

interest to the United States in and to specified project facilities.

It is contemplated that the Sly Park Unit will be maintained and managed after the transfer so that there would be no significant changes in operation and maintenance or in land and water use in the reasonably foreseeable future.

Once transfer takes place, the future management of the facility will be the responsibility of the new owners, with any changes made pursuant to all then applicable laws. It is the committee's expectation that the completion of the conveyance should take no longer than 18 months from the date of enactment.

To accomplish this end, we have received assurances from the Bureau of Reclamation that they will complete as expeditiously as possible the requirements of the National Environmental Policy Act, or NEPA.

Furthermore, it is the committee's expectation that the district will cooperate with the Bureau of Reclamation in the environmental process and in the administrative tasks necessary to complete the transfer. If the conveyance is not completed within 18 months from the date of enactment, the Secretary can be expected to pay 100 percent of the costs of complying with the requirements of NEPA incurred as a direct result of executing this title transfer.

If the conveyance occurs within 18 months, the Bureau of Reclamation should be expected to pay up to 50 percent of the costs of complying with the requirements of NEPA incurred as a direct result of executing this title transfer.

Again, I would like to thank my colleagues, especially the gentleman from California (Mr. MILLER), and the Bureau of Reclamation for their work in assuring the passage of this important legislation. I would urge an aye vote on the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. UNDERWOOD. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UNDERWOOD asked and was given permission to revise and extend his remarks.)

Mr. UNDERWOOD. Mr. Speaker, the committee has for more than a decade been considering various proposals to transfer ownership of the Sly Park Unit of the Central Valley Project. Many of the proposals we have seen have been so controversial that it has been impossible to secure passage of a bill.

We finally have a bill that resolves the most contentious issues, and the majority has worked with the administration to reach agreement on language that ensures the environmental review process will not be waived.

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The bill provides a financial solution that reflects agreement with the Office of Management and Budget. The man-

ager's amendment to H.R. 992 under consideration today no longer includes authority for the El Dorado Irrigation District to use tax exempt financing to pay off their remaining repayment obligations.

Under the bill as reported, Federal funds could be used to pay off this Federal debt. This inappropriate use of tax advantage funds municipal bond financing was opposed in dissenting views filed with the committee report, and it is appropriate that the offending language be removed from the bill.

Mr. Speaker, there have been significant and positive modifications to this legislation, and I understand that the administration now supports the bill, and we are prepared to support this legislation, H.R. 992, which is important for the gentleman from California (Mr. DOOLITTLE) in his district.

Mr. Speaker, I yield back the balance of my time.

Mr. DOOLITTLE. Mr. Speaker, I, too, am pleased to confirm that the administration is now officially on record in support of this legislation. I urge an aye vote.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the bill, H.R. 992, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### SOLANO WATER IMPOUNDMENT AND CONVEYANCE ACT

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1235) to authorize the Secretary of the Interior to enter into contracts with the Solano County Water Agency, California, to use Solano Project facilities for impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

The Clerk read as follows:

H.R. 1235

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. USE OF SOLANO PROJECT FACILITIES FOR NONPROJECT WATER.

(a) AUTHORIZATION.—The Secretary of the Interior is authorized to enter into contracts with the Solano County Water Agency, or any of its member unit contractors for water from the Solano Project, California, pursuant to the Act of February 21, 1911 (43 U.S.C. 523), for—

(1) the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes, using any facilities associated with the Solano Project, California; and

(2) the exchange of water among Solano Project contractors, for the purposes set forth in paragraph (1), using facilities associated with the Solano Project, California.

(b) LIMITATION.—The authorization under subsection (a) shall be limited to the use of that portion of the Solano Project facilities downstream of Mile 26 of the Putah South Canal (as that canal is depicted on the official maps of the Bureau of Reclamation), which is below the diversion points on the Putah South Canal utilized by the city of Fairfield for delivery of Solano Project water.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DOOLITTLE) and the gentleman from Guam (Mr. UNDERWOOD) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the city of Vallejo, California has tried to use its water supply facilities more efficiently, but has been limited by a provision in Federal law that prohibits the city from sharing space in an existing Federal water delivery canal. The city of Vallejo wants to wheel some of its drinking water through part of the canal serving California's Solano Project, a water project built by the Bureau of Reclamation in the 1950s. The city of Vallejo is prepared to pay any appropriate charges for the use of these facilities.

H.R. 1235 authorizes the Secretary of Interior to enter into contracts for the impounding, storage, and carriage of nonproject water using facilities associated with the Solano Project, California. In addition, any Warren Act contract affecting the Solano Project will be conducted with full compliance of all applicable environmental requirements.

I urge an aye vote on the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. UNDERWOOD. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UNDERWOOD asked and was given permission to revise and extend his remarks.)

Mr. UNDERWOOD. Mr. Speaker, H.R. 1235 was introduced on March 23, 1999, by the gentleman from California (Mr. GEORGE MILLER). The gentleman from California (Mr. GEORGE MILLER), our friend and colleague, is, of course, the senior Democrat on the Committee on Resources; but he also represents California's 7th Congressional District, which includes the city of Vallejo; and, unfortunately, he is not able to be with us at this time.

The city of Vallejo has requested congressional approval of its proposal to use excess capacity in a Bureau of Reclamation project canal to move part of its raw municipal water supply to a new water treatment plant. Legislation must be enacted because a limitation in Federal law currently prohibits the city in sharing space in an existing Federal water delivery canal.

Once this legislation is enacted, Vallejo will be able to negotiate and sign a so-called Warren Act contract to

wheel some of its water supply from its Lake Curry storage reservoir through a specific and limited part of the Putah South Canal. In doing so, Vallejo will be able to keep its current water permit active.

The Putah South Canal serves the Solano Project, constructed by the Bureau of Reclamation in the 1950s. Vallejo's proposal has been carefully negotiated by the Solano Water Authority and other Solano Project water users, including the City of Fairfield. Vallejo is prepared to pay all appropriate charges for the use of this facility. There will be no cost to the U.S.

Many California water agencies are becoming much more accustomed to using various facilities, some of them Federal, some State, some private, to facilitate the movement and transfer of water more efficiently around the State. There are both State and Federal initiatives to encourage more efficient water use, and many of the various CALFED programs focus on improved water management.

H.R. 1235 is part of that ongoing effort to bring some flexibility into our water management policies while continuing to meet important statutory, fiscal, and environmental requirements.

Execution of a Warren Act contract to benefit the city of Vallejo will require full compliance with Federal and State and environmental laws and regulations. We want to assure that no damage is done to the steelhead fishery that is returning to Suisun Creek or to other resources.

The record of the committee's consideration of H.R. 1235 includes correspondence from the Bureau of Reclamation, clearly indicating that all environment compliance requirements must be met before execution of a Warren Act contract to benefit the city of Vallejo. Those include the requirements of the National Environmental Policy Act of 1969, the California Environmental Quality Act, the Endangered Species Act, State Fish and Game Department regulations, and all other environmental mandates.

Mr. Speaker, H.R. 1235 is important to the city of Vallejo, and this legislation is not controversial.

I wish to congratulate the gentleman from California (Mr. GEORGE MILLER) on this important piece of legislation and thank the chairman for his cooperation and collaboration on this legislation. I urge my colleagues to support H.R. 1235.

Mr. Speaker, I yield back the balance of my time.

Mr. DOOLITTLE. Mr. Speaker, I urge an aye vote, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the bill, H.R. 1235.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. DOOLITTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bills just passed, H.R. 862, H.R. 992, and H.R. 1235.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT

Mr. BLILEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1714) to facilitate the use of electronic records and signatures in interstate or foreign commerce, as amended.

The Clerk read as follows:

H.R. 1714

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Electronic Signatures in Global and National Commerce Act".

#### TITLE I—VALIDITY OF ELECTRONIC RECORDS AND SIGNATURES FOR COMMERCE

##### SEC. 101. GENERAL RULE OF VALIDITY.

(a) GENERAL RULE.—With respect to any contract, agreement, or record entered into or provided in, or affecting, interstate or foreign commerce, notwithstanding any statute, regulation, or other rule of law, the legal effect, validity, or enforceability of such contract, agreement, or record shall not be denied—

(1) on the ground that the contract, agreement, or record is not in writing if the contract, agreement, or record is an electronic record; or

(2) on the ground that the contract, agreement, or record is not signed or is not affirmed by a signature if the contract, agreement, or record is signed or affirmed by an electronic signature.

(b) AUTONOMY OF PARTIES IN COMMERCE.—

(1) IN GENERAL.—With respect to any contract, agreement, or record entered into or provided in, or affecting, interstate or foreign commerce—

(A) the parties to such contract, agreement, or record may establish procedures or requirements regarding the use and acceptance of electronic records and electronic signatures acceptable to such parties;

(B) the legal effect, validity, or enforceability of such contract, agreement, or record shall not be denied because of the type or method of electronic record or electronic signature selected by the parties in establishing such procedures or requirements; and

(C) nothing in this section requires any party to use or accept electronic records or electronic signatures.

(2) CONSENT TO ELECTRONIC RECORDS.—Notwithstanding subsection (a) and paragraph (1) of this subsection—

(A) if a statute, regulation, or other rule of law requires that a record be provided or made available to a consumer in writing,

that requirement shall be satisfied by an electronic record if—

(i) the consumer has separately and affirmatively consented to the provision or availability of such record, or identified groups of records that that include such record, as an electronic record; and

(ii) has not withdrawn such consent; and

(B) if such statute, regulation, or other rule of law requires that a record be retained, that requirement shall be satisfied if such record complies with the requirements of subparagraphs (A) and (B) of subsection (c)(1).

(c) RETENTION OF CONTRACTS, AGREEMENTS, AND RECORDS.—

(1) ACCURACY AND ACCESSIBILITY.—If a statute, regulation, or other rule of law requires that a contract, agreement, or record be in writing or be retained, that requirement is met by retaining an electronic record of the information in the contract, agreement, or record that—

(A) accurately reflects the information set forth in the contract, agreement, or record after it was first generated in its final form as an electronic record; and

(B) remains accessible, for the period required by such statute, regulation, or rule of law, for later reference, transmission, and printing.

(2) EXCEPTION.—A requirement to retain a contract, agreement, or record in accordance with paragraph (1) does not apply to any information whose sole purpose is to enable the contract, agreement, or record to be sent, communicated, or received.

(3) ORIGINALS.—If a statute, regulation, or other rule of law requires a contract, agreement, or record to be provided, available, or retained in its original form, or provides consequences if the contract, agreement, or record is not provided, available, or retained in its original form, that statute, regulation, or rule of law is satisfied by an electronic record that complies with paragraph (1).

(4) CHECKS.—If a statute, regulation, or other rule of law requires the retention of a check, that requirement is satisfied by retention of an electronic record of all the information on the front and back of the check in accordance with paragraph (1).

##### SEC. 102. AUTHORITY TO ALTER OR SUPERSEDE GENERAL RULE.

(a) PROCEDURE TO ALTER OR SUPERSEDE.—Except as provided in subsection (b), a State statute, regulation, or other rule of law may modify, limit, or supersede the provisions of section 101 if such statute, regulation, or rule of law—

(1)(A) constitutes an enactment or adoption of the Uniform Electronic Transactions Act as reported to the State legislatures by the National Conference of Commissioners on Uniform State Laws; or

(B) specifies the alternative procedures or requirements for the use or acceptance (or both) of electronic records or electronic signatures to establish the legal effect, validity, or enforceability of contracts, agreements, or records; and

(2) if enacted or adopted after the date of enactment of this Act, makes specific reference to this Act.

(b) LIMITATIONS ON ALTERATION OR SUPERSESSION.—A State statute, regulation, or other rule of law (including an insurance statute, regulation, or other rule of law), regardless of its date of enactment or adoption, that modifies, limits, or supersedes section 101 shall not be effective to the extent that such statute, regulation, or rule—

(1) discriminates in favor of or against a specific technology, process, or technique of creating, storing, generating, receiving, communicating, or authenticating electronic records or electronic signatures;