

106TH CONGRESS
2D SESSION

H. R. 3595

AN ACT

To increase the authorization of appropriations for the Reclamation Safety of Dams Act of 1978, and for other purposes.

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To increase the authorization of appropriations for the Reclamation Safety of Dams Act of 1978, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. INCREASED AUTHORIZATION OF APPROPRIA-**
2 **TIONS FOR THE RECLAMATION SAFETY OF**
3 **DAMS ACT OF 1978.**

4 The Reclamation Safety of Dams Act of 1978 is
5 amended—

6 (1) in section 4 (43 U.S.C. 508)—

7 (A) in subsection (a), by striking “or from
8 nonperformance of reasonable and normal
9 maintenance of the structure by the operating
10 entity”;

11 (B) in subsection (c), by—

12 (i) inserting after “1984” the fol-
13 lowing: “and the additional \$380,000,000
14 further authorized to be appropriated by
15 amendments to that Act in 2000”;

16 (ii) striking paragraph (2) and redes-
17 ignating paragraphs (3) and (4) as para-
18 graphs (2) and (3), respectively; and

19 (iii) in the first sentence of paragraph
20 (3), as so redesignated, inserting “irriga-
21 tion,” after “Costs allocated to the purpose
22 of”, and inserting “without regard to
23 water users’ ability to pay” before the pe-
24 riod at the end; and

25 (C) in subsection (d), by inserting before
26 the period at the end the following: “: *Provided*

1 *further*, That the Secretary is authorized to ex-
2 pend payments of such reimbursable costs made
3 pursuant to a repayment contract at any time
4 prior to completion of construction”;

5 (2) in section 5 (43 U.S.C. 509), by—

6 (A) inserting after “levels)” the following:
7 “and, effective October 1, 1997, not to exceed
8 an additional \$380,000,000 (October 1, 2000,
9 price levels),”;

10 (B) striking “\$750,000” and inserting
11 “\$1,200,000 (October 1, 2000, price levels),
12 plus or minus such amounts, if any, as may be
13 justified by reason of ordinary fluctuations in
14 construction costs as indicated by engineering
15 cost indexes applicable to the types of construc-
16 tion involved herein,”; and

17 (C) striking “sixty days (which” and all
18 that follows through “day certain)” and insert-
19 ing “30 calendar days”; and

20 (3) in section 2 (43 U.S.C. 506), by inserting
21 “(a)” before “In order to”, and by adding at the end
22 the following:

23 “(b) Prior to selecting a Bureau of Reclamation facil-
24 ity for modification, the Secretary shall notify project
25 beneficiaries in writing of such selection and solicit their

1 interest in participating in evaluating the facility for modi-
2 fication. If requested by the project beneficiaries, the Sec-
3 retary, acting through the Commissioner of the Bureau
4 of Reclamation, is authorized to negotiate an agreement
5 with project beneficiaries for the cooperative oversight of
6 planning, design, cost containment, procurement, con-
7 struction, and management of the modifications. Prior to
8 submitting the modification reports required by section 5,
9 the Secretary shall consider, and where appropriate imple-
10 ment, alternatives recommended by project beneficiaries.
11 Within 30 days after receiving such recommendations, the
12 Secretary shall provide to the project beneficiaries a writ-
13 ten response detailing proposed actions to address the rec-
14 ommendations. The Secretary's response to the project
15 beneficiaries shall be included in the modification reports
16 required by section 5.

17 “(c) Following submission of the reports required by
18 section 5, project beneficiaries who wish to receive regular
19 information concerning the status and costs of modifica-
20 tions shall notify the Secretary in writing. During the con-
21 struction phase of the modifications, the Secretary shall
22 keep such beneficiaries informed of the costs and status
23 of such modifications. The Secretary shall consider, and
24 where appropriate implement, alternatives recommended
25 by project beneficiaries concerning the cost containment

1 measures and construction management techniques need-
2 ed to carry out such modifications.”.

Passed the House of Representatives October 23,
2000.

Attest:

Clerk.