Public Law 96-367
96th Congress

An Act

Making appropriations for energy and water development for the fiscal year ending September 30, 1981, and for other purposes.

Oct. 1, 1980
[H.R. 7590]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1981, for energy and water development, and for other purposes, namely:

Energy and Water Development Appropriation Act, 1981.

TITLE I—DEPARTMENT OF ENERGY

OPERATING EXPENSES

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

For operating expenses of the Department of Energy necessary for energy supply, research and development activities and other activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), $2,268,754,000, to remain available until expended: *Provided,* That during fiscal year 1981 and within the resources and authority available, gross obligations for the principal amount of direct loans for the Hydropower Feasibility Studies Loan Program shall not exceed $10,000,000.

42 USC 7101 note.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

For operating expenses of the Department of Energy necessary for uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), $1,009,040,000, to remain available until expended, of which $979,585,000 shall be derived from revenues received from the enrichment of uranium as authorized by section 111(h) of Public Law 93-438, as amended, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484): *Provided,* That within the limits of this appropriation, obligations may be incurred in advance of uranium enrichment revenue collections and shall be liquidated from such collections: *Provided further,* That this appropriation as well as all prior year balances are merged with the Uranium Supply and Enrichment Activities Plant and Capital Equipment Appropriation.

42 USC 5821.

GENERAL SCIENCE AND RESEARCH ACTIVITIES

For operating expenses of the Department of Energy necessary for general science and research activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), $378,015,000, to remain available until expended.

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ATOMIC ENERGY DEFENSE ACTIVITIES

For operating expenses of the Department of Energy necessary for atomic energy defense activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), $2,890,623,000, to remain available until expended.

42 USC 7101 note.

DEPARTMENTAL ADMINISTRATION

OFFICE OF THE SECRETARY

For salaries and expenses for the Office of the Secretary of Energy necessary for administering the Department in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), and for official reception and representation expenses (not to exceed $35,000), $4,892,000.

GENERAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for general management, program administration, field office and program support functions and other activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), including the hire of passenger motor vehicles; $390,324,000, to remain available until expended, of which $184,267,000 shall be derived from moneys received as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484): *Provided,* That of the funds provided, $7,075,000 shall be for the Office of the Inspector General.

42 USC 5821.

PLANT AND CAPITAL EQUIPMENT

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

For expenses of the Department of Energy in connection with the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for energy supply, research and development activities and other activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 135 of which 131 are for replacement only) including 6 police-type vehicles; $373,287,000, and in addition, $10,000,000 for the construction or acquisition by the Secretary of Energy of capacity for the away from reactor storage of spent nuclear fuel from electric powerplants licensed under the Atomic Energy Act of 1954, all to remain available until expended.

42 USC 2011 note.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

For expenses of the Department of Energy in connection with the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 20 for replace-

42 USC 7101 note.

ment only); $276,760,000, to remain available until expended, of which $274,460,000 shall be derived from revenues received from the enrichment of uranium as authorized by section 111(h) of Public Law 93-438, as amended, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484): *Provided,* That within the limits of this appropriation, obligations may be incurrred in advance of uranium enrichment revenue collections and shall be liquidated from such collections: *Provided further,* That this appropriation as well as all prior balances are merged with the Uranium Supply and Enrichment Activities Operating Expenses Appropriation.

42 USC 5821.

GENERAL SCIENCE AND RESEARCH ACTIVITIES

For expenses of the Department of Energy in connection with the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for general science and research activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 15 for replacement only); $126,400,000, to remain available until expended.

42 USC 7101 note.

ATOMIC ENERGY DEFENSE ACTIVITIES

For expenses of the Department of Energy in connection with the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for atomic energy defense activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 237 of which 212 are for replacement only) including 7 police-type vehicles; purchase of one aircraft for replacement only and acquisition of one additional aircraft at no cost through transfer from the Environmental Protection Agency; $600,005,000, to remain available until expended.

DEPARTMENTAL ADMINISTRATION

For expenses of the Department of Energy necessary for departmental administration and other activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, or for the purchase, construction or acquisition of capital equipment and other expenses incidental thereto, $38,065,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

OPERATION AND MAINTENANCE, ALASKA POWER ADMINISTRATION

For engineering and economic investigations to promote the development and utilization of the water, power, and related resources of Alaska, and for necessary expenses of operation and maintenance of projects in Alaska and of marketing electric power and energy, $3,069,000, to remain available until expended.

BONNEVILLE POWER ADMINISTRATION FUND

16 USC 838i.

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for construction of Southwest Oregon Service—Buckley-Summer Lake 500 KV transmission line and related facilities; and for official reception and representation expenses in an amount not to exceed $1,000.

During fiscal year 1981 and within the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed $2,400,000.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $1,552,000, to remain available until expended.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses connected therewith, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $28,208,000, to remain available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

42 USC 7152.

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (Public Law 95-91), other than the Upper Colorado River Storage Project, and for operation and maintenance of electric power transmission facilities, and power marketing including purchase power and wheeling, as authorized by law, including the purchase of passenger motor vehicles (not to exceed 17 of which 16 are for replacement only); $138,502,000, to remain available until expended, of which $124,200,000 shall be derived from the Department of the Interior Reclamation Fund and $600,000 shall be derived from the Colorado River Dam Fund for power marketing and transmission expenses of the Boulder Canyon Project.

COLORADO RIVER BASINS POWER MARKETING FUND, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (Public Law 95-91), for the Upper Colorado River Storage Project, as authorized by the Act of April 11, 1956, as amended (43 U.S.C. 620d), $3,548,000, to remain available until expended.

EMERGENCY FUND, WESTERN AREA POWER ADMINISTRATION

For the "Emergency Fund", as authorized by the Act of June 26, 1948 (43 U.S.C. 502), to remain available until expended for the purposes specified in that Act, $200,000, to be derived from the Department of the Interior Reclamation Fund.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (Public Law 95-91), including services as authorized by 5 U.S.C. 3109, $74,374,000.

42 USC 7101 note.

GEOTHERMAL RESOURCES DEVELOPMENT FUND

GEOTHERMAL LOAN GUARANTEE AND INTEREST ASSISTANCE PROGRAM

For carrying out the Loan Guarantee and Interest Assistance Program as authorized by the Geothermal Energy Research, Development and Demonstration Act of 1974, as amended, $1,284,000, to remain available until expended: *Provided,* That the indebtedness guaranteed or committed to be guaranteed through funds provided by this or any other appropriation Act shall not exceed the aggregate of $500,000,000: *Provided further,* That no part of this or any other appropriation for the purpose of the Loan Guarantee and Interest Assistance Program shall be available for obligation for loan guarantees or interest assistance contracts entered into after September 2, 1984: *Provided further,* That notwithstanding provisions in Public Law 94-355; Public Law 95-96 and Public Law 96-69 to the contrary, such portion of the funds previously appropriated for the Geothermal Loan Guarantee and Interest Assistance Program as are required to secure outstanding loan guarantee obligations for those loans still in force as of September 2, 1984, may remain available for obligation after that date for payment of valid claims against the program for a period not in excess of thirty years.

30 USC 1101 note.

90 Stat. 889.
91 Stat. 797.
93 Stat. 437.

GENERAL PROVISIONS, DEPARTMENT OF ENERGY

SEC. 101. Appropriations to the Department of Energy under this title for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance and operation of aircraft; purchase, repair and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services. From these appropriations, transfers of sums may be made to other agencies of the United States Government for the performance of work for which this appropriation is made. None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriation Act. The Secretary is authorized to accept lands, buildings, equipment and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State or private.

Motor vehicles, aircraft.

Contributions, acceptance.

SEC. 102. None of the funds appropriated for Department of Energy activities by this Act shall be available for any purpose related to the

Waste Isolation Pilot Plant, N. Mex.

obtaining or issuing of a license by the Nuclear Regulatory Commission to operate the Waste Isolation Pilot Plant, Delaware Basin, Southeast New Mexico (Project 77-13-f), or for any purpose related to the storage at the Waste Isolation Pilot Plant project site, radioactive waste not resulting from the national defense activities of the Department of Energy.

Appropriation transfers, submittal to congressional committees.

SEC. 103. Not to exceed 5 per centum of any appropriations made available for the current fiscal year for Energy Supply, Research and Development Activities; Uranium Supply and Enrichment Activities; General Science and Research Activities; Atomic Energy Defense Activities; and Departmental Administration may be transferred between such appropriations, but no such appropriation, except as otherwise provided, shall be increased or decreased by more than 5 per centum by any such transfers, and any such proposed transfers shall be submitted promptly to the Committees on Appropriations and the appropriate authorizing committees of the House and Senate for approval.

TITLE II—DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

River and harbor, flood control, shore protection, study.

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, and when authorized by law, surveys and studies of projects prior to authorization for construction, $134,013,000 to remain available until expended: *Provided*, That none of the funds made available in this paragraph shall be obligated or expended for the study of Diversion of Lake Michigan at Chicago, if such study would result in adverse diminution of generation at hydroelectric facilities on the Niagara or St. Lawrence Rivers.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,585,742,000 to remain available until expended: *Provided*, That notwithstanding the provisions of Public Law 89-72 of the Federal Water Project Recreation Act of 1965 (79 Stat. 213, July 9, 1965), section 2A2, which limits the costs to be allocated to recreation or to fish and wildlife enhancement, the Corps of Engineers is directed to proceed with construction of site 20 of the Papio Creek Basin

16 USC 460*l*-13.

Nebraska plan of flood control improvements authorized by Public Law 94-83, the Flood Control Act of 1968: *Provided further,* That within available funds, $1,500,000 shall be for emergency beach nourishment at Mt. Baldy at the Indiana Dunes National Lakeshore and shall remain available until expended: *Provided further,* That funds appropriated for the Siuslaw River and Bar, Oregon navigation project, authorized by the Rivers and Harbors Act of 1910, as amended and modified, shall be used to design and construct further modifications to that project in accordance with the Report of the Division Engineer, North Pacific Division, dated 16 June 1976: *Provided further,* That the Chief of Engineers is directed to spend not more than $3,000,000 to provide beach nourishment to replenish the authorized project for beach erosion control at Oceanside, San Diego County, California, to its previous configuration from any materials that he may reasonably obtain for that purpose.

42 USC 4332.
82 Stat. 739.

36 Stat. 630.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g-1), $232,519,000, to remain available until expended: *Provided,* That not less than $250,000 shall be available for bank stabilization measures as determined by the Chief of Engineers to be advisable for the control of bank erosion of streams in the Yazoo Basin, including the foothill area, and where necessary such measures shall complement similar works planned and constructed by the Soil Conservation Service and be limited to the areas of responsibility mutually agreeable to the District Engineer and the State Conservationist: *Provided further,* That none of the funds available to the Corps of Engineers' civil works program shall be available, except on a voluntary basis, for the acquisition of land or easements for the impoundment of floodwaters, or for the purpose of enlarging the four Yazoo Basin reservoirs, as determined by the Corps to be necessary because records of recent years show a more frequent incidence of high lake levels than originally calculated for the four lake projects in the Yazoo Basin, Mississippi, but this provision shall not apply to the acquisition of rights-of-way for a plan for flood protection for the town of Coffeeville which has the concurrence of community officials: *Provided further,* That funds in this Act for the Tensas Basin Red River Backwater Area, Louisiana project are to be used to construct features for flood control and allied purposes for Sicily Island and Below Red River including pumping stations and such other modifications of these or existing features in this area as the Chief of Engineers determines advisable, subject to non-Federal cooperation for each separable feature of such work at the time of construction as is required for work pursuant to the August 18, 1941, authorization.

55 Stat. 638.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; administration of laws pertaining to preservation of navigable waters; surveys and charting of northern and northwestern lakes and connecting waters; clearing

and straightening channels; and removal of obstructions to navigation; $902,605,000 to remain available until expended: *Provided,* That not to exceed $1,000,000 shall be available to reimburse non-Federal public interests for the costs of diking dredged disposal areas at Federal projects provided by non-Federal public interests and for funds contributed or advanced to the Secretary of the Army by non-Federal public interests for diking of dredged disposal areas at Federal projects, during the period October 1, 1978, to December 3, 1979, where the Secretary of the Army, acting through the Chief of Engineers, determines that such costs of diking or funds contributed or advanced and expended were not specifically required of such non-Federal public interests by project authorization: *Provided further,* That the authorized project dimensions for East Pass Channel, Florida, are hereby modified to provide a channel length of approximately 3,800 feet in lieu of 2,000 feet from the East Pass Channel into Old Pass Lagoon, with no changes in width and depth.

REVOLVING FUND

For design and construction of hopper dredges, and for the purchase of one aircraft, $43,225,000, to remain available until expended: *Provided,* That approximately $8,500,000 of this amount shall be used for the purchase of one aircraft for replacement of the existing aircraft of the Chief of Engineers.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the office of the Chief of Engineers and offices of the Division Engineers; activities of the Board of Engineers for Rivers and Harbors and the Coastal Engineering Research Center; commercial statistics; and miscellaneous investigations; $81,030,000.

SPECIAL RECREATION USE FEES

For construction, operation, and maintenance of outdoor recreation facilities, including collection of special recreation use fees, to remain available until expended, $5,000,000, to be derived from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l).

16 USC 460*l*-4 note.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for expenses of attendance by military personnel at meetings in the manner authorized by 5 U.S.C. 4110, uniforms, and allowances therefor, as authorized by law (5 U.S.C. 5901-5902), and for printing, either during a recess or session of Congress, of survey reports authorized by law, and such survey reports as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress; not to exceed $2,000 for official reception and representation expenses; and during the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed 221 of which 216 shall be for replacement only) and hire of passenger motor vehicles: *Provided,* That the total accrued expenditures of the capital investment program of the revolving fund shall not exceed $150,000,000 in fiscal year 1981.

GENERAL PROVISION

SEC. 201. None of the funds appropriated in this title, except as specifically contained herein, shall be used to alter, modify, dismantle, or otherwise change any project which is partially constructed but not funded for construction in this title.

FLOOD CONTROL PROJECTS

SEC. 202. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to design and construct, at full Federal expense, such flood control measures at or in the vicinity of—

(1) Pikesville, Kentucky, and of Grundy, Virginia, on the Levisa Fork of the Big Sandy River,

(2) Pineville, Kentucky, on the Cumberland River, and

(3) Williamson and Matewan, West Virginia, on the Tug Fork of the Big Sandy River,

as the Chief of Engineers determines necessary and advisable to afford these communities and other flood damaged localities and their immediate environs on both the Levisa and Tug Fork of the Big Sandy River and Cumberland River a level of protection against flooding at least sufficient to prevent any future losses to these communities from the likelihood of flooding such as occurred in April 1977, at an estimated cost of $284,000,000. Non-Federal interests shall hold and save the United States free from damages due to construction works referred to in this section, and maintain and operate all such works after their completion in accordance with regulations prescribed by the Secretary of the Army.

(b) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

(c) The Congress finds that the benefits attributable to the objectives set forth in section 209 of the Flood Control Act of 1970 exceed the cost of the flood control measures authorized by this section. 42 USC 1962-2.

TITLE III—DEPARTMENT OF THE INTERIOR

WATER AND POWER RESOURCES SERVICE

For carrying out the functions of the Water and Power Resources Service as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Service as follows: 43 USC 371 note.

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation and betterment, financial adjustment, or extension of existing projects, to remain available until expended, $38,629,000, of which $38,579,000 is to be derived from the reclamation fund.

CONSTRUCTION PROGRAM

For construction and rehabilitation of projects and parts thereof (including power transmission facilities for Water and Power Resources Service use) and for other related activities as authorized by law, to remain available until expended, $570,641,000, of which $118,392,000 shall be available for advances to the Upper Colorado

43 USC 620d.

43 USC 1543.

San Luis Unit interceptor drain.

76 Stat. 1180.

Wellton-Mohawk Irrigation and Drainage District.

Fremont-Madison Irrigation District.

43 USC 504.

River Basin Fund authorized by section 5 of the Act of April 11, 1956, and $135,235,000 shall be available for advances to the Lower Colorado River Basin Fund authorized by section 403 of the Act of September 30, 1968: *Provided,* That of the total appropriated, $162,602,000 shall be derived from the Reclamation Fund: *Provided further,* That advances to the Upper Colorado River Basin Fund and Lower Colorado River Basin Development Fund may be increased or decreased by transfers within the overall appropriation to this heading: *Provided further,* That the unexpended balances of the appropriation accounts for "Construction and Rehabilitation", "Colorado River Basin Salinity Control Projects", and "Recreational and Fish and Wildlife" shall be merged into one and made available for the same purposes as appropriations under this heading: *Provided further,* That the final point of discharge for the interceptor drain for the San Luis Unit shall not be determined until development by the Secretary of the Interior and the State of California of a plan, which shall conform with the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters: *Provided further,* That of the total amount appropriated in this Act not to exceed $2,000,000 is for archeological research and recovery operations, in addition to any funds otherwise authorized for such operations, at New Melones Dam and Reservoir, California, authorized by the Flood Control Act of 1962: *Provided further,* That the Secretary of the Interior is authorized and directed to allocate as nonreimbursable and nonreturnable that part of the cost of constructing Red Fleet Dam on the Jensen Unit, Central Utah Project, which resulted from changes in the design to recognize state-of-the-art criteria deemed necessary for dam safety: *Provided further,* That no part of the funds herein approved shall be available for construction or operation of facilities to prevent waters of Lake Powell from entering any national monument: *Provided further,* That of the amount herein appropriated not to exceed $6,000,000 for the Wellton-Mohawk Irrigation and Drainage District, Gila Project, Arizona, shall be available for improvement of the Gila River Channel to facilitate drainage of lands within the District under a repayment obligation heretofore established by existing contract between the Secretary of the Interior and the District: *Provided further,* That of the amount herein appropriated not to exceed $10,000 shall be available to initiate a rehabilitation and betterment program with the Fremont-Madison Irrigation District to rehabilitate the facilities of the Marysville, Farmer's Own, Yellowstone, Squirrel Creek, and Silky Canal Companies under the Act of October 7, 1949 (63 Stat. 724), as amended, to be repaid in full by the lands served and under conditions satisfactory to the Secretary of Interior.

OPERATION AND MAINTENANCE

For operation and maintenance of reclamation projects or parts thereof and other facilities, as authorized by law; and for a soil and moisture conservation program on lands under the jurisdiction of the Water and Power Resources Service pursuant to law, to remain available until expended, $101,117,000, of which $62,398,000 shall be derived from the reclamation fund and $12,858,000 shall be derived from the Colorado River Dam fund: *Provided,* That funds advanced by water users for operation and maintenance of reclamation projects or parts thereof shall be deposited to the credit of this appropriation and may be expended for the same objects and in the same manner as

sums appropriated herein may be expended, and such advances shall remain available until expended.

LOAN PROGRAM

For loans to irrigation districts and other public agencies for construction of distribution systems on authorized Federal reclamation projects, and for loans and grants to non-Federal agencies for construction of projects, as authorized by the Acts of July 4, 1955, as amended (43 U.S.C. 421a-421d), and August 6, 1956, as amended (43 U.S.C. 422a-422k), including expenses necessary for carrying out the program, $22,924,000, to remain available until expended: *Provided,* That during 1981, and within the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed $38,000,000: *Provided further,* That any contract under the Act of July 4, 1955, (69 Stat. 244), as amended, not yet executed by the Secretary, which calls for the making of loans beyond the fiscal year in which the contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197).

43 USC 421a.

43 USC 388.

GENERAL ADMINISTRATIVE EXPENSES

For necessary expenses of general administration and related functions in the offices of the Commissioner of the Water and Power Resources Service and in the regional offices of the Water and Power Resources Service, $38,150,000, to be derived from the reclamation fund and to be nonreimbursable pursuant to the Act of April 19, 1945 (43 U.S.C. 377): *Provided,* That no part of any other appropriation in this Act shall be available for activities or functions budgeted for the current fiscal year as general administrative expenses.

SPECIAL FUNDS

Sums herein referred to as being derived from the Reclamation fund, the Colorado River Dam fund, or the Colorado River development fund, are appropriated from the special funds in the Treasury created by the Act of June 17, 1902 (43 U.S.C. 391), the Act of December 21, 1928 (43 U.S.C. 617a), and the Act of July 19, 1940 (43 U.S.C. 618a) respectively. Such sums shall be transferred, upon request of the Secretary, to be merged with and expended under the heads herein specified; and the unexpended balances of sums transferred for expenditure under the heads "Operation and Maintenance" and "General Administrative Expenses" shall revert and be credited to the special fund from which derived.

Transfer of funds.

ADMINISTRATIVE PROVISIONS

Appropriations for the Water and Power Resources Service shall be available for purchase of not to exceed 30 passenger motor vehicles of which 26 shall be for replacement only; payment of claims for damages to or loss of property, personal injury, or death arising out of activities of the Water and Power Resources Service; payment, except as otherwise provided for, of compensation and expenses of persons on the rolls of the Water and Power Resources Service appointed as authorized by law to represent the United States in the negotiations and administration of interstate compacts without reimbursement or return under the reclamation laws; for service as authorized by 5

U.S.C. 3109, in total not to exceed $300,000; rewards for information or evidence concerning violations of law involving property under the jurisdiction of the Water and Power Resources Service; performance of the functions specified under the head "Operation and Maintenance Administration", Bureau of Reclamation, in the Interior Department Appropriation Act, 1945; preparation and dissemination of useful information including recordings, photographs, and photographic prints; and studies of recreational uses of reservoir areas, and investigation and recovery of archeological and paleontological remains in such areas in the same manner as provided for in the Act of August 21, 1935 (16 U.S.C. 461-467): *Provided,* That no part of any appropriation made herein shall be available pursuant to the Act of April 19, 1945 (43 U.S.C. 377), for expenses other than those incurred on behalf of specific reclamation projects except "General Administrative Expenses" and amounts provided for reconnaissance, basin surveys, and general engineering and research under the head "General Investigations".

58 Stat. 463.

Sums appropriated herein which are expended in the performance of reimbursable functions of the Water and Power Resources Service shall be returnable to the extent and in the manner provided by law.

No part of any appropriation for the Water and Power Resources Service, contained in this Act or in any prior Act, which represents amounts earned under the terms of a contract but remaining unpaid, shall be obligated for any other purpose, regardless of when such amounts are to be paid: *Provided,* That the incurring of any obligation prohibited by this paragraph shall be deemed a violation of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665).

43 USC 377a.

No funds appropriated to the Water and Power Resources Service for operation and maintenance, except those derived from advances by water users, shall be used for the particular benefits of lands (a) within the boundaries of an irrigation district, (b) of any member of a water users' organization, or (c) of any individual when such district, organization, or individual is in arrears for more than twelve months in the payment of charges due under a contract entered into with the United States pursuant to laws administered by the Water and Power Resources Service.

General Provisions, Department of the Interior

Emergency reconstruction.

Sec. 301. Appropriations in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided,* That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted.

Additional appropriations.

Sec. 302. The Secretary may authorize the expenditure or transfer (within each bureau or office) of any appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior.

Facilities, operation.

Sec. 303. Appropriations in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency, or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by the Act of

June 30, 1932 (31 U.S.C. 686): *Provided,* That reimbursements for costs of supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 304. Appropriations in this title shall be available for hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone services in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

Aircraft and motor vehicles.

TITLE IV—INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Cochairman and his alternate on the Appalachian Regional Commission and for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $3,192,000.

FUNDS APPROPRIATED TO THE PRESIDENT

APPALACHIAN REGIONAL DEVELOPMENT PROGRAMS

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, except expenses authorized by section 105 of said Act, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, to remain available until expended, $339,300,000, of which $214,600,000 shall be available for the Appalachian Development Highway System.

40 USC app. 1.
40 USC app. 105.

DELAWARE RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), $116,000.

CONTRIBUTION TO DELAWARE RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Delaware River Basin Commission, as authorized by law (75 Stat. 706, 707), $269,000.

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

CONTRIBUTION TO INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

To enable the Secretary of the Treasury to pay in advance to the Interstate Commission on the Potomac River Basin the Federal contribution toward the expenses of the Commission during the

current fiscal year in the administration of its business in the conservancy district established pursuant to the Act of July 11, 1940 (54 Stat. 748), as amended by the Act of September 25, 1970 (Public Law 91-407), $55,000.

33 USC 567b.
33 USC 567b-1.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act, as amended, namely the control of atomic energy and the issuance of licenses as authorized by section 103 (42 U.S.C. 2133) so as to make the maximum contribution to the general welfare, promote world peace, increase the standard of living and strengthen free competition in private enterprise, subject at all times to the paramount objective of making the maximum contribution to the common defense and security and to the objective of protecting the health and safety of the public, including the employment of aliens; services authorized by 5 U.S.C. 3109; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms; official entertainment expenses (not to exceed $3,000); reimbursement of the General Services Administration for security guard services; hire of passenger motor vehicles and aircraft; $447,520,000, to remain available until expended: *Provided,* That from this appropriation, transfer of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further,* That moneys received by the Commission for the cooperative nuclear safety research programs may be retained and used for salaries and expenses associated with those programs, notwithstanding the provisions of 31 U.S.C. 484, and shall remain available until expended.

42 USC 5801 note.
42 USC 2011 note.

NUCLEAR SAFETY OVERSIGHT COMMITTEE

For expenses necessary for the Nuclear Safety Oversight Committee, $1,500,000, to remain available until expended.

SUSQUEHANNA RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Susquehanna River Basin Commission, as authorized by law (84 Stat. 1541), $112,000.

CONTRIBUTION TO SUSQUEHANNA RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Susquehanna River Basin Commission as authorized by law (84 Stat. 1530, 1531), $200,000.

TENNESSEE VALLEY AUTHORITY

PAYMENT TO TENNESSEE VALLEY AUTHORITY FUND

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C., ch. 12A), including purchase, hire, maintenance, and operation of aircraft, and purchase and hire of passenger motor vehicles, $269,563,000, to remain available until expended.

16 USC 831 *et seq.*

COLUMBIA DAM AND RESERVOIR

For necessary expenses for the orderly and expeditious completion of the Columbia Dam and Reservoir project near Columbia, Tennessee, for flood control, water supply, regional development and other purposes, including the maintenance of a normal maximum reservoir pool of 630 feet above sea level by August 1985 and thereafter, according to sound engineering practice, $18,000,000, to remain available until expended.

WATER RESOURCES COUNCIL

WATER RESOURCES PLANNING

For the Water Resources Council for expenses necessary in carrying out the provisions of the Water Resources Planning Act of 1965 (42 U.S.C. 1962-1962d-3), as amended, including services as authorized by 5 U.S.C. 3109 and 42 U.S.C. 1962a-4(5), and hire of passenger motor vehicles (42 U.S.C. 1962a-4(6)), $24,777,000 to remain available until expended, including $4,748,000 for expenses in administering the Act (42 U.S.C. 1962d(b)), $4,186,000 for preparation of assessments and plans (42 U.S.C. 1962d(c)), $3,443,000 for expenses of river basin commissions under title II of the Act (42 U.S.C. 1962d(a)), $10,000,000 for grants to States under title III of the Act (42 U.S.C. 1962c(a)), and $2,400,000 for Upper Mississippi Comprehensive Management Plan (42 U.S.C. 1962b-3).

TITLE V—GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds in this Act shall be used to pay the expenses of, or otherwise compensate, parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

Appropriation authorization.

SEC. 504. There is appropriated, out of any money in the Treasury not otherwise appropriated, for payment to Dorothy Runnels, widow of Harold Runnels, late a Representative from the State of New Mexico, $60,663.

Short title.

This Act may be cited as the "Energy and Water Development Appropriation Act, 1981".

Approved October 1, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-1093 (Comm. on Appropriations) and No. 96-1366 (Comm. of Conference).
SENATE REPORT No. 96-927 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 126 (1980):
June 24, 25, considered and passed House.
Sept. 9, 10, considered and passed Senate, amended.
Sept. 24, House agreed to conference report; concurred in certain Senate amendments, in others with amendments; Senate agreed to conference report; concurred in House amendments.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 16, No. 40:
Oct. 1, Presidential statement.