IN THE SENATE OF THE UNITED STATES

JUNE 5, 1998

Mr. DOMENICI, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for energy and water development for the fiscal year ending September 30, 1999, 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, 1999, for energy and
6 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, $165,390,000, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

- Rehoboth and Dewey Beaches, Delaware, $150,000;
- Fort Pierce Shore Protection, Florida, $300,000;
- Lido Key Beach, Florida, $300,000;
- Paducah, Kentucky, $100,000; and
Lake Pontchartrain Basin Comprehensive Study, Louisiana, $500,000:

Provided, That the Secretary of the Army, acting through
the Chief of Engineers, is directed to use $700,000 of the
funds appropriated in Public Law 102–377 for the Red
River Waterway, Shreveport, Louisiana, to Daingerfield,
Texas, project for the feasibility phase of the Red River
Navigation, Southwest Arkansas, study.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control,
shore protection, and related projects authorized by laws;
and detailed studies, and plans and specifications, of
projects (including those for development with participa-
tion 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 con-
stitute a commitment of the Government to construction),
$1,248,068,000, to remain available until expended, of
which such sums as are necessary for the Federal share
of construction costs for facilities under the Dredge Mate-
rrial Disposal Facilities program shall be derived from the
Harbor Maintenance Trust Fund, as authorized by Public
Law 104–303; and of which such sums as are necessary
pursuant to Public Law 99–662 shall be derived from the
Inland Waterways Trust Fund, for one-half of the costs
of construction and rehabilitation of inland waterways
projects, including rehabilitation costs for the Lock and Dam 25, Mississippi River, Illinois and Missouri; Lock and Dam 14, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; and Lock and Dam 3, Mississippi River, Minnesota, projects, and of which funds are provided for the following projects in the amounts specified:

Norco Bluffs, California, $4,000,000;
Panama City Beaches, Florida, $5,000,000;
Indianapolis Central Waterfront, Indiana, $4,000,000;
Harlan, Williamsburg, Pike County Middlesboro, Cumberland City/Harland County, and Martin County, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project in Kentucky, $28,500,000;
Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, $10,000,000;
Lake Pontchartrain (Jefferson Parish) Stormwater Discharge, Louisiana, $6,000,000;
Jackson County, Mississippi, $4,500,000;
Pascagoula Harbor, Mississippi, $10,000,000;
Wallisville Lake, Texas, $8,000,000;
Virginia Beach, Virginia (Hurricane Protection), $20,000,000;
Upper Mingo County (including Mingo County Tributaries), Lower Mingo County (Kermit), Wayne County, Hatfield Bottom, and McDowell County, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project in West Virginia, $12,300,000; and the Grundy, Virginia element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, $1,000,000:

Provided, That the navigation project for Cook Inlet Navigation, Alaska, authorized by Section 101(b)(2) of Public Law 104–303 is modified to authorize the Secretary of the Army, acting through the Chief of Engineers to construct the project at a total cost of $12,600,000 with an estimated first Federal cost of $9,450,000 and an estimated first non-Federal cost of $3,150,000: Provided further, That the Secretary of the Army, acting through the Chief of Engineers is directed to use $5,000,000 provided herein to construct bluff stabilization measures at authorized locations for the Natchez Bluff, Mississippi at a total estimated cost of $26,065,000 with an estimated first Federal cost of $19,549,000 and an estimated first non-Federal cost of $6,516,000 and to award continuing contracts, which are not to be considered fully funded: Provided further, That the Secretary of the Army, acting
through the Chief of Engineers, is directed to use funds previously appropriated for the LaFarge Lake, Kickapoo River, Wisconsin project to complete and transmit to the appropriate committees of Congress by January 15, 1999 a decision document on the advisability of undertaking activities authorized by Public Law 104–303: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, may use up to $8,000,000 of the funding appropriated herein to initiate construction of an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River, and that this amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended (2 U.S.C. 901(b)(2)(D)(i)); except that funds shall not become available unless the Secretary of the Army determines that an emergency (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) exists with respect to the emergency need for the outlet and reports to Congress that the construction is technically sound, economically justified, and environmentally acceptable and in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): Provided further, That the economic justification for the emergency outlet shall be prepared in ac-

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cordance with the principles and guidelines for economic
evaluation as required by regulations and procedures of
the Army Corps of Engineers for all flood control projects,
and that the economic justification be fully described, in-
cluding the analysis of the benefits and costs, in the
project plan documents: Provided further, That the plans
for the emergency outlet shall be reviewed and, to be effec-
tive, shall contain assurances provided by the Secretary
of State, after consultation with the International Joint
Commission, that the project will not violate the require-
ments or intent of the Treaty Between the United States
and Great Britain Relating to Boundary Waters Between
the United States and Canada, signed at Washington Jan-
uary 11, 1909 (36 Stat. 2448; TS 548) (commonly known
as the “Boundary Waters Treaty of 1909”): Provided fur-
ther, That the Secretary of the Army shall submit the final
plans and other documents for the emergency outlet to
Congress: Provided further, That no funds made available
under this Act or any other Act for any fiscal year may
be used by the Secretary of the Army to carry out the
portion of the feasibility study of the Devils Lake Basin,
North Dakota, authorized under the Energy and Water
Development Appropriations Act, 1993 (Public Law 102–
377), that addresses the needs of the area for stabilized
lake levels through inlet controls, or to otherwise study
any facility or carry out any activity that would permit
the transfer of water from the Missouri River Basin into
Devils Lake: Provided further, That the entire amount of
$8,000,000 shall be available only to the extent an official
budget request, that includes the designation of the entire
amount of the request as an emergency requirement as
defined by the Balanced Budget and Emergency Deficit
Control Act of 1985, as amended, is transmitted by the
President to the Congress.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,
ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISS-
ISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood
control, and rescue work, repair, restoration, or mainte-
nance of flood control projects threatened or destroyed by
flood, as authorized by law (33 U.S.C. 702a, 702g–1),
$313,234,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, oper-
ation, 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 gen-
eral commerce and navigation; surveys and charting of
northern and northwestern lakes and connecting waters;
clearing and straightening channels; and removal of ob-
strucions to navigation, $1,667,572,000, to remain avail-
able until expended, of which such sums as become avail-
able from the special account established by the Land and
460l), may be derived from that Fund for construction,
operation, and maintenance of outdoor recreation facili-
ties, and of which funds are provided for the following
projects in the amounts specified:

Ponce DeLeon Inlet, Florida, $4,000,000;
Delaware River, Philadelphia to the Sea, Pea
Patch Island, Delaware and New Jersey,
$1,500,000; and
Yuquina Bay and Harbor, North Marina
Breakwater, Oregon, $1,100,000:

Provided, That no funds, whether appropriated, contrib-
uted, or otherwise provided, shall be available to the
United States Army Corps of Engineers for the purpose
of acquiring land in Jasper County, South Carolina, in
connection with the Savannah Harbor navigation project:

Provided further, That notwithstanding section 103(c)(1)
of Public Law 99–662, the Secretary of the Army is di-
rected to use up to $100,000 of the funds appropriated
herein for the Bluestone Lake, West Virginia, project to
reimburse the Tri-Cities Power Authority the total amount
provided by the Authority to the Department of the Army after fiscal year 1997 for the reevaluation study for the project.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $106,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to clean up contaminated sites throughout the United States where work was performed as part of the Nation’s early atomic energy program, $140,000,000, to remain available until expended: Provided, That the remedial actions by the U.S. Army Corps of Engineers under this program shall consist of the following functions and activities to be performed at eligible sites where remediation has not been completed: sampling and assessment of contaminated areas, characterization of site conditions, determination of the nature and extent of contamination, preparation of designation reports, cleanup and closeout of sites, and any other functions determined by the Chief of Engineers as necessary of remediation: Provided further, That remedial actions by the U.S. Army Corps of Engineers under this program shall be subject to the administrative, procedural, and regulatory provisions of the Comprehensive Environmental
Response, Compensation and Liability Act, 42 U.S.C. 9601 et seq., and the Notional Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R., Chapter 1, Part 300; **Provided further**, That, except as stated herein, these provisions do not alter, curtail or limit the authorities, function or responsibilities of other agencies under the Atomic Energy Act, 42 U.S.C. 2011 et seq.; **Provided further**, That the unexpended balances of prior appropriations provided for these activities in this Act or any previous Energy and Water Development Appropriations Act may be transferred to and merged with this appropriation account, and thereafter, may be accounted for as one fund for the same time period as originally enacted.

**GENERAL EXPENSES**

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, the Water Resources Support Center, and the USACE Finance Center; and for costs of implementing the Secretary of the Army’s plan to reduce the number of division offices as directed in title I, Public Law 104–206, $148,000,000, to remain available until expended; **Provided**, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engi-
neers or the executive direction and management activities
of the division offices.

REVOLVING FUND

Amounts in the Revolving Fund may be used to con-
struct a 17,000 square foot addition to the United States
Army Corps of Engineers Alaska District main office
building on Elemendorf Air Force Base. The Revolving
Fund shall be reimbursed for such funding from appro-
priations of the benefitting programs by collection each
year of user fees sufficient to repay the capitalized cost
of the asset and to operate and maintain the asset. Using
amounts available in the Revolving Fund, the Secretary
of the Army is authorized to renovate office space in the
General Accounting Office headquarters building in Wash-
ington, DC, for use by the Corps and GAO. The Secretary
is authorized to enter into a lease with GAO to occupy
such renovated space as appropriate, for the Corps’ head-
quarters. The Secretary shall ensure that the Revolving
Fund is appropriately reimbursed from appropriations of
the Corps’ benefitting programs by collection each year of
amounts sufficient to repay the capitalized cost of such
renovation and through rent reductions or rebates from
GAO.

ADMINISTRATIVE PROVISION

Appropriations in this title shall be available for offi-
cial reception and representation expenses (not to exceed
$5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SECTION 101. Notwithstanding any other provisions of law, no fully allocated funding policy shall be applied to projects for which funds are identified in the Committee reports accompanying the Act or a subsequent Energy and Water Development Appropriations Act under the Construction, General; Operation and Maintenance, General; and Flood Control, Mississippi River and Tributaries, appropriation accounts: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake these projects using continuing contracts, as authorized in section 10 of the Rivers and Harbors Act of September 22, 1922 (33 U.S.C. 621).

SEC. 102. In fiscal year 1999, the Secretary of the Army is authorized and directed to provide planning, design and construction assistance to non-Federal interests in carrying out water-related environmental infrastructure and environmental resources development projects in Alaska, including assistance for wastewater treatment and related facilities; water supply, storage, treatment and dis-
tribution facilities; development, restoration or improvement of wetlands and other aquatic areas for the purpose of protection or development of surface water resources; and bulk fuel storage, rural power, erosion control, and comprehensive utility planning: Provided, That the non-Federal interest shall enter into a binding agreement with the Secretary wherein the non-Federal interest will provide all lands, easements, rights-of-way, relocations, and dredge material disposal areas required for the project, and pay 50 per centum of the costs of required feasibility studies, 25 per centum of the costs of designing and constructing the project, and 100 per centum of the costs of operation, maintenance, repair, replacement or rehabilitation of the project: Provided further, That the value of lands, easements, rights-of-way, relocations and dredged material disposal areas provided by the non-Federal interest shall be credited toward the non-Federal share, not to exceed 25 per centum, of the costs of designing and constructing the project: Provided further, That utilizing $5,000,000 of the funds appropriated herein, the Secretary is directed to carry out this section.

Sec. 103. None of the funds made available in this Act may be used to revise the Missouri River Master Water Control Manual when it is made known to the Federal entity or official to which the funds are made available.
that such revision provides for an increase in the spring-
time water release program during the spring heavy rain-
fall and snow melt period in States that have rivers drain-
ing into the Missouri River below the Gavins Point Dam.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central
Utah Project Completion Act, and for activities related to
the Uintah and Upalco Units authorized by 43 U.S.C.
620, $43,665,000, to remain available until expended, of
which $15,476,000 shall be deposited into the Utah Recl-
amation Mitigation and Conservation Account: Provided,
That of the amounts deposited into that account,
$5,000,000 shall be considered the Federal contribution
authorized by paragraph 402(b)(2) of the Central Utah
Project Completion Act and $10,476,000 shall be available
to the Utah Reclamation Mitigation and Conservation
Commission to carry out activities authorized under that
Act.

In addition, for necessary expenses incurred in carry-
ing out related responsibilities of the Secretary of the Inte-
rior, $1,283,000, to remain available until expended.
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:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian Tribes, and others, $697,919,000, to remain available until expended, of which $1,873,000 shall be available for transfer to the Upper Colorado River Basin Fund and $46,218,000 shall be available for transfer to the Lower Colorado River Basin Development Fund, and of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bu-
reau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That of the total appropriated, $25,800,000 shall be derived by transfer of unexpended balances from the Bureau of Reclamation Working Capital Fund: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: Provided further, That the amount authorized for Indian municipal, rural, and industrial water features by section 10 of Public Law 89–108, as amended by section 8 of Public Law 99–294 and section 1701(b) of Public Law 102–575, is increased by $2,000,000 (October 1997 prices): Provided further, That the Secretary of the Interior is directed to use not to exceed $3,600,000 of funds appropriated herein as the Bureau of Reclamation share for completion of the McCall Area Wastewater Reclamation and Reuse, Idaho, project
authorized in Public Law 105–62 and described in PN–
FONSI–96–05.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $12,000,000, to remain available until expended, as au-
thorized by the Small Reclamation Projects Act of August
6, 1956, as amended (43 U.S.C. 422a–422l): Provided,
That such costs, including the cost of modifying such
loans, shall be as defined in section 502 of the Congres-
sional Budget Act of 1974: Provided further, That these
funds are available to subsidize gross obligations for the
principal amount of direct loans not to exceed
$38,000,000.

In addition, for administrative expenses necessary to
carry out the program for direct loans and/or grants,
$425,000, to remain available until expended: Provided,
That of the total sums appropriated, the amount of pro-
gram activities that can be financed by the Reclamation
Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and
habitat restoration, improvement, and acquisition provi-
sions of the Central Valley Project Improvement Act,
$39,500,000 to be derived from such sums as may be col-
lected in the Central Valley Project Restoration Fund pur-
suant to sections 3407(d), 3404(e)(3), 3405(f), and
3406(c)(1) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

CALIFORNIA BAY-DELTA ECOSYSTEM RESTORATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of the Interior and other participating Federal agencies in carrying out the California Bay-Delta Environmental Enhancement and Water Security Act consistent with plans to be approved by the Secretary of the Interior, in consultation with such Federal agencies, $65,000,000, to remain available until expended, of which such amounts as may be necessary to conform with such plans shall be transferred to appropriate accounts of such Federal agencies: Provided, That such funds may be obligated only as non-Federal sources provide their share in accordance with the cost-sharing agreement required under section 102(d) of such Act: Provided further, That such funds may be obligated prior to the completion of a final programmatic environmental impact statement only if: (1) consistent with 40 CFR 1506.1(c); and (2) used for purposes that the Secretary finds are of sufficiently high priority to warrant such an expenditure.
POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $48,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed six passenger motor vehicles for replacement only.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for energy supply, uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construc-
tion, or expansion; and the purchase of 22 passenger
motor vehicles for replacement only, $699,836,000, to re-
main available until October 1, 2000, of which not to ex-
ceed $25,000 may be used for official reception and rep-esentation expenses for transparency activities and of
which not to exceed $1,500,000 may be used to pay a por-
tion of the expenses necessary to meet the United States’
annual obligations of membership in the Nuclear Energy
Agency.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the
purchase, construction and acquisition of plant and capital
equipment and other expenses necessary for non-defense
environmental management activities in carrying out the
purposes of the Department of Energy Organization Act
(42 U.S.C. 7101 et seq.), including the acquisition or con-
demnation of any real property or any facility or for plant
or facility acquisition, construction or expansion,
$456,700,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND

DECOMMISSIONING FUND

For necessary expenses in carrying out uranium en-
richment facility decontamination and decommissioning,
remedial actions and other activities of title II of the
Atomic Energy Act of 1954 and title X, subtitle A of the
Energy Policy Act of 1992, $200,000,000, to be derived
from the Fund, to remain available until expended: Provided, That $30,000,000 of amounts derived from the Fund for such expenses shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of 15 passenger motor vehicles for replacement only, $2,669,560,000, to remain available until expended: Provided, That $7,600,000 of the unobligated balances originally available for Superconducting Super Collider termination activities shall be made available for other activities under this heading.

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, $190,000,000, to remain available until expended, to be derived from the Nuclear Waste Fund; of which not to exceed $4,875,000 may be provided to the
State of Nevada solely to conduct scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982; and of which not to exceed $5,540,000 may be provided to affected local governments, as defined in Public Law 97–425, to conduct appropriate activities pursuant to the Act: *Provided*, That the distribution of the funds to the units of local government shall be determined by the Department of Energy: *Provided further*, That the funds shall be made available to the units of local government by direct payment: *Provided further*, That within ninety days of the completion of each Federal fiscal year, each local entity shall provide certification to the Department of Energy, that all funds expended from such payments have been expended for activities as defined in Public Law 97–425. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multistate efforts or other coalition building activities inconsistent with the restrictions contained in this Act.
DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $238,539,000, to remain available until expended: Provided, That moneys received by the Department for miscellaneous revenues estimated to total $136,530,000 in fiscal year 1999 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 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 1999 so as to result in a final fiscal year 1999 appropriation from the General Fund estimated at not more than $102,009,000.

OFFICE OF THE INSPECTOR GENERAL

Atomic Energy Defense Activities

Weapons Activities

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; the purchase of one fixed wing aircraft; and the purchase of passenger motor vehicles (not to exceed 32 for replacement only, and one bus), $4,445,700,000, to remain available until expended: Provided, That funding for any ballistic missile defense program undertaken by the Department of Energy for the Department of Defense shall be provided by the Department of Defense according to procedures established for Work for Others by the Department of Energy.

Defense Environmental Restoration and Waste Management

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department
of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
cluding the acquisition or condemnation of any real prop-
erty or any facility or for plant or facility acquisition, con-
struction, or expansion; and the purchase of passenger
motor vehicles (not to exceed 3 new sedans and 6 for re-
placement only, of which 3 are sedans, 2 are buses, and
one is an ambulance), $4,293,403,000, to remain available
until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to acceler-
ate the closure of defense environmental management
sites, including the purchase, construction and acquisition
of plant and capital equipment and other necessary ex-
penses, $1,048,240,000, to remain available until ex-
pended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization
projects necessary for atomic energy defense environ-
mental restoration and waste management activities au-
thorized by the Department of Energy Organization Act
(42 U.S.C. 7101, et seq.), $241,857,000, to remain avail-
able until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the
purchase, construction and acquisition of plant and capital
equipment and other expenses necessary for atomic energy
defense, other defense activities, in carrying out the pur-
poses of the Department of Energy Organization Act (42
U.S.C. 7101, et seq.), including the acquisition or con-
demnation of any real property or any facility or for plant
or facility acquisition, construction, or expansion,
$1,658,160,000, to remain available until expended: Pro-
vided, That of the amount appropriated herein $5,000,000
shall be available for the joint U.S.-Russian development
of a passively safe advanced reactor technology to dispose
of Russian excess weapons derived plutonium: Provided
further, That $56,700,000 appropriated herein is to pro-
cure plutonium disposition services and to begin Title I
design for a mixed-oxide fuel fabrication facility: Provided
further, That such funds shall not be available except as
necessary to implement a bilateral program with the Rus-
sian Federation to convert to non-weapons forms and dis-
pose of excess weapons plutonium in accordance with
which the United States will at no time convert to non-
weapons forms quantities of excess weapons plutonium
greater than those converted to non-weapons forms by the
Russian Federation.

DEFENSE NUCLEAR WASTE DISPOSAL

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, $185,000,000, to remain available until ex-
pered.

**Power Marketing Administrations**

**Operation and Maintenance, Alaska Power Administration**

For capital assets acquisition, $5,000,000, to remain
available until expended.

**Bonneville Power Administration Fund**

Expenditures from the Bonneville Power Administra-
tion Fund, established pursuant to Public Law 93–454,
are approved for official reception and representation ex-
penses in an amount not to exceed $3,000.

During fiscal year 1999, no new direct loan obliga-
tions may be made.

**Operation and Maintenance, Southeastern Power Administration**

For necessary expenses of operation and maintenance
of power transmission facilities and of marketing electric
power and energy pursuant to the provisions of section
5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as
applied to the southeastern power area, $8,500,000, to re-
main available until expended; in addition, notwithstand-
ing 31 U.S.C. 3302, not to exceed $28,000,000 in reim-
bursements of which $20,000,000 is for transmission
wheeling and ancillary services and $8,000,000 is for
power purchases at the Richard B. Russell Project, to re-
main 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 recep-
tion and representation expenses in an amount not to ex-
ceed $1,500 in carrying out the provisions of section 5
of the Flood Control Act of 1944 (16 U.S.C. 825s), as
applied to the southwestern power area, $26,000,000, to
remain available until expended; in addition, notwith-
standing the provisions of 31 U.S.C. 3302, not to exceed
$4,200,000 in reimbursements, to remain available until
expend.

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 (42
U.S.C. 7152), and other related activities including con-
servation and renewable resources programs as author-
ized, including official reception and representation ex-
penses in an amount not to exceed $1,500, $215,435,000,
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to remain available until expended, of which $206,222,000
shall be derived from the Department of the Interior Recl-
amation Fund: Provided, That of the amount herein ap-
propriated, $5,036,000 is for deposit into the Utah Re-
lamation Mitigation and Conservation Account pursuant
to title IV of the Reclamation Projects Authorization and

FALCON AND AMISTAD OPERATING AND MAINTENANCE
FUND

For operation, maintenance, and emergency costs for
the hydroelectric facilities at the Falcon and Amistad
Dams, $1,010,000, to remain available until expended,
and to be derived from the Falcon and Amistad Operating
and Maintenance Fund of the Western Area Power Ad-
ministration, as provided in section 423 of the Foreign

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regu-
latory Commission to carry out the provisions of the De-
partment of Energy Organization Act (42 U.S.C. 7101 et
seq.), including services as authorized by 5 U.S.C. 3109,
the hire of passenger motor vehicles, and official receeption
and representation expenses (not to exceed $3,000),
$168,898,000, to remain available until expended: Pro-
vided, That notwithstanding any other provision of law,
not to exceed $168,898,000 of revenues from fees and an-
nual charges, and other services and collections in fiscal
year 1999 shall be retained and used for necessary ex-
penses in this account, and shall remain available until
expended: Provided further, That the sum herein appro-
priated from the General Fund shall be reduced as reve-
nues are received during fiscal year 1999 so as to result
in a final fiscal year 1999 appropriation from the General
Fund estimated at not more than $0.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

Sec. 301. (a) None of the funds appropriated by this
Act or any prior appropriations Act may be used to award
a management and operating contract unless such con-
tract is awarded using competitive procedures or the Sec-
retary of Energy grants, on a case-by-case basis, a waiver
to allow for such a deviation. The Secretary may not dele-
gate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amend-
ment, or modification for which the Secretary intends to
grant such a waiver, the Secretary shall submit to the
Subcommittees on Energy and Water Development of the
Committees on Appropriations of the House of Represent-
atives and the Senate a report notifying the subcommit-
tees of the waiver and setting forth the reasons for the
waiver.

SEC. 302. (a) None of the funds appropriated by this
Act or any prior appropriations Act may be used to award,
amend, or modify a contract in a manner that deviates
from the Federal Acquisition Regulation, unless the Sec-
etary of Energy grants, on a case-by-case basis, a waiver
to allow for such a deviation. The Secretary may not dele-
gate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amend-
ment, or modification for which the Secretary intends to
grant such a waiver, the Secretary shall submit to the
Subcommittees on Energy and Water Development of the
Committees on Appropriations of the House of Represent-
atives and the Senate a report notifying the subcommit-
tees of the waiver and setting forth the reasons for the
waiver.

SEC. 303. None of the funds appropriated by this Act
or any prior appropriations Act may be used to—

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

(2) provide enhanced severance payments or
other benefits for employees of the Department of
Energy;
Sec. 304. None of the funds appropriated by this Act or any prior appropriations Act may be used to augment the $40,000,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h).

Sec. 305. None of the funds appropriated by this Act or any prior appropriations Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

Sec. 306. None of the funds appropriated by this Act or any prior appropriations Act may be used to decrease the concentration of radioactive contamination in waste so that such waste complies with the waste acceptance criteria for the Waste Isolation Pilot Plant.

SEC. 307. CHANGE OF NAME OF THE OFFICE OF ENERGY RESEARCH.

(a) In General.—Section 209 of the Department of Energy Organization Act (42 U.S.C. 7139) is amended—
(1) in the section heading, by striking “ENERGY RESEARCH” and inserting “SCIENCE RESEARCH”; and

(2) in subsection (a), by striking “Energy Research” and inserting “Science Research”.

(b) CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents in the first section of the Department of Energy Organization Act (42 U.S.C. prec 7101) is amended by striking the item relating to section 209 and inserting the following:

“Section 209. Office of Science Research.”.

(2) REFERENCES IN OTHER LAW.—Each of the following is amended by striking “Energy Research” and inserting “Science Research”:

(A) The item relating to the Director, Office of Energy Research, Department of Energy in section 5315 of title 5, United States Code.

(B) Section 2902(b)(6) of title 10, United States Code.

(C) Section 406(h)(2)(A)(v) of the Public Health Service Act (42 U.S.C. 284a(h)(2)(A)(v)).

(D) Sections 3167(3) and 3168 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381d(3), 7381e).
(E) Paragraphs (1) and (2) of section 224(b) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10204(b)).


SEC. 308. MAINTENANCE OF SECURITY AT DOE URANIUM ENRICHMENT PLANTS.—Section 3107(h) of the USEC Privatization Act (42 U.S.C. 2297h–5(h)) is amended in paragraph (1), by striking “an adequate number of” and inserting “all”; and by inserting the following paragraph:

“(2) FUNDING.—The Secretary of Energy shall reimburse a contractor or subcontractor for the costs of providing security to a gaseous diffusion plant as required to comply with the guidelines referred to in paragraph (1).”.

SEC. 309. In order to facilitate administrative operations and promote sales of Federal power, upon request of a joint operating entity, the Administrator of the Bonneville Power Administration shall sell, pursuant to section 5(b)(1) of Public Law 96–501, as amended, 94 Stat. 2697, 16 U.S.C. 839c, at wholesale to such joint operating entity electric power for the purpose of meeting the firm power loads of regional public bodies and cooperatives that are members or participants of the joint operating entity.
Provided, That the term “joint operating entity” means an entity that is lawfully organized under state law as a public body or cooperative by, and whose members or participants include only, two or more public bodies or cooperatives which are customers of the Administrator.

(TRANSFERS OF UNEXPENDED BALANCES)

Sec. 310. 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.

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 Co-Chairman 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 5 U.S.C. 3109, and hire of passenger motor vehicles, $67,000,000, to remain available until expended.
DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction and acquisition of plant and capital equipment as necessary and other expenses as authorized pursuant to this Act, $20,000,000, to remain available until expended.

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, $17,500,000, to remain available until expended.

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 of 1954, as amended, including the employment of aliens; services authorized by 5 U.S.C. 3109; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms; official representation expenses (not to exceed $20,000); reimbursements to the General Services Administration for security guard services; hire of passenger motor vehicles and aircraft, $466,000,000, to remain
available until expended: \textit{Provided}, That of the amount appropriated herein, \$17,000,000 shall be derived from the Nuclear Waste Fund: \textit{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: \textit{Provided further}, That monies received by the Commission for the cooperative nuclear safety research program, services rendered to State governments, 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 may be retained and used for salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: \textit{Provided further}, That revenues from licensing fees, inspection services, and other services and collections estimated at \$416,000,000 in fiscal year 1999 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: \textit{Provided further}, That of the amount appropriated herein, \$33,000,000 shall be available only for agreement State oversight, international activities, the generic decommis-
sioning management program, regulatory support to agreement States, the small entity program, the nonprofit educational program, and other federal agency programs, and shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1999 from licensing fees, inspection services and other services and collections, excluding those moneys received for the cooperative nuclear safety research program, services rendered to State governments, foreign governments and international organizations, and the material and information access authorization programs, so as to result in a final fiscal year 1999 appropriation estimated at not more than $50,000,000.

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, $4,800,000, to remain available until expended; and in addition, an amount not to exceed 5 percent of this sum may be transferred from Salaries and Expenses, Nuclear Regulatory Commission: Provided, That notice of such transfers shall be given to the Committees on Appropriations of the House of Represent-
atives 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: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, 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 1999 from licensing fees, inspection services, and other services and collections, so as to result in a final fiscal year 1999 appropriation estimated at not more than $0.

**NUCLEAR WASTE TECHNICAL REVIEW BOARD**

**SALARIES AND EXPENSES**

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $2,600,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

**TENNESSEE VALLEY AUTHORITY**

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16
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U.S.C. ch. 12A), including hire, maintenance, and oper-
ation of aircraft, and purchase and hire of passenger
motor vehicles, $70,000,000, to remain available until ex-
pended.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act
may be used in any way, directly or indirectly, to influence
congressional action on any legislation or appropriation
matters pending before Congress, other than to commu-
nicate to Members of Congress as described in section
1913 of title 18, United States Code.

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

(b) NOTICE REQUIREMENT.—In providing financial
assistance to, or entering into any contract with, any en-
tity using funds made available in this Act, the head of
each Federal agency, to the greatest extent practicable,
shall provide to such entity a notice describing the state-
ment made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS
FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. None of the funds made available in this Act may be provided by contract or by grant (including a grant of funds to be available for student aid) to any institution of higher education, or subelement thereof, that is currently ineligible for contracts and grants pursuant to section 514 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1997 (as contained in section 101(e) of division A of Public Law 104–208; 110 Stat. 3009–270).

SEC. 504. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with a contractor that is subject to the reporting requirement set forth in subsection (d) of section 4212.
of title 38, United States Code, but has not submitted the most recent report required by such subsection.

SEC. 505. None of the funds made available in this Act to pay the salary of any officer or employee of the Department of the Interior may be used for the Animas-La Plata Project, in Colorado and New Mexico, except for:

(1) activities required to comply with the applicable provisions of current law; and (2) continuation of activities pursuant to the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100-585).

SEC. 506. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to 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.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the “Cleanup Program—Alternative Repayment Plan” and the “SJVDP—Alter-
native Repayment Plan described in the report entitled “Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995”, prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal Reclamation law.


SEC. 508. None of the funds made available in this or any other Act may be used to restart the High Flux Beam Reactor.

TITLE VI
DENALI COMMISSION

SEC. 601. SHORT TITLE.

This title may be cited as the “Denali Commission Act of 1998”.

SEC. 602. FINDINGS.

The Congress finds that—
(1) vast regions of the State of Alaska, while abundant in natural resources and rich in potential, trail the rest of the Nation in economic growth;

(2) roughly two-thirds of the land and associated natural resources within Alaska are owned by the federal government;

(3) many Alaska communities do not have access to potable water which often results in disease, and in some cases death;

(4) the primary means of sewage disposal in some Alaska communities continues to open sewage lagoons, which can result in outbreaks of hepatitis, meningitis, particularly among young children;

(5) power costs are as much as ten times higher in some areas of Alaska than in the lower 48 states, which thwarts economic development;

(6) bulk fuel storage tanks built by the federal government in many Alaska communities do not comply with the Oil Pollution Act of 1990, could, therefore, be required to be closed, are used to store heating oil critical to survival, and that Alaska communities presently have no way to upgrade or replace the tanks;
(7) the majority of Alaska communities have essential infrastructure needs which presently cannot be met;

(8) the lack of infrastructure and economic opportunities in Alaska communities has resulted in disproportionately high federal costs for welfare assistance, unemployment assistance, food stamps, heating oil, and other federal programs in Alaska; and

(9) by addressing infrastructure needs and promoting economic development, the reliance of Alaska communities on federal assistance and the cost to the federal government of such assistance could be significantly reduced.

SEC. 603. PURPOSE.

It is the purpose of this Act to assist Alaska in addressing its special problems, to develop its infrastructure and utilities, to promote its economic development in rural communities by utilizing the markets, technical support, and other resources of urban areas, and to establish a framework for joint Federal and State efforts toward providing basic facilities essential to its growth and attacking its common problems.
SEC. 604. DENALI COMMISSION.

(a) Establishment.—There is hereby established the Denali Commission which shall be composed of one Federal member appointed by the President with the advice and consent of the Senate, one State member appointed by the Governor after consultation with the Alaska Federation of Natives, the President of the University of Alaska or a designee, the President of the Alaska Chamber of Commerce, and the Executive Director of the Alaska Municipal League. The Federal member shall be compensated by the Federal government at level III of the Executive Schedule of subchapter II of chapter 53 of title V, United States Code.

(b) Chairman; Decisions.—The Federal member shall be the Chairman of the Denali Commission. Decisions by the Denali Commission shall require the affirmative vote of the Chairman and at least two of the other members of the Commission. With respect to matters that come before the Commission, the Chairman may inform Federal departments and agencies having an interest in the subject matter as appropriate.

(c) Functions.—The Denali Commission, in consultation with the Governor of Alaska, shall develop a statewide, comprehensive plan for economic and infrastructure development, establish priorities, approve project and grant proposals, and administer funds appropriated

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to the Commission. It shall solicit project proposals to modernize infrastructure from local governments and other organizations. The Commission is authorized to adopt rules and regulations governing its conduct, appoint and fix compensation of staff to assist the Commission, accept and use gifts or donations, and enter into and perform contracts, leases, or cooperative agreements. Administrative expenses of the Commission shall be paid by the federal government and may not exceed 5 percent of any funds appropriated under this Act. The Commission and its grantees shall maintain accurate and complete records which shall be available for audit and examination by the Comptroller General or his designee. The Commission shall submit an annual report six months after the conclusion of the fiscal year which shall be submitted to the President, the Chairmen of the House and Senate Appropriations Committees, and the Governor of Alaska.

(d) SPECIAL FUNCTIONS.—

(1) RURAL UTILITIES.—In carrying out its other functions, the Denali Commission should provide assistance as appropriate and seek to avoid duplication and to complement the water and wastewater programs under section 306D of the Consolidated Farm and Rural Development Act (7 U.S.C.
1926d) and under section 303 of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1263a).

(2) BULK FUEL TANKS.—The Denali Commission, in consultation with the Commandant of the United States Coast Guard, shall develop a program to provide for the repair or replacement of bulk fuel storage tanks in Alaska which are not in compliance with federal law, including the Oil Pollution Act of 1990, or State law.

SEC. 605. INSPECTOR GENERAL.

Section 8G of the Inspector General Act of 1978, as amended (5 U.S.C. appendix 3 section 8G) is amended in subsection (a)(2) thereof by adding after “the Corporation for Public Broadcasting”, “the Denali Commission,”.

SEC. 606. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Denali Commission to carry out this Act and for necessary expenses including staff, $20,000,000 in fiscal year 1999 and such sums as may be necessary for each of fiscal years 2000 through 2003.

This Act may be cited as the “Energy and Water Development Appropriations Act, 1999”.

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A BILL

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105TH CONGRESS

Making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes.

Passed June 5, 1998

Report No. 105-206

Calendar No. 401