A BILL  
Making appropriations for energy and water development for the fiscal year ending September 30, 1991, and for other purposes.  
June 13, 1990  
Committed to the Committee of the Whole House on the State of the Union and ordered to be printed  
HR 5019 RH  
Union Calendar No. 329  
101st CONGRESS  
2d Session  
H. R. 5019  
[Report No. 101-536]  
IN THE HOUSE OF REPRESENTATIVES  
June 13, 1990  
Mr. BEVILL, 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, 1991, and for other purposes.  
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, 1991, for energy and water development, and for other purposes, namely:  
TITLE I  
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  
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, miscellaneous investigations, and when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $167,847,000, to remain available until expended: Provided, That with funds herein appropriated the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the following items under General Investigations in fiscal year 1991 in the amounts specified:  
Casino Beach, Chicago, Illinois, $220,000;  
McCook and Thornton Reservoirs (CUP), Illinois, $2,000,000;  
Lake George, Hobart, Indiana, $125,000;  
Little Calumet River Basin (Cady Marsh Ditch), Indiana, $220,000;  
Ste. Genevieve, Missouri, $600,000;  
Red River Waterway, Shreveport, Louisiana, to Daingerfield, Texas, $1,900,000;  
Miami River Sediments, Florida, $200,000;  
Monroe County Beach Erosion (Smathers Beach), Florida, $193,000;  
Wyoming Valley Levee Raising, Pennsylvania, $1,000,000;  
Taylorsville Lake (Routt Road Bridge), Kentucky, $86,000;  
Provided further, That not to exceed $30,700,000 shall be available for obligation for research and development activities: Provided further, that the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate and complete preconstruction engineering and design of the LaConner, Washington, project using funds appropriated for that purpose in the Energy and Water Development Appropriations Act, 1990, Public Law 101-101: Provided further, That the Secretary of the Army is authorized, in partnership with the Department of Transportation, and in coordination with other Federal agencies, to conduct research and development associated with an advanced high speed magnetic levitation transportation system: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $250,000 of the funds appropriated herein to complete the Los Angeles-Long Beach Harbors project feasibility study and is further directed to use $3,000,000 of the funds appropriated herein to initiate preconstruction engineering and design of that project upon release of the South Pacific Division Engineer's notice of completion of the feasibility report: Provided further, That with $200,000 of the funds appropriated in the Energy and Water Development Appropriations Act, 1990, Public Law 101-101, together with $300,000 of the funds appropriated herein,
the Secretary of the Army, acting through the Chief of Engineers, is directed to continue preconstruction engineering and design of the Red River Waterway, Index, Arkansas, to Denison Dam, Texas, project.

Construction, General

For the prosecution of river and harbor, flood control, shore protection, alteration and removal of obstructive bridges, and related projects authorized by laws; and for funds and specifications (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), $1,300,389,000, of which such sums as are necessary pursuant to Public Law 99-662 shall be derived from the Inland Waterways Trust Fund, to remain available until expended: Provided, That with $3,000,000 of the funds herein appropriated, the Secretary of the Army, acting through the Chief of Engineers, is directed to approve further, That with $3,000,000 of the funds herein appropriated the Secretary of the Army, acting through the Chief of Engineers, is directed to continue preconstruction engineering and design of the Red River Waterway, Index, Arkansas, to Denison Dam, Texas, project.

Provided further, That with $3,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the following projects in fiscal year 1991 in the amounts specified:

- O'Hare Reservoir, Illinois, $4,300,000;
- Red River Emergency Bank Protection, Arkansas and Louisiana, $4,100,000;
- Hansen Dam, California, $272,000;
- Kissimmee River, Florida, $6,000,000;
- Wallisville Lake, Texas, $9,200,000;
- Red River Basin Chloride Control, Texas and Oklahoma, $5,000,000;
- Shinnecock Inlet, New York, $3,000,000;
- Platte River Flood and Streambank Erosion Control Demonstration Project, Nebraska, $1,500,000;
- San Diego River and Mission Bay, California, $975,000;
- Tampa Bay (Port Sutton), Florida, $500,000;

Provided further, That with $7,500,000 of the funds herein appropriated to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the work for the levees/floodwalls and to undertake other structural and nonstructural work associated with the Barbourville, Kentucky, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367: Provided further, That with $20,500,000 of the funds herein appropriated to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the work for the river diversion tunnels and to undertake other structural and nonstructural work associated with the Harlan, Kentucky, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367 using continuing contracts: Provided further, That no fully allocated funding policy shall apply to construction of the Barbourville, Kentucky, and Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project: Provided further, That with funds herein or hereafter appropriated, the Secretary of the Army, acting through the Chief of Engineers, is directed to award continuing contracts until construction is complete in accordance with the terms and conditions of Public Law 101-101 for the O'Hare Reservoir, Illinois, and Wallisville Lake, Texas, projects: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the Kanawha River, Charleston, West Virginia, and Kanawha River, Saint Albans, West Virginia, energy and water development projects authorized by Public Law 100-202: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to permit the non-Federal sponsors for the Fort Toulouse, Elmore County, Alabama, and Mound State Park, Moundville, Alabama, projects to contribute, in lieu of cash, all or any portion of their share of the projects with work in-kind: Provided further, That using $400,000 of the funds appropriated herein the Secretary of the Army, acting through the Chief of Engineers, is directed to construct the Salyersville cut-through as authorized by Public Law 99-662, section 401(e)(1) in accordance with the Special Project Report for Salyersville, Kentucky, concurred in by the Ohio River Division Engineer on or about July 26, 1989: Provided further, That using $500,000 of the funds appropriated herein the Secretary of the Army, acting through the Chief of Engineers, is directed to complete engineering and design and proceed with construction in fiscal year 1991 of riverbed gradient restoration facilities in the vicinity of mile 206 of the Sacramento River, California, pursuant to the authority provided in section 102 of Public Law 101-101, the Energy and Water Development Appropriations Act, 1990: Provided further, That with $3,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake construction of the Lower and Middle Rouge Rivers projects in Michigan, and the non-Federal share of these projects shall be 25 percent: Provided further, That with $550,000 of the funds herein appropriated, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue planning, engineering, design, and construction of the Des Moines Recreational River and Greenbelt, Iowa, project in accordance with the terms and conditions for construction in Public Law 100-202: Provided further, That with $3,000,000 of the funds herein appropriated the Secretary of the Army, acting through the Chief of Engineers, is directed to approve the remaining design memoranda and to continue land acquisition at Red Rock Lake and Dam, Iowa, in accordance with Public Law 99-190: Provided further,
That using $300,000 of the funds appropriated herein the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to repair and restore to a safe condition the existing Tulsa and West Tulsa Local Protection Project, Oklahoma, authorized by the Flood Control Act approved August 18, 1941, Public Law 73-228, at an estimated cost of $1,300,000. The non-Federal share of the project will be in accordance with the provisions of title I, section 103, of Public Law 99-662, for flood control purposes; 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 shall complement similar work being 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 the funds provided herein for operation and maintenance of Yazoo Basin Lakes shall be available for the maintenance of road and trail surfaces, alignments, widths, and drainage features: Provided further, That using $236,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate construction of the Horn Lake Creek and Tributaries (Including Cow Pen Creek), Tennessee and Mississippi, project: Provided further, That the Secretary of the Army is hereby directed to expedite the acquisition, in fee simple, of lands, excluding minerals, for public access in the Atchafalaya Basin Floodway System, Louisiana, as authorized by Public Laws 99-88, 99-662, and 100-202. The Secretary is authorized to include in any transfer of real property, in fee simple, excluding minerals, for public access pursuant to Public Laws 99-88, 99-662, and 100-202, language requiring the United States, in the event that the property is no longer required for public access and prior to any subsequent sale, exchange, or other transfer of the property acquired, to first offer such property to the vendors, their heirs, successors or assigns, at the same price then being offered by any third party, which price shall in no event be less than the current fair market value. This authority is effective July 1, 1989, and the Secretary is further authorized to correct and amend deeds executed and delivered prior to said date to incorporate this provision.

Operation and Maintenance, General

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), $342,731,000, 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 shall complement similar work being 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 the funds provided herein for operation and maintenance of Yazoo Basin Lakes shall be available for the maintenance of road and trail surfaces, alignments, widths, and drainage features: Provided further, That using $236,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate construction of the Horn Lake Creek and Tributaries (Including Cow Pen Creek), Tennessee and Mississippi, project: Provided further, That the Secretary of the Army is hereby directed to expedite the acquisition, in fee simple, of lands, excluding minerals, for public access in the Atchafalaya Basin Floodway System, Louisiana, as authorized by Public Laws 99-88, 99-662, and 100-202. The Secretary is authorized to include in any transfer of real property, in fee simple, excluding minerals, for public access pursuant to Public Laws 99-88, 99-662, and 100-202, language requiring the United States, in the event that the property is no longer required for public access and prior to any subsequent sale, exchange, or other transfer of the property acquired, to first offer such property to the vendors, their heirs, successors or assigns, at the same price then being offered by any third party, which price shall in no event be less than the current fair market value. This authority is effective July 1, 1989, and the Secretary is further authorized to correct and amend deeds executed and delivered prior to said date to incorporate this provision.

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; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,457,488,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662, may be derived from that fund, and of which $20,000,000 shall be used by the Secretary of the Army, acting through the Chief of Engineers, for the Long-Term Management Strategy for dredged material disposal in the San Francisco Bay, California, region: Provided further, That $2,500,000 of the funds appropriated herein shall be used by the Secretary of the Army, acting through the Chief of Engineers, to turn the development of recreation facilities at Sepulveda Dam, California: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,500,000 of the funds appropriated herein for the Federal share of construction of access facilities in the McAlpine Lock and Dam navigation pool. The non-Federal interests shall be credited for previous work related to access, including $3,000,000 for 1,060 feet of the new downtown wharf. Non-Federal interests shall provide necessary easements and serve essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,457,488,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662, may be derived from that fund, and of which $20,000,000 shall be used by the Secretary of the Army, acting through the Chief of Engineers, for the Long-Term Management Strategy for dredged material disposal in the San Francisco Bay, California, region: Provided further, That $2,500,000 of the funds appropriated herein shall be used by the Secretary of the Army, acting through the Chief of Engineers, for the Long-Term Management Strategy for dredged material disposal in the San Francisco Bay, California, region: Provided further, That $2,500,000 of the funds appropriated herein shall be used by the Secretary of the Army, acting through the Chief of Engineers, for the Long-Term Management Strategy for dredged material disposal in the San Francisco Bay, California, region: Provided further, That $2,500,000 of the funds appropriated herein shall be used by the Secretary of the Army, acting through the Chief of Engineers, to
continue the Sauk Lake, Minnesota, project: Provided further, That $200,000 of the funds appropriated herein shall be used by the Secretary of the Army, acting through the Chief of Engineers, for operation and maintenance of existing structures and facilities of the Missouri National Recreation River, Nebraska and South Dakota: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, using $900,000 of the funds appropriated herein, is directed to undertake a major rehabilitation of the Johnstown, Pennsylvania, project to insure that the project will continue to provide the authorized level of protection in the future. The Secretary is further directed to investigate those non-federally owned buildings, embankments and walls which were included in the line of protection for the convenience of the Government and to perform needed repair, rehabilitation or replacement at Federal expense subject to the following terms: (1) the line of protection is approved by the Secretary of the Army to construct the project substantially in accordance with the Post Authorization Change Report, dated April 1989, as revised on January 1990, at a total cost of $26,200,000 with an estimated Federal first

Appropriations in this title shall be used by the Secretary of the Army, acting through the Chief of Engineers, for operation and maintenance of existing structures and facilities of the Missouri National Recreation River, Nebraska and South Dakota: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, using $900,000 of the funds appropriated herein, is directed to undertake a major rehabilitation of the Johnstown, Pennsylvania, project to insure that the project will continue to provide the authorized level of protection in the future. The Secretary is further directed to investigate those non-federally owned buildings, embankments and walls which were included in the line of protection for the convenience of the Government and to perform needed repair, rehabilitation or replacement at Federal expense subject to the following terms: (1) the line of protection is approved by the Secretary of the Army to construct the project substantially in accordance with the Post Authorization Change Report, dated April 1989, as revised on January 1990, at a total cost of $26,200,000 with an estimated Federal first

continue the Sauk Lake, Minnesota, project: Provided further, That $200,000 of the funds appropriated herein shall be used by the Secretary of the Army, acting through the Chief of Engineers, for operation and maintenance of existing structures and facilities of the Missouri National Recreation River, Nebraska and South Dakota: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, using $900,000 of the funds appropriated herein, is directed to undertake a major rehabilitation of the Johnstown, Pennsylvania, project to insure that the project will continue to provide the authorized level of protection in the future. The Secretary is further directed to investigate those non-federally owned buildings, embankments and walls which were included in the line of protection for the convenience of the Government and to perform needed repair, rehabilitation or replacement at Federal expense subject to the following terms: (1) the line of protection is approved by the Secretary of the Army to construct the project substantially in accordance with the Post Authorization Change Report, dated April 1989, as revised on January 1990, at a total cost of $26,200,000 with an estimated Federal first
cost of $16,090,000, and an estimated first non-Federal cost of $10,110,000.
SEC. 105. Notwithstanding the provisions of section 215 of the Flood
Control Act of 1968 (42 U.S.C. 1962d-5a) the Secretary of the Army is
directed to credit and/or reimburse the local sponsor of the Maumee Bay
State Park project in Ohio for work completed by the local sponsor on
the eastern segment of the authorized project before November 17, 1988,
in an amount equal to the Federal share of the costs of such work. Such
credit and/or reimbursement shall be applied to the local sponsor's share
of the construction costs of the western segment of the authorized project.

TITLE II
DEPARTMENT OF THE INTERIOR
Bureau of Reclamation
For carrying out the functions of the Bureau of Reclamation 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 Bureau as follows:

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, $12,926,000: Provided, That, of the total appropriated,
the amount for program activities which can be financed by the reclamation
fund shall be derived from that fund: Provided further, That all costs of
an advance planning study of a proposed project shall be considered to be
construction costs and to be reimbursable in accordance with the allocation
of construction cost authorized for construction costs and to be reimbursable in accordance with the allocation of construction cost authorized for construction of this Act for the Garrison Diversion Unit, North Dakota, shall be expended only in accordance with the provisions of the Garrison Diversion Unit Reformulation Act of 1986 (Public Law 99-294): Provided further, That all costs of
the safety of dams modification work at Coolidge Dam, San Carlos Irrigation Project, Arizona, performed under the authority of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506), as amended, are in addition to the amount authorized in section 5 of said Act: Provided further, That none of the funds appropriated in this Act shall be used to
study or construct the Cliff Dam feature of the Central Arizona Project:
Provided further, That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such amounts shall remain available until expended.

construction program
(INCLUDING TRANSFER OF FUNDS)
For construction and rehabilitation of projects and parts thereof (including
power transmission facilities for Bureau of Reclamation use) and for other
related activities as authorized by law, to remain available until expended,
$649,697,000, of which $145,063,000 shall be available for transfer to the
Upper Colorado River Basin Fund authorized by section 5 of the Act of April
11, 1956 (43 U.S.C. 620d), and $185,768,000 shall be available for transfers
to the Lower Colorado River Basin Development Fund authorized by section 403
of the Act of September 30, 1968 (43 U.S.C. 1543), and such amounts as may
be necessary shall be considered as though advanced to the Colorado River
Dam Fund for the Boulder Canyon Project as authorized by the Act of December
21, 1928, as amended: Provided, That of the total appropriated, the amount
for program activities which can be financed by the reclamation fund shall
be derived from that fund: Provided further, That transfers 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
under this heading: Provided further, That funds contributed by non-Federal
entities for purposes similar to this appropriation shall be available for
expenditure for the purposes for which contributed as though specifically
appropriated for said purposes, and such funds shall remain available
until expended: 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 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 the
funds contained in this Act for the Garrison Diversion Unit, North Dakota,
shall be expended only in accordance with the provisions of the Garrison
Diversion Unit Reformulation Act of 1986 (Public Law 99-294): Provided
further, That all costs of the safety of dams modification work at Coolidge
Dam, San Carlos Irrigation Project, Arizona, performed under the authority
of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506), as amended,
are in addition to the amount authorized in section 5 of said Act: Provided
further, That none of the funds appropriated in this Act shall be used to
study or construct the Cliff Dam feature of the Central Arizona Project:
Provided further, That funds contributed by non-Federal entities for purposes other
than Cliff Dam, including (1) water rights and associated lands within the
State of Arizona acquired by the Secretary of the Interior through purchase,
lease, or exchange, for municipal and industrial purposes, not to exceed 30,000
acre feet; and, (2) such increments of flood control that may be found to be
feasible by the Secretary of the Interior at Horseshoe and Bartlett Dams, in
consultation and cooperation with the Secretary of the Army and using Corps
of Engineers evaluation criteria, developed in conjunction with dam safety
modifications and consistent with applicable environmental law, are hereby
deemed to constitute a suitable alternative to Orme Dam within the meaning
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 Bureau
of Reclamation, pursuant to law, to remain available until expended,
$231,516,000: Provided, That of the total appropriated, the amount for
program activities which can be financed by the reclamation fund shall be
derived from that fund, and the amount for program activities which can
be derived from the special fee account established pursuant to the Act
of December 22, 1987 (16 U.S.C. 460l-6a, as amended), may be derived from
that fund: Provided further, That of the total appropriated, such amounts
as may be required for replacement work on the Boulder Canyon Project
which would require readvances to the Colorado River Dam Fund shall be
readvanced to the Colorado River Dam Fund pursuant to section 5 of the
Boulder Canyon Project Adjustment Act of July 19, 1940 (43 U.S.C. 618d),
and such readvances since October 1, 1984, and in the future shall bear
interest at the rate determined pursuant to section 104(a)(5) of Public
Law 98-381: Provided further, 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 purpose and in the same manner as sums appropriated herein may
be expended, and such advances shall remain available until expended:
Provided further, That revenues in the Upper Colorado River Basin Fund
shall be available for performing examination of existing structures on
participating projects of the Colorado River Storage Project, the costs
of which shall be nonreimbursable.

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-422l), including expenses
necessary for carrying out the program, $5,708,000, to remain available
until expended: Provided, That of the total sums appropriated, the amount
of program activities which can be financed by the reclamation fund shall
be derived from that fund: Provided further, That during fiscal year 1991
and within the resources and authority available, gross obligations for
the principal amount of direct loans shall not exceed $4,946,000: Provided
further, 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.

GENERAL ADMINISTRATIVE EXPENSES
For necessary expenses of general administration and related functions in
the office of the Commissioner, the Denver office, and offices in the five
regions of the Bureau of Reclamation, $51,431,000, of which $600,000 shall
remain available until expended, the total amount 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.

EMERGENCY FUND
For an additional amount for the 'Emergency fund', as authorized by the
Act of June 26, 1948 (43 U.S.C. 502), as amended, to remain available
until expended for the purposes specified in said Act, $1,000,000, to be
derived from the reclamation fund.

WORKING CAPITAL FUND
For acquisition of computer capacity for the Business System Acquisition
project, and other capital equipment and facilities, $4,831,000, to remain
available until expended, as authorized in section 1472 of title 43,

SPECIAL FUNDS
For necessary expenses of general administration and related functions in
the office of the Commissioner, the Denver office, and offices in the five
regions of the Bureau of Reclamation, $51,431,000, of which $600,000 shall
remain available until expended, the total amount 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.

EMERGENCY FUND
For an additional amount for the 'Emergency fund', as authorized by the
Act of June 26, 1948 (43 U.S.C. 502), as amended, to remain available
until expended for the purposes specified in said Act, $1,000,000, to be
derived from the reclamation fund.

WORKING CAPITAL FUND
For acquisition of computer capacity for the Business System Acquisition
project, and other capital equipment and facilities, $4,831,000, to remain
available until expended, as authorized in section 1472 of title 43,

SPECIAL FUNDS
(TRANSFER OF FUNDS)
Sums herein referred to as being derived from the reclamation fund
or special fee account are appropriated from the special funds in the
Treasury created by the Act of June 17, 1902 (43 U.S.C. 391) or the Act of
December 22, 1987 (16 U.S.C. 460l-6a, as amended), 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 head 'General Administrative
Expenses' shall revert and be credited to the reclamation fund.

ADMINISTRATIVE PROVISIONS
Appropriations for the Bureau of Reclamation shall be available for
purchase of not to exceed 17 passenger motor vehicles for replacement only;
payment of claims for damages to or loss of property, personal injury,
or death arising out of activities of the Bureau of Reclamation, except as otherwise provided for, of compensation and expenses of persons
on the rolls of the Bureau of Reclamation 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
DEPARTMENT OF THE INTERIOR

GENERAL PROVISIONS

SEC. 201. Appropriations in this title shall be available for hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchases 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 memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 202. 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. 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. 1535 and 1536): 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. 203. Appropriations in this title shall be available for service as authorized by section 3109 of title 5, United States Code, in total not to exceed $500,000; rewards for information or evidence concerning violations of law involving property under the jurisdiction of the Bureau of Reclamation; performance of the functions specified under the head `Operation and Maintenance Administration', Bureau of Reclamation, in the Interior Department Appropriations Act 1945; preparation and dissemination of useful information including recordings, photographs, and photographs for rental and for the dissemination 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 Acts of August 21, 1935 (16 U.S.C. 461-467), and June 27, 1960 (16 U.S.C. 469): 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 reclamation projects entered upon under the head `General Administrative Expenses', amounts provided for plan formulation and advance planning investigations under the head `General Investigations', and amounts provided for science and technology under the head `Construction Program'.

SEC. 204. Appropriations in this title shall be available for hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchases 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 memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 205. (a) AUTHORIZATION- The Secretary is authorized and directed to enter into a contract with the McGee Creek Authority, Oklahoma City, Oklahoma, accepting a payment of $88,629,000.

(b) CONTRACT TERMINATION- Upon receipt of the payment specified in subsection (a), the McGee Creek Authority's obligation under contract between the Authority and the Secretary numbered 0-07-50-X0822, dated October 11, 1979, shall be terminated.

(c) TITLE TO PROJECT FACILITIES- Notwithstanding any payments made by the McGee Creek Water Authority pursuant to section 205 (a) and (b) of
DEPARTMENT OF ENERGY

Energy Supply, Research and Development Activities
For expenses of the Department of Energy activities including 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 21 for replacement only), $2,703,272,000, to remain available until expended, of which $44,842,500 shall be available only for the following facilities: Advanced Technology Center, Indiana State University; Center for Energy Resources Management, University of New Orleans; Biomedical Research Facility, University of Alabama at Birmingham; Biomedical Research Facility, Case Western Reserve University; and Energy Science Research Facility at Boston College.

Uranium Supply and Enrichment Activities
For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquisition of plant and capital equipment and other expenses incidental thereto necessary for uranium supply and enrichment; 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 acquire, construction, or expansion; purchase of electricity to provide enrichment services; purchase of passenger motor vehicles (not to exceed 60, of which 46 are for replacement only), $1,406,018,000, to remain available until expended. Provided, That the sum herein appropriated shall be reduced as uranium enrichment services revenues received by the Department for the enrichment of uranium are received during fiscal year 1991 so as to result in a final fiscal year 1991 appropriation estimated not more than $0.

General Science and Research Activities
For expenses of the Department of Energy activities including 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 10 for replacement only including one police-type vehicle),
$1,273,732,000, to remain available until expended.

Nuclear Waste Disposal Fund
For nuclear waste disposal activities to carry out the purposes of Public Law
97-425, as amended, including the acquisition of real property or facility
construction or expansion, $292,833,000, to remain available until expended,
to be derived from the Nuclear Waste Fund. To the extent that balances in
the fund are not sufficient to cover amounts available for obligation in
the account, the Secretary, to the extent provided by section 302(e)(5) of said Act to issue obligations to the Secretary of the Treasury:
Provided, That of the amount herein appropriated not to exceed $5,000,000,
may be provided to the State of Nevada, for the conduct of its oversight
responsibilities pursuant to that Act: Provided further, That not more than
$5,000,000, may be provided to affected local governments, as defined in
the Act, to conduct appropriate activities pursuant to the Act: Provided
further, That none of the funds herein appropriated may be used directly
or indirectly to influence legislative action on any matter pending before
Congress or a State legislature or for any lobbying activity as provided

Isotope Production and Distribution Program Fund
Revenues received hereafter from the disposition of isotopes and related
services are related to this account and shall be available for carrying
out the purposes of the isotope production and distribution program without
further appropriation: Provided, that such revenues and all funds provided
under this head in Public Law 101-101 shall remain available until expended.

Atomic Energy Defense Activities
For expenses of the Department of Energy activities, $10,915,148,000, to
remain available until expended, including 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 308 for replacement only including
20 police-type vehicles, and purchase of one fixed-wing and one rotary-wing
aircraft, for replacement only).

Departmental Administration
For salaries and 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 hire of passenger motor vehicles and official reception and
representation expenses (not to exceed $35,000) $375,095,000, to remain
available until expended, plus such additional amounts as necessary
to cover increases in the estimated amount of cost of work for others
notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511
et seq.): Provided, That such increases in cost of work are offset by
revenue, or greater amount, to remain available until expended: Provided further, That moneys received by the Department
for miscellaneous revenues estimated to total $150,000,000 in fiscal year
1991 may be retained and used for operating expenses within this account,
and may remain available until expended, as authorized by section 201 of
Public Law 95-238, notwithstanding the provisions of section 3302 of title
31, United States Code: Provided further, That the sum herein appropriated
shall be reduced by the amount of miscellaneous revenues received during
fiscal year 1991 so as to result in a final fiscal year 1991 appropriation
estimated at not more than $225,095,000.

Office of the Inspector General
For necessary expenses of the Office of the Inspector General in carrying
out the provisions of the Inspector General Act of 1978, as amended,
$28,421,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS
Operation and Maintenance, Alaska Power Administration
For necessary expenses of operation and maintenance of projects in Alaska
and of marketing electric power and energy, $3,233,000, to remain available
until expended.

Bonneville Power Administration Fund
Expenditures from the Bonneville Power Administration Fund, established
pursuant to Public Law 93-454, are approved for expenses of the Yakima Basin
Screen Facilities Phase II; and for official reception and representation
expenses in an amount not to exceed $2,500.
During fiscal year 1991, no new direct loan obligates may be made.

Operations 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, $9,285,000, 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, including official reception and representation expenses in an amount not to exceed $1,500 connected therewith, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825a), as applied to the southwestern power area, $20,107,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $8,899,000 in reimbursements, to remain available until expended.

Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration

(INCLUDING TRANSFER OF FUNDS)
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), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, the purchase, maintenance, and operation of one helicopter for replacement only, $293,762,000, to remain available until expended, of which $266,101,000 shall be derived from the Department of the Interior Reclamation fund; in addition, the Secretary of the Treasury is authorized to transfer from the Colorado River Dam Fund to the Western Area Power Administration $4,702,000, to carry out the power marketing and transmission business of the Boulder Canyon project and to fund the Boulder Canyon power marketing and transmission business of the Boulder Canyon project as provided in section 104(a)(4) of the Hoover Power Plant Act of 1984, to remain available until expended: Provided, That in the operation of Shasta Dam, Central Valley Project, California, any increase in power purchase costs incurred by the Western Area Power Administration after January 1, 1986, resulting from bypass releases for temperature control purposes to preserve anadromous fisheries in the Sacramento River shall be nonreimbursable.

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, including the hire of passenger motor vehicles; official reception and representation expenses (not to exceed $1,500) to remain available until expended: Provided, That hereafter and notwithstanding any other provision of law, not to exceed $4,702,000 of revenues from fees and annual charges, and other services and collections in fiscal year 1991, shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1991, so as to result in a final fiscal year 1991 appropriation estimated at not more than $0.

Geothermal Resources Development Fund
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, $80,000, 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.

GENERAL PROVISIONS--DEPARTMENT OF ENERGY
SEC. 301. Appropriations for 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, private, or foreign.

(TRANSFER OF FUNDS)
SEC. 302. Not to exceed 5 per centum of any appropriation made available for the current fiscal year for Department of Energy activities funded in this Act 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 of the House and Senate.

(TRANSFERS OF UNEXPENDED BALANCES)
SEC. 303. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.
Minority Participation in the Superconducting Super Collider

SEC. 304. (a) FEDERAL FUNDING—The Secretary of Energy shall, to the fullest extent possible, ensure that at least 10 per centum of Federal funding for the development, construction, and operation of the Superconducting Super Collider be made available to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals (within the meaning of section 8(a) (5) and (6) of the Small Business Act (15 U.S.C. 637(a) (5) and (6))) including historically black colleges and universities and colleges and universities having a student body in which more than 20 percent of the students are Hispanic Americans or Native Americans. For purposes of this section, economically and socially disadvantaged individuals shall be deemed to include women.

(b) OTHER PARTICIPATION—The Secretary of Energy shall, to the fullest extent possible, ensure significant participation, in addition to that described in subsection (a), in the development, construction, and operation of the Superconducting Super Collider by socially and economically disadvantaged individuals (within the meaning of section 8(a) (5) and (6) of the Small Business Act (15 U.S.C. 637(a)(5) and (6))) and economically disadvantaged women.

Environmental Remediation and Restoration of Hanford Site, Richland, Washington

SEC. 305. (a)(1) The Secretary of Energy shall use the services of the Secretary of the Army, Corps of Engineers, Walla Walla District, on a reimbursable basis, to manage and carry out the environmental remediation activities and restoration of the Hanford Site, Richland, Washington, using funds appropriated to the Department of Energy by any appropriations Act.

(2) Any funds heretofore, herein and hereafter appropriated to the Department of Energy for environmental remediation activities and restoration of the Hanford Site shall be available to reimburse the Secretary of the Army for services performed by the Department of the Army in connection with the environmental remediation activities and restoration of the Hanford Site.

(b) The services of the Secretary of the Army referred to in subsection (a) shall include areas such as sampling and analysis investigations; investigations and associated planning, design, and construction activities related to the closure of active hazardous waste management units; remedial investigations and feasibility studies, design and construction activities related to hazardous waste release sites; procurement of design and construction services; design and construction contract management and design and construction contract oversight; program management activities; and research and development.

TITLE IV
INDEPENDENT AGENCIES

Appalachian Regional Commission
For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act, and for necessary expenses for the Federal Cochairman and the 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 section 3109 of title 5, United States Code, and hire of passenger motor vehicles, to remain available until expended, $150,000,000.

Defense Nuclear Facilities Safety Board
SALARIES AND EXPENSES
For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, $11,000,000, to remain available until expended.

Delaware River Basin Commission
SALARIES AND EXPENSES
For necessary expenses of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), $224,000.

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), $457,000.

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), $200,000: Provided, That funds herein or hereafter appropriated may be used for the local sponsor's share of the study cost for the U.S. Army Corps of Engineers' Anacostia River and Tributaries study in Maryland and the District of Columbia.

NUCLEAR REGULATORY COMMISSION
SALARIES and Expenses
(INCLUDING TRANSFER OF FUNDS)
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, including the employment of aliens; services authorized by section 3109 of title 5, United States Code; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms, official representation expenses (not to exceed $20,000); reimbursements to the General Services Administration for security guard services; hire of passenger motor vehicles and aircraft, $471,320,000, to remain available until expended, of which $19,650,000 shall be derived from the Nuclear Waste Fund: 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 program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, including criminal history checks under section 149 of the Atomic Energy Act of 1954, as amended, may be retained and used for salaries and expenses associated with those activities, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $156,750,000 in fiscal year 1991 shall be retained and used for necessary salaries and expenses in this account, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1991 from licensing fees, inspection services and other services and collections, and from the Nuclear Waste Fund, excluding those moneys received for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, so as to result in a final fiscal year 1991 appropriation estimated at not more than $314,570,000.

Office of Inspector General (INCLUDING TRANSFER OF FUNDS)
For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, including services authorized by 5 U.S.C. 3109, $3,680,000, to remain available until expended; and in addition, not to exceed 5 percent of this sum may be transferred from Salaries and Expenses, Nuclear Regulatory Commission: Provided further, That notices shall be given to the Committees on Appropriations of the House and Senate: Provided further, That from this appropriation, transfers 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.

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), $211,000.

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), $290,000.

TENNESSEE VALLEY AUTHORITY
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, and for entering into contracts and making payments under section 11 of the National Trails System Act, as amended, $135,000,000, to remain available until expended: Provided, That this appropriation and other moneys available to the Tennessee Valley Authority may be used hereafter for payment of the allowances authorized by section 5948 of title 5, United States Code.

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. None of the programs, projects or activities as defined in the report accompanying this Act, may be eliminated or disproportionately reduced due to the application of `Savings and Slippage', `general reduction', or the provision of Public Law 99-177 or Public Law 100-119 unless such report expressly provides otherwise.
SEC. 504. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, 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.

SEC. 505. None of the funds appropriated in this Act shall be used to implement a program of retention contracts for senior employees of the Tennessee Valley Authority.

SEC. 506. Notwithstanding any other provision of this Act or any other provision of law, none of the funds made available under this Act or any other law shall be used for the purposes of conducting any studies relating or leading to the possibility of changing from the currently required 'at cost' to a 'market rate', or any other noncost-based method for the pricing of hydroelectric power by the six Federal public power authorities, or other agencies or authorities of the Federal Government, except as may be specifically authorized by Act of Congress hereafter enacted.

SEC. 507. None of the funds appropriated in this Act for Power Marketing Administrations or the Tennessee Valley Authority, and none of the funds authorized to be expended by this or any previous Act from the Bonneville Power Administration Fund or the Tennessee Valley Authority Fund, may be used to pay the costs of procuring extra high voltage (EHV) power equipment unless contract awards are made for EHV equipment manufactured in the United States when such agencies determine that there are one or more manufacturers of domestic end product offering a product that meets the technical requirements of such agencies at a price not exceeding 130 per centum of the bid or offering price of the most competitive foreign bidder: Provided, That such agencies shall determine the incremental costs associated with implementing this section and defer or offset such incremental costs against otherwise existing repayment obligations: Provided further, That this section shall not apply to any procurement initiated prior to October 1, 1985, or to the acquisition of spare parts or accessory equipment necessary for the efficient operation and maintenance of existing equipment and available only from the manufacturer of the original equipment: Provided further, That this section shall not apply to procurement of domestic end product as defined in 48 CFR sec. 25.101: Provided further, That this section shall not apply to EHV power equipment produced or manufactured in a country whose government has completed negotiations with the United States to extend the GATT Government Procurement Code, or a bilateral equivalent, to EHV power equipment, or which otherwise offers fair competitive opportunities in public procurements to United States manufacturers of such equipment.

SEC. 508. Such sums as may be necessary for fiscal year 1991 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

This Act may be cited as the 'Energy and Water Development Appropriations Act, 1991'.