

Union Calendar No. 61

107TH CONGRESS
1ST SESSION

H. R. 2311

[Report No. 107-112]

Making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2001

Mr. CALLAHAN, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for energy and water development for the fiscal year ending September 30, 2002, 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,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2002, and for other pur-
6 poses, namely:

1 Area Flood Control Agency regarding the oper-
2 ation of Folsom Dam and Reservoir, as may be
3 necessary, in order that, notwithstanding any
4 prior agreement or provision of law, 100 per-
5 cent of the water needed to make up for any
6 water shortage caused by variable flood control
7 operation during any year at Folsom Dam and
8 resulting in a significant impact to the environ-
9 ment or to recreation shall be replaced, to the
10 extent that water is available, as determined by
11 the Secretary of the Interior, with 100 percent
12 of the cost of such available water borne by the
13 Sacramento Area Flood Control Agency.”.

14 TITLE III

15 DEPARTMENT OF ENERGY

16 ENERGY PROGRAMS

17 ENERGY SUPPLY

18 For Department of Energy expenses including the
19 purchase, construction and acquisition of plant and capital
20 equipment, and other expenses necessary for energy sup-
21 ply activities in carrying out the purposes of the Depart-
22 ment of Energy Organization Act (42 U.S.C. 7101 et
23 seq.), including the acquisition or condemnation of any
24 real property or any facility or for plant or facility acquisi-
25 tion, construction, or expansion; and the purchase of not

1 to exceed 17 passenger motor vehicles for replacement
2 only, \$639,317,000, to remain available until expended.

3 NON-DEFENSE ENVIRONMENTAL MANAGEMENT

4 For Department of Energy expenses, including the
5 purchase, construction and acquisition of plant and capital
6 equipment and other expenses necessary for non-defense
7 environmental management activities in carrying out the
8 purposes of the Department of Energy Organization Act
9 (42 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 \$227,872,000, to remain available until expended.

13 URANIUM FACILITIES MAINTENANCE AND REMEDIATION

14 For necessary expenses to maintain, decontaminate,
15 decommission, and otherwise remediate uranium proc-
16 essing facilities, \$393,425,000, of which \$272,641,000
17 shall be derived from the Uranium Enrichment Decon-
18 tamination and Decommissioning Fund, all of which shall
19 remain available until expended.

20 SCIENCE

21 For Department of Energy expenses including the
22 purchase, construction and acquisition of plant and capital
23 equipment, and other expenses necessary for science ac-
24 tivities in carrying out the purposes of the Department
25 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-

1 cluding the acquisition or condemnation of any real prop-
2 erty or facility or for plant or facility acquisition, construc-
3 tion, or expansion, and purchase of not to exceed 25 pas-
4 senger motor vehicles for replacement only,
5 \$3,166,395,000, to remain available until expended.

6 NUCLEAR WASTE DISPOSAL

7 For nuclear waste disposal activities to carry out the
8 purposes of Public Law 97-425, as amended, including
9 the acquisition of real property or facility construction or
10 expansion, \$133,000,000, to remain available until ex-
11 pended and to be derived from the Nuclear Waste Fund:
12 *Provided*, That not to exceed \$2,500,000 may be provided
13 to the State of Nevada solely for expenditures, other than
14 salaries and expenses of State employees, to conduct sci-
15 entific oversight responsibilities pursuant to the Nuclear
16 Waste Policy Act of 1982, Public Law 97-425, as amend-
17 ed: *Provided further*, That \$6,000,000 shall be provided
18 to affected units of local governments, as defined in Public
19 Law 97-425, to conduct appropriate activities pursuant
20 to the Act: *Provided further*, That the distribution of the
21 funds as determined by the units of local government shall
22 be approved by the Department of Energy: *Provided fur-*
23 *ther*, That the funds for the State of Nevada shall be made
24 available solely to the Nevada Division of Emergency Man-
25 agement by direct payment and units of local government

1 by direct payment: *Provided further*, That within 90 days
2 of the completion of each Federal fiscal year, the Nevada
3 Division of Emergency Management and the Governor of
4 the State of Nevada and each local entity shall provide
5 certification to the Department of Energy that all funds
6 expended from such payments have been expended for ac-
7 tivities authorized by Public Law 97-425 and this Act.
8 Failure to provide such certification shall cause such enti-
9 ty to be prohibited from any further funding provided for
10 similar activities: *Provided further*, That none of the funds
11 herein appropriated may be: (1) used directly or indirectly
12 to influence legislative action on any matter pending be-
13 fore Congress or a State legislature or for lobbying activity
14 as provided in 18 U.S.C. 1913; (2) used for litigation ex-
15 penses; or (3) used to support multi-State efforts or other
16 coalition building activities inconsistent with the restric-
17 tions contained in this Act: *Provided further*, That all pro-
18 ceeds and recoveries realized by the Secretary in carrying
19 out activities authorized by the Nuclear Waste Policy Act
20 of 1982, Public Law 97-425, as amended, including but
21 not limited to, any proceeds from the sale of assets, shall
22 be available without further appropriation and shall re-
23 main available until expended.

1 DEPARTMENTAL ADMINISTRATION

2 (INCLUDING TRANSFER OF FUNDS)

3 For salaries and expenses of the Department of En-
4 ergy necessary for departmental administration in car-
5 rying out the purposes of the Department of Energy Orga-
6 nization Act (42 U.S.C. 7101 et seq.), including the hire
7 of passenger motor vehicles and official reception and rep-
8 resentation expenses (not to exceed \$35,000),
9 \$209,611,000, to remain available until expended, plus
10 such additional amounts as necessary to cover increases
11 in the estimated amount of cost of work for others not-
12 withstanding the provisions of the Anti-Deficiency Act (31
13 U.S.C. 1511 et seq.): *Provided*, That such increases in
14 cost of work are offset by revenue increases of the same
15 or greater amount, to remain available until expended:
16 *Provided further*, That of the funds provided to the De-
17 partment of Energy under title III of Public Law 105-
18 277 for activities related to achieving Year 2000 conver-
19 sion of Federal information technology systems and re-
20 lated expenses, remaining balances, estimated to be
21 \$1,480,000, may be transferred to this account, and shall
22 remain available until expended, for continuation of infor-
23 mation technology enhancement activities: *Provided fur-*
24 *ther*, That moneys received by the Department for mis-
25 cellaneous revenues estimated to total \$137,810,000 in

1 fiscal year 2002 may be retained and used for operating
2 expenses within this account, and may remain available
3 until expended, as authorized by section 201 of Public
4 Law 95-238, notwithstanding the provisions of 31 U.S.C.
5 3302: *Provided further*, That the sum herein appropriated
6 shall be reduced by the amount of miscellaneous revenues
7 received during fiscal year 2002 so as to result in a final
8 fiscal year 2002 appropriation from the General Fund es-
9 timated at not more than \$71,801,000.

10 OFFICE OF THE INSPECTOR GENERAL

11 For necessary expenses of the Office of the Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, as amended, \$32,430,000, to remain
14 available until expended.

15 ATOMIC ENERGY DEFENSE ACTIVITIES

16 NATIONAL NUCLEAR SECURITY

17 ADMINISTRATON

18 WEAPONS ACTIVITIES

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

1 plant or facility acquisition, construction, or expansion;
2 and the purchase of not to exceed 11 passenger motor ve-
3 hicles for replacement only, \$5,123,888,000, to remain
4 available until expended.

5 DEFENSE NUCLEAR NONPROLIFERATION

6 For Department of Energy expenses, including the
7 purchase, construction and acquisition of plant and capital
8 equipment and other incidental expenses necessary for
9 atomic energy defense, defense nuclear nonproliferation
10 activities, in carrying out the purposes of the Department
11 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
12 cluding the acquisition or condemnation of any real prop-
13 erty or any facility or for plant or facility acquisition, con-
14 struction, or expansion, \$845,341,000, to remain available
15 until expended.

16 NAVAL REACTORS

17 For Department of Energy expenses necessary for
18 naval reactors activities to carry out the Department of
19 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
20 ing the acquisition (by purchase, condemnation, construc-
21 tion, or otherwise) of real property, plant, and capital
22 equipment, facilities, and facility expansion,
23 \$688,045,000, to remain available until expended.

1 OFFICE OF THE ADMINISTRATOR

2 For necessary expenses of the Office of the Adminis-
3 trator of the National Nuclear Security Administration,
4 including official reception and representation expenses
5 (not to exceed \$12,000), \$10,000,000, to remain available
6 until expended.

7 ENVIRONMENTAL AND OTHER DEFENSE

8 ACTIVITIES

9 DEFENSE ENVIRONMENTAL RESTORATION AND WASTE

10 MANAGEMENT

11 For Department of Energy expenses, including the
12 purchase, construction and acquisition of plant and capital
13 equipment and other expenses necessary for atomic energy
14 defense environmental restoration and waste management
15 activities in carrying out the purposes of the Department
16 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
17 cluding the acquisition or condemnation of any real prop-
18 erty or any facility or for plant or facility acquisition, con-
19 struction, or expansion; and the purchase of not to exceed
20 30 passenger motor vehicles, of which 27 shall be for re-
21 placement only, \$5,174,539,000, to remain available until
22 expended.

23 DEFENSE FACILITIES CLOSURE PROJECTS

24 For expenses of the Department of Energy to accel-
25 erate the closure of defense environmental management

1 sites, including the purchase, construction and acquisition
2 of plant and capital equipment and other necessary ex-
3 penses, \$1,092,878,000, to remain available until ex-
4 pended.

5 DEFENSE ENVIRONMENTAL MANAGEMENT

6 PRIVATIZATION

7 For Department of Energy expenses for privatization
8 projects necessary for atomic energy defense environ-
9 mental management activities authorized by the Depart-
10 ment of Energy Organization Act (42 U.S.C. 7101 et
11 seq.), \$143,208,000, to remain available until expended.

12 OTHER DEFENSE ACTIVITIES

13 For Department of Energy expenses, including the
14 purchase, construction and acquisition of plant and capital
15 equipment and other expenses necessary for atomic energy
16 defense, other defense activities, in carrying out the pur-
17 poses of the Department of Energy Organization Act (42
18 U.S.C. 7101 et seq.), including the acquisition or con-
19 demnation of any real property or any facility or for plant
20 or facility acquisition, construction, or expansion,
21 \$487,464,000, to remain available until expended.

22 DEFENSE NUCLEAR WASTE DISPOSAL

23 For nuclear waste disposal activities to carry out the
24 purposes of Public Law 97-425, as amended, including
25 the acquisition of real property or facility construction or

1 expansion, \$310,000,000, to remain available until ex-
2 pended.

3 POWER MARKETING ADMINISTRATIONS

4 BONNEVILLE POWER ADMINISTRATION FUND

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

9 During fiscal year 2002, no new direct loan obliga-
10 tions may be made.

11 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER 12 ADMINISTRATION

13 For necessary expenses of operation and maintenance
14 of power transmission facilities and of marketing electric
15 power and energy, including transmission wheeling and
16 ancillary services, pursuant to the provisions of section 5
17 of the Flood Control Act of 1944 (16 U.S.C. 825s), as
18 applied to the southeastern power area, \$4,891,000, to re-
19 main available until expended; in addition, notwith-
20 standing the provisions of 31 U.S.C. 3302, up to
21 \$8,000,000 collected by the Southeastern Power Adminis-
22 tration pursuant to the Flood Control Act to recover pur-
23 chase power and wheeling expenses shall be credited to
24 this account as offsetting collections, to remain available

1 until expended for the sole purpose of making purchase
2 power and wheeling expenditures.

3 OPERATION AND MAINTENANCE, SOUTHWESTERN

4 POWER ADMINISTRATION

5 For necessary expenses of operation and maintenance
6 of power transmission facilities and of marketing electric
7 power and energy, and for construction and acquisition of
8 transmission lines, substations and appurtenant facilities,
9 and for administrative expenses, including official recep-
10 tion and representation expenses in an amount not to ex-
11 ceed \$1,500 in carrying out the provisions of section 5
12 of the Flood Control Act of 1944 (16 U.S.C. 825s), as
13 applied to the southwestern power area, \$28,038,000, to
14 remain available until expended; in addition, notwith-
15 standing the provisions of 31 U.S.C. 3302, not to exceed
16 \$5,200,000 in reimbursements, to remain available until
17 expended: *Provided*, That up to \$1,512,000 collected by
18 the Southwestern Power Administration pursuant to the
19 Flood Control Act to recover purchase power and wheeling
20 expenses shall be credited to this account as offsetting col-
21 lections, to remain available until expended for the sole
22 purpose of making purchase power and wheeling expendi-
23 tures.

1 CONSTRUCTION, REHABILITATION, OPERATION AND
2 MAINTENANCE, WESTERN AREA POWER ADMINIS-
3 TRATION

4 For carrying out the functions authorized by title III,
5 section 302(a)(1)(E) of the Act of August 4, 1977 (42
6 U.S.C. 7152), and other related activities including con-
7 servation and renewable resources programs as author-
8 ized, including official reception and representation ex-
9 penses in an amount not to exceed \$1,500, \$172,165,000,
10 to remain available until expended, of which \$166,651,000
11 shall be derived from the Department of the Interior Rec-
12 lamation Fund: *Provided*, That of the amount herein ap-
13 propriated, \$1,227,000 is for deposit into the Utah Rec-
14 lamation Mitigation and Conservation Account pursuant
15 to title IV of the Reclamation Projects Authorization and
16 Adjustment Act of 1992: *Provided further*, That up to
17 \$152,624,000 collected by the Western Area Power Ad-
18 ministration pursuant to the Flood Control Act of 1944
19 and the Reclamation Project Act of 1939 to recover pur-
20 chase power and wheeling expenses shall be credited to
21 this account as offsetting collections, to remain available
22 until expended for the sole purpose of making purchase
23 power and wheeling expenditures.

1 FALCON AND AMISTAD OPERATING AND MAINTENANCE
2 FUND

3 For operation, maintenance, and emergency costs for
4 the hydroelectric facilities at the Falcon and Amistad
5 Dams, \$2,663,000, to remain available until expended,
6 and to be derived from the Falcon and Amistad Operating
7 and Maintenance Fund of the Western Area Power Ad-
8 ministration, as provided in section 423 of the Foreign
9 Relations Authorization Act, Fiscal Years 1994 and 1995.

10 FEDERAL ENERGY REGULATORY COMMISSION
11 SALARIES AND EXPENSES

12 For necessary expenses of the Federal Energy Regu-
13 latory Commission to carry out the provisions of the De-
14 partment of Energy Organization Act (42 U.S.C. 7101 et
15 seq.), including services as authorized by 5 U.S.C. 3109,
16 the hire of passenger motor vehicles, and official reception
17 and representation expenses (not to exceed \$3,000),
18 \$181,155,000, to remain available until expended: *Pro-*
19 *vided*, That notwithstanding any other provision of law,
20 not to exceed \$181,155,000 of revenues from fees and an-
21 nual charges, and other services and collections in fiscal
22 year 2002 shall be retained and used for necessary ex-
23 penses in this account, and shall remain available until
24 expended: *Provided further*, That the sum herein appro-
25 priated from the General Fund shall be reduced as reve-

1 nues are received during fiscal year 2002 so as to result
2 in a final fiscal year 2002 appropriation from the General
3 Fund estimated at not more than \$0: *Provided further,*
4 That none of the funds made available to the Federal En-
5 ergy Regulatory Commission in this or any other Act may
6 be used to authorize construction of the Gulfstream Nat-
7 ural Gas Project.

8 GENERAL PROVISIONS

9 DEPARTMENT OF ENERGY

10 SEC. 301. (a) None of the funds appropriated by this
11 Act may be used to award a management and operating
12 contract, or award a significant extension or expansion to
13 an existing management and operating contract, unless
14 such contract is awarded using competitive procedures or
15 the Secretary of Energy grants, on a case-by-case basis,
16 a waiver to allow for such a deviation. The Secretary may
17 not delegate the authority to grant such a waiver.

18 (b) At least 60 days before a contract award for
19 which the Secretary intends to grant such a waiver, the
20 Secretary shall submit to the Subcommittees on Energy
21 and Water Development of the Committees on Appropria-
22 tions of the House of Representatives and the Senate a
23 report notifying the Subcommittees of the waiver and set-
24 ting forth, in specificity, the substantive reasons why the

1 Secretary believes the requirement for competition should
2 be waived for this particular award.

3 SEC. 302. None of the funds appropriated by this Act
4 may be used to—

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

8 (2) provide enhanced severance payments or
9 other benefits for employees of the Department of
10 Energy,

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

14 SEC. 303. None of the funds appropriated by this Act
15 may be used to augment the \$21,900,000 made available
16 for obligation by this Act for severance payments and
17 other benefits and community assistance grants under sec-
18 tion 3161 of the National Defense Authorization Act for
19 Fiscal Year 1993 (Public Law 102–484; 42 U.S.C.
20 7274h) unless the Department of Energy submits a re-
21 programming request subject to approval by the appro-
22 priate Congressional committees.

23 SEC. 304. None of the funds appropriated by this Act
24 may be used to prepare or initiate Requests For Proposals

1 (RFPs) for a program if the program has not been funded
2 by Congress.

3 (TRANSFERS OF UNEXPENDED BALANCES)

4 SEC. 305. The unexpended balances of prior appro-
5 priations provided for activities in this Act may be trans-
6 ferred to appropriation accounts for such activities estab-
7 lished pursuant to this title. Balances so transferred may
8 be merged with funds in the applicable established ac-
9 counts and thereafter may be accounted for as one fund
10 for the same time period as originally enacted.

11 SEC. 306. None of the funds in this or any other Act
12 for the Administrator of the Bonneville Power Administra-
13 tion may be used to enter into any agreement to perform
14 energy efficiency services outside the legally defined Bon-
15 neville service territory, with the exception of services pro-
16 vided internationally, including services provided on a re-
17 imburseable basis, unless the Administrator certifies in ad-
18 vance that such services are not available from private sec-
19 tor businesses.

20 SEC. 307. None of the funds appropriated in other
21 than Energy and Water Development Appropriations Acts
22 may be used for Department of Energy laboratory di-
23 rected research and development (LDRD).

24 SEC. 308. Not later than March 31, 2002, the Sec-
25 retary of Energy, after consultation with the Nuclear Reg-
26 ulatory Commission and the Occupational Safety and

1 Health Administration, shall transmit to the Committee
2 on Appropriations, the Committee on Energy and Com-
3 merce, and the Committee on Education and the Work-
4 force of the House of Representatives, and to the Com-
5 mittee on Appropriations, the Committee on Energy and
6 Natural Resources, the Committee on Environment and
7 Public Works, and the Committee on Health, Education,
8 Labor, and Pensions of the Senate, a report containing
9 an implementation plan for the transfer, on October 1,
10 2002—

11 (1) from the Department of Energy to the Nu-
12 clear Regulatory Commission of regulatory authority
13 over nuclear safety at the Department of Energy's
14 science laboratories; and

15 (2) from the Department of Energy to the Oc-
16 cupational Safety and Health Administration of reg-
17 ulatory authority over worker safety at such labora-
18 tories.

19 Out of funds appropriated by this Act for Environment,
20 Safety, and Health, the Secretary of Energy shall transfer
21 \$4,000,000 to the Nuclear Regulatory Commission and
22 \$120,000 to the Occupational Safety and Health Adminis-
23 tration. For purposes of this section, the Department of
24 Energy's science laboratories are the Argonne National
25 Laboratory, the Brookhaven National Laboratory, the

1 Lawrence Berkeley National Laboratory, the Oak Ridge
2 National Laboratory, the Pacific Northwest National Lab-
3 oratory, the Ames Laboratory, the Fermi National Accel-
4 erator Laboratory, the Princeton Plasma Physics Labora-
5 tory, the Stanford Linear Accelerator Center, and the
6 Thomas Jefferson National Accelerator Facility.

7 SEC. 309. When the Department of Energy makes
8 a user facility available to universities and other potential
9 users, or seeks input from universities and other potential
10 users regarding significant characteristics or equipment in
11 a user facility or a proposed user facility, the Department
12 shall ensure broad public notice of such availability or
13 such need for input to universities and other potential
14 users. When the Department of Energy considers the par-
15 ticipation of a university or other potential user in the es-
16 tablishment or operation of a user facility, the Department
17 shall employ full and open competition in selecting such
18 a participant. For purposes of this section, the term “user
19 facility” includes, but is not limited to: a user facility as
20 described in section 2203(a)(2) of the Energy Policy Act
21 of 1992 (42 U.S.C. 13503(a)(2)); a National Nuclear Se-
22 curity Administration Defense Programs Technology De-
23 ployment Center/User Facility; and any other Department
24 facility designated by the Department as a user facility.

1 standing 31 U.S.C. 3302: *Provided further*, That the sum
2 herein appropriated shall be reduced by the amount of rev-
3 enues received during fiscal year 2002 so as to result in
4 a final fiscal year 2002 appropriation estimated at not
5 more than \$247,000.

6 NUCLEAR WASTE TECHNICAL REVIEW BOARD
7 SALARIES AND EXPENSES

8 For necessary expenses of the Nuclear Waste Tech-
9 nical Review Board, as authorized by Public Law 100-
10 203, section 5051, \$3,100,000, to be derived from the Nu-
11 clear Waste Fund, and to remain available until expended.

12 TITLE V

13 GENERAL PROVISIONS

14 SEC. 501. None of the funds appropriated by this Act
15 may be used in any way, directly or indirectly, to influence
16 congressional action on any legislation or appropriation
17 matters pending before Congress, other than to commu-
18 nicate to Members of Congress as described in 18 U.S.C.
19 1913.

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

1 (b) NOTICE REQUIREMENT.—In providing financial
2 assistance to, or entering into any contract with, any enti-
3 ty using funds made available in this Act, the head of each
4 Federal agency, to the greatest extent practicable, shall
5 provide to such entity a notice describing the statement
6 made in subsection (a) by the Congress.

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

19 SEC. 503. (a) None of the funds appropriated or oth-
20 erwise made available by this Act may be used to deter-
21 mine the final point of discharge for the interceptor drain
22 for the San Luis Unit until development by the Secretary
23 of the Interior and the State of California of a plan, which
24 shall conform to the water quality standards of the State
25 of California as approved by the Administrator of the En-

1 vironmental Protection Agency, to minimize any detri-
2 mental effect of the San Luis drainage waters.

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

19 This Act may be cited as the “Energy and Water De-
20 velopment Appropriations Act, 2002”.

Union Calendar No. 61

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[Report No. 107-112]

A BILL

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JUNE 26, 2001

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