHIBITION OF CONTRACTS WITH PERSONS*  
13 *FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—*  
14 *If it has been finally determined by a court or Federal agen-*  
15 *cy that any person intentionally affixed a label bearing a*  
16 *“Made in America” inscription, or any inscription with*  
17 *the same meaning, to any product sold in or shipped to*  
18 *the United States that is not made in the United States,*  
19 *the person shall be ineligible to receive any contract or sub-*  
20 *contract made with funds made available in this Act, pur-*  
21 *suant to the debarment, suspension, and ineligibility proce-*  
22 *dures described in sections 9.400 through 9.409 of title 48,*  
23 *Code of Federal Regulations.*

24        *SEC. 503. None of the funds made available in this*  
25 *Act may be provided by contract or by grant (including*

1 a grant of funds to be available for student aid) to any  
2 institution of higher education, or subelement thereof, that  
3 is currently ineligible for contracts and grants pursuant to  
4 section 514 of the Departments of Labor, Health and  
5 Human Services, and Education, and Related Agencies Ap-  
6 propriations Act, 1997 (as contained in section 101(e) of  
7 division A of Public Law 104–208; 110 Stat. 3009–270).

8       *SEC. 504. None of the funds made available in this*  
9 *Act may be obligated or expended to enter into or renew*  
10 *a contract with a contractor that is subject to the reporting*  
11 *requirement set forth in subsection (d) of section 4212 of*  
12 *title 38, United States Code, but has not submitted the most*  
13 *recent report required by such subsection.*

14       *SEC. 505. None of the funds made available in this*  
15 *Act to pay the salary of any officer or employee of the De-*  
16 *partment of the Interior may be used for the Animas-La*  
17 *Plata Project, in Colorado and New Mexico, except for: (1)*  
18 *activities required to comply with the applicable provisions*  
19 *of current law; and (2) continuation of activities pursuant*  
20 *to the Colorado Ute Indian Water Rights Settlement Act*  
21 *of 1988 (Public Law 100–585).*

22       *SEC. 506. (a) None of the funds appropriated or other-*  
23 *wise made available by this Act may be used to determine*  
24 *the final point of discharge for the interceptor drain for*  
25 *the San Luis Unit until development by the Secretary of*

1 *the Interior and the State of California of a plan, which*  
2 *shall conform to the water quality standards of the State*  
3 *of California as approved by the Administrator of the Envi-*  
4 *ronmental Protection Agency, to minimize any detrimental*  
5 *effect of the San Luis drainage waters.*

6       **(b)** *The costs of the Kesterson Reservoir Cleanup Pro-*  
7 *gram and the costs of the San Joaquin Valley Drainage*  
8 *Program shall be classified by the Secretary of the Interior*  
9 *as reimbursable or nonreimbursable and collected until fully*  
10 *repaid pursuant to the “Cleanup Program—Alternative*  
11 *Repayment Plan” and the “SJVDP—Alternative Repay-*  
12 *ment Plan” described in the report entitled “Repayment*  
13 *Report, Kesterson Reservoir Cleanup Program and San*  
14 *Joaquin Valley Drainage Program, February 1995”, pre-*  
15 *pared by the Department of the Interior, Bureau of Rec-*  
16 *lamation. Any future obligations of funds by the United*  
17 *States relating to, or providing for, drainage service or*  
18 *drainage studies for the San Luis Unit shall be fully reim-*  
19 *bursable by San Luis Unit beneficiaries of such service or*  
20 *studies pursuant to Federal Reclamation law.*

21       **SEC. 507.** *Section 6101(a)(3) of the Omnibus Budget*  
22 *Reconciliation Act of 1990 (42 U.S.C. 2214(a)(3)) is*  
23 *amended by striking “September 30, 1998” and inserting*  
24 *“September 30, 1999”.*



1           (6) *bulk fuel storage tanks built by the Federal*  
2           *Government in many Alaska communities do not*  
3           *comply with the Oil Pollution Act of 1990, could,*  
4           *therefore, be required to be closed, are used to store*  
5           *heating oil critical to survival, and that Alaska com-*  
6           *munities presently have no way to upgrade or replace*  
7           *the tanks;*

8           (7) *the majority of Alaska communities have es-*  
9           *sential infrastructure needs which presently cannot be*  
10          *met;*

11          (8) *the lack of infrastructure and economic op-*  
12          *portunities in Alaska communities has resulted in*  
13          *disproportionately high Federal costs for welfare as-*  
14          *sistance, unemployment assistance, food stamps, heat-*  
15          *ing oil, and other Federal programs in Alaska; and*

16          (9) *by addressing infrastructure needs and pro-*  
17          *moting economic development, the reliance of Alaska*  
18          *communities on Federal assistance and the cost to the*  
19          *Federal Government of such assistance could be sig-*  
20          *nificantly reduced.*

21          *SEC. 603. PURPOSE. It is the purpose of this Act to*  
22          *assist Alaska in addressing its special problems, to develop*  
23          *its infrastructure and utilities, to promote its economic de-*  
24          *velopment in rural communities by utilizing the markets,*  
25          *technical support, and other resources of urban areas, and*

1 *to establish a framework for joint Federal and State efforts*  
2 *toward providing basic facilities essential to its growth and*  
3 *attacking its common problems.*

4       *SEC. 604. DENALI COMMISSION. (a) ESTABLISH-*  
5 *MENT.—There is hereby established the Denali Commission*  
6 *which shall be composed of one Federal member appointed*  
7 *by the President with the advice and consent of the Senate,*  
8 *one State member appointed by the Governor after consulta-*  
9 *tion with the Alaska Federation of Natives, the President*  
10 *of the University of Alaska or a designee, the President of*  
11 *the Alaska Chamber of Commerce, and the Executive Direc-*  
12 *tor of the Alaska Municipal League. The Federal member*  
13 *shall be compensated by the Federal government at level III*  
14 *of the Executive Schedule of subchapter II of chapter 53*  
15 *of title V, United States Code.*

16       *(b) CHAIRMAN; DECISIONS.—The Federal member*  
17 *shall be the Chairman of the Denali Commission. Decisions*  
18 *by the Denali Commission shall require the affirmative vote*  
19 *of the Chairman and at least two of the other members of*  
20 *the Commission. With respect to matters that come before*  
21 *the Commission, the Chairman may inform Federal depart-*  
22 *ments and agencies having an interest in the subject matter*  
23 *as appropriate.*

24       *(c) FUNCTIONS.—The Denali Commission, in con-*  
25 *sultation with the Governor of Alaska, shall develop a state-*

1 *wide, comprehensive plan for economic and infrastructure*  
2 *development, establish priorities, approve project and grant*  
3 *proposals, and administer funds appropriated to the Com-*  
4 *mission. It shall solicit project proposals to modernize in-*  
5 *frastructure from local governments and other organiza-*  
6 *tions. The Commission is authorized to adopt rules and reg-*  
7 *ulations governing its conduct, appoint and fix compensa-*  
8 *tion of staff to assist the Commission, accept and use gifts*  
9 *or donations, and enter into and perform contracts, leases,*  
10 *or cooperative agreements. Administrative expenses of the*  
11 *Commission shall be paid by the Federal Government and*  
12 *may not exceed 5 percent of any funds appropriated under*  
13 *this Act. The Commission and its grantees shall maintain*  
14 *accurate and complete records which shall be available for*  
15 *audit and examination by the Comptroller General or his*  
16 *designee. The Commission shall submit an annual report*  
17 *six months after the conclusion of the fiscal year which shall*  
18 *be submitted to the President, the Chairmen of the House*  
19 *and Senate Appropriations Committees, and the Governor*  
20 *of Alaska.*

21 *(d) SPECIAL FUNCTIONS.—*

22 *(1) RURAL UTILITIES.—In carrying out its other*  
23 *functions, the Denali Commission should provide as-*  
24 *sistance as appropriate and seek to avoid duplication*  
25 *and to complement the water and wastewater pro-*

1        *grams under section 306D of the Consolidated Farm*  
2        *and Rural Development Act (7 U.S.C. 1926d) and*  
3        *under section 303 of the Safe Drinking Water Act*  
4        *Amendments of 1996 (33 U.S.C. 1263a).*

5            (2) *BULK FUEL TANKS.—The Denali Commis-*  
6        *sion, in consultation with the Commandant of the*  
7        *United States Coast Guard, shall develop a program*  
8        *to provide for the repair or replacement of bulk fuel*  
9        *storage tanks in Alaska which are not in compliance*  
10       *with Federal law, including the Oil Pollution Act of*  
11       *1990, or State law.*

12        *SEC. 605. INSPECTOR GENERAL. Section 8G of the In-*  
13       *spector General Act of 1978, as amended (5 U.S.C. appen-*  
14       *dix 3 section 8G) is amended in subsection (a)(2) thereof*  
15       *by adding after “the Corporation for Public Broadcasting”,*  
16       *“the Denali Commission,”.*

17        *SEC. 606. AUTHORIZATION OF APPROPRIATIONS. There*  
18       *are authorized to be appropriated to the Denali Commission*  
19       *to carry out this Act and for necessary expenses including*  
20       *staff, \$20,000,000 in fiscal year 1999 and such sums as*  
21       *may be necessary for each of fiscal years 2000 through 2003.*

