SEC. 6. USE OF PICK–SLOAN POWER.
(a) The power, designated for future irrigation and drainage pumping for the Pick–Sloan Missouri River Basin Program, the Western Area Power Administration shall make available the energy required to meet the pumping and incidental operational requirements of the water supply project during the period beginning May 1 and ending October 31 of each year.
(b) CONDITIONS.—The capacity and energy described in subsection (a) shall be made available on a not-for-profit basis.
(2) The water supply system shall contract purchase the entire electric service requirements of the project, including the capacity and energy made available under subsection (a), from a qualified preference power supplier that itself purchases power from the Western Area Power Administration.
(3) The rate schedule applicable to the capacity and energy made available under subsection (a) shall be the firm power rate schedule of the Pick–Sloan Missouri River Basin Program of the Western Area Power Administration in effect when the power is delivered by the Administration to the qualified preference power suppliers.
(4) It is a condition of this contract among—
(A) the Western Area Power Administration;
(B) the power supplier with which the water supply system contracts under paragraph (3); and
(C) the provider of the energy described in subparagraph (B); and
(1) the city of Sioux Falls, South Dakota, shall purchase power from the Western Area Power Administration.
SEC. 7. NO LIMITATION ON WATER PROJECTS IN STATES.
This Act does not limit the authorization for water projects in the States of South Dakota, Iowa, and Minnesota under law in effect on or after the date of enactment of this Act.
SEC. 8. WATER RIGHTS.
Nothing in this Act—
(1) invalidates or preempts State water law or an interstate compact governing water;
(2) alters the rights of any State to any appropriated share of the waters of any body of surface or ground water, whether determined by past or future interstate compacts or by past or future legislative or final judicial allocations;
(3) preempts or modifies any Federal or State law, or interstate compact, governing water quality or disposal; or
(4) confers on any non-Federal entity the ability to exercise any Federal right to the waters of any stream or to any ground water resource.
SEC. 9. COST SHARING.
(a) FEDERAL COST SHARE.—
(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall provide funds equal to 80 percent of—
(A) the amount allocated in the total project construction budget for planning and construction of the water supply project under section 7; and
(B) such amounts as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after September 1, 1993.
(2) SIoux FALLS.—The Secretary shall provide funds for the city of Sioux Falls, South Dakota, in an amount equal to 50 percent of the incremental cost to the city of participation in the project.
(b) NON-FEDERAL COST SHARE.—
(1) IN GENERAL.—Except as provided in paragraph (2), the non-Federal share of the costs allocated to the water supply system shall be 20 percent of the amounts described in subsection (a).
(2) SIoux FALLS.—The non-Federal cost-share for the city of Sioux Falls, South Dakota, shall be 50 percent of the incremental cost to the city of participation in the project.
SEC. 10. BUREAU OF RECLAMATION.
(a) AUTHORIZATION.—At the request of the Secretary, the Committee on Appropriations shall make funds available under subsection (a), from the appropriated share of the waters of any body of surface or ground water, whether determined by past or future interstate compacts, for the purpose of development of the environmental enhancement component for the project.
(b) PROJECT OVERSIGHT ADMINISTRATION.—
(1) The amount of funds used by the Commissioner of Reclamation for oversight in subsection (a) shall not exceed the amount that is equal to 1 percent of the amount provided in the total project construction budget for the entire project construction period.
(2) OPERATION AND MAINTENANCE.—The water supply system shall be responsible for annual operation and maintenance of the project.
SEC. 11. AUTHORIZATION OF APPOINTMENTS.
There is authorized to be appropriated to carry out this Act $223,987,700, to remain available until expended, of which not more than $10,100,000 shall be used for the initial development of the environmental enhancement component under section 4.
The committee amendment in the nature of a substitute was agreed to.
THE CALANDER
Mr. LÖTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration en bloc of the following reported by the Energy Committee:
I further ask consent that H.R. 2079 be discharged from the Energy Committee and the Senate proceed to its consideration and H.R. 2889, which is at the desk.
I ask unanimous consent that any committee amendments, if applicable, be agreed to, with exception of calendar No. 367, H.R. 20, in which the committee amendments be withdrawn, and further, any amendments mentioned to be agreed to, the bills be read the third time and passed, any title amendments be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to any of these bills appear at this point in the Record, with the above occurring en bloc.
The PRESIDING OFFICER (Mr. ALARD). Without objection, it is so ordered.
GATEWAY VISITOR CENTER AUTHORIZATION ACT OF 1999
The bill (H.R. 449) to authorize the Gateway Visitor Center at Independence National Historical Park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.
MT. HOPE WATERPOWER PROJECT
The bill (H.R. 459) to extend the deadline under the Federal Power Act for FERC Project No. 9401, the Mt. Hope Waterpower Project, was considered, ordered to a third reading, read the third time, and passed.
STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL STUDY ACT OF 1999
The bill (H.R. 791) to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system, was considered, ordered to a third reading, read the third time, and passed.
OTAY MOUNTAIN WILDERNESS ACT OF 1999
The bill (H.R. 15) to designate a portion of the Otay Mountain region of California as wilderness, was considered, ordered to a third reading, read the third time, and passed.
ARIZONA STATEHOOD AND ENABLING ACT OF AMENDMENTS OF 1999
The bill (H.R. 747) to protect the permanent trust funds of the State of Arizona from erosion due to inflation and modify the basis on which distributions are made from those funds, was considered, ordered to a third reading, read the third time, and passed.
FRANKLIN D. ROOSEVELT NATIONAL HISTORIC SITE VISITOR CENTER
The bill (H.R. 1104) to authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the Home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center, was considered, ordered to a third reading, read the third time, and passed.
THOMAS COLE NATIONAL HISTORIC SITE ACT
The bill (H.R. 658) to establish the Thomas Cole National Historic Site in