

1 vision of the Chief of Engineers for authorized civil func-
2 tions of the Department of the Army pertaining to rivers
3 and harbors, flood control, beach erosion, and related pur-
4 poses.

5 GENERAL INVESTIGATIONS

6 For expenses necessary for the collection and study
7 of basic information pertaining to river and harbor, flood
8 control, shore protection, and related projects, restudy of
9 authorized projects, miscellaneous investigations, and,
10 when authorized by laws, surveys and detailed studies and
11 plans and specifications of projects prior to construction,
12 \$158,993,000, to remain available until expended: *Pro-*
13 *vided*, That the Secretary of the Army, acting through the
14 Chief of Engineers, is directed to use the remaining unob-
15 ligated funds appropriated in Public Law 102-377 for the
16 Red River Waterway, Shreveport, Louisiana, to
17 Daingerfield, Texas, project for the feasibility phase of the
18 Red River Navigation, Southwest Arkansas, study.

19 CONSTRUCTION, GENERAL

20 For the prosecution of river and harbor, flood control,
21 shore protection, and related projects authorized by laws,
22 and detailed studies, and plans and specifications, of
23 projects (including those for development with participa-
24 tion or under consideration for participation by States,
25 local governments, or private groups) authorized or made

1 eligible for selection by law (but such studies shall not con-
2 stitute a commitment of the Government to construction),
3 ~~\$1,412,591,000~~, to remain available until expended, of
4 which such sums as are necessary for the Federal share
5 of construction costs for facilities under the Dredged Ma-
6 terial Disposal Facilities program shall be derived from
7 the Harbor Maintenance Trust Fund, as authorized by
8 Public Law ~~104-303~~; and of which such sums as are nec-
9 essary pursuant to Public Law ~~99-662~~ shall be derived
10 from the Inland Waterways Trust Fund, for one-half of
11 the costs of construction and rehabilitation of inland wa-
12 terways projects, including rehabilitation costs for the
13 Lock and Dam ~~25~~, Mississippi River, Illinois and Mis-
14 souri; Lock and Dam ~~14~~, Mississippi River, Iowa; Lock
15 and Dam ~~24~~, Mississippi River, Illinois and Missouri; and
16 Lock and Dam ~~3~~, Mississippi River, Minnesota; London
17 Locks and Dam; Kanawha River, West Virginia; and Lock
18 and Dam ~~12~~, Mississippi River, Iowa, projects; and of
19 which funds are provided for the following projects in the
20 amounts specified:

21 Indianapolis Central Waterfront, Indiana,
22 \$10,991,000;
23 Harlan/Clover Fork, Pike County, Middlesboro,
24 Martin County, Pike County Tug Forks Tributaries,
25 Bell County, Harlan County, and Town of Martin

1 elements of the Levisa and Tug Forks of the Big
 2 Sandy River and Upper Cumberland River project in
 3 Kentucky, \$14,050,000; and

4 Passaic River Streambank Restoration, New
 5 Jersey, \$8,000,000.

6 FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,
 7 ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MIS-
 8 SISSIPPI, MISSOURI, AND TENNESSEE

9 For expenses necessary for prosecuting work of flood
 10 control, and rescue work, repair, restoration, or mainte-
 11 nance of flood control projects threatened or destroyed by
 12 flood, as authorized by law (~~33~~ U.S.C. 702a and 702g-
 13 1), \$313,324,000, to remain available until expended.

14 OPERATION AND MAINTENANCE, GENERAL

15 For expenses necessary for the preservation, oper-
 16 ation, maintenance, and care of existing river and harbor,
 17 flood control, and related works, including such sums as
 18 may be necessary for the maintenance of harbor channels
 19 provided by a State, municipality or other public agency,
 20 outside of harbor lines, and serving essential needs of gen-
 21 eral commerce and navigation; surveys and charting of
 22 northern and northwestern lakes and connecting waters;
 23 clearing and straightening channels; and removal of ob-
 24 structions to navigation, \$1,888,481,000, to remain avail-
 25 able until expended, of which such sums as become avail-

1 able in the Harbor Maintenance Trust Fund, pursuant to
2 Public Law 99-662, may be derived from that Fund, and
3 of which such sums as become available from the special
4 account established by the Land and Water Conservation
5 Act of 1965, as amended (16 U.S.C. 4601), may be derived
6 from that account for construction, operation, and mainte-
7 nance of outdoor recreation facilities.

8 REGULATORY PROGRAM

9 For expenses necessary for administration of laws
10 pertaining to regulation of navigable waters and wetlands,
11 \$117,000,000, to remain available until expended: *Pro-*
12 *vided*, That the Secretary of the Army, acting through the
13 Chief of Engineers, is directed to use \$5,000,000 of funds
14 appropriated herein to fully implement an administrative
15 appeals process for the Corps of Engineers Regulatory
16 Program, which administrative appeals process shall pro-
17 vide for a single-level appeal of jurisdictional determina-
18 tions, the results of which shall be considered final agency
19 action under the Administrative Procedures Act: *Provided*
20 *further*, That the Secretary of the Army, acting through
21 the Chief of Engineers, shall, using funds provided herein,
22 prepare studies and analyses of the impacts on Regulatory
23 Branch workload and on cost of compliance by the regu-
24 lated community of proposed replacement permits for the
25 nationwide permit 26 under section 404 of the Clean

1 Water Act: *Provided further*, That none of the funds made
2 available under this Act may be used by the Secretary of
3 the Army to promulgate or implement such replacement
4 permits unless and until 30 days prior to the final publica-
5 tion of the proposed replacement permits for the nation-
6 wide permit 26 under section 404 of the Clean Water Act
7 the Secretary of the Army, acting through the Chief of
8 Engineers, has submitted the aforementioned studies and
9 analyses not later than December 30, 1999 to the Com-
10 mittees on Appropriations of the House and Senate, the
11 Transportation and Infrastructure Committee of the
12 House, and the Committee on Environment and Public
13 Works of the Senate: *Provided further*, That the Secretary
14 of the Army, acting through the Chief of Engineers, shall
15 not terminate the current nationwide permit 26 unless and
16 until the aforementioned report has been submitted to the
17 Committees on Appropriations of the House and Senate,
18 the Transportation and Infrastructure Committee of the
19 House, and the Committee on Environment and Public
20 Works of the Senate.

21 FORMERLY UTILIZED SITES REMEDIAL ACTION

22 PROGRAM

23 (INCLUDING TRANSFER OF FUNDS)

24 For expenses necessary to clean up contamination
25 from sites throughout the United States resulting from

1 work performed as part of the Nation's early atomic en-
2 ergy program, \$150,000,000.

3 GENERAL EXPENSES

4 For expenses necessary for general administration
5 and related functions in the Office of the Chief of Engi-
6 neers and offices of the Division Engineers; activities of
7 the Coastal Engineering Research Board, the Humphreys
8 Engineer Center Support Activity, the Water Resources
9 Support Center, and headquarters support functions at
10 the USACE Finance Center, \$148,000,000, to remain
11 available until expended: *Provided*, That no part of any
12 other appropriation provided in title I of this Act shall
13 be available to fund the activities of the Office of the Chief
14 of Engineers or the executive direction and management
15 activities of the division offices: *Provided further*, That
16 none of these funds shall be available to support an office
17 of congressional affairs within the executive office of the
18 Chief of Engineers: *Provided further*, That none of these
19 funds shall be used to support more than one regional of-
20 fice in each Corps of Engineers division, which office shall
21 serve as divisional headquarters.

22 ADMINISTRATIVE PROVISION

23 Appropriations in this title shall be available for offi-
24 cial reception and representation expenses (not to exceed
25 \$5,000); and during the current fiscal year the Revolving

1 Fund, Corps of Engineers, shall be available for purchase
2 (not to exceed 100 for replacement only) and hire of pas-
3 senger motor vehicles.

4 TITLE II

5 DEPARTMENT OF THE INTERIOR

6 CENTRAL UTAH PROJECT

7 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

8 For carrying out activities authorized by the Central
9 Utah Project Completion Act, and for activities related to
10 the Uintah and Upaleo Units authorized by 43 U.S.C.
11 620, \$35,907,000, to remain available until expended, of
12 which \$15,476,000 shall be deposited into the Utah Rec-
13 lamation Mitigation and Conservation Account. *Provided,*
14 That of the amounts deposited into that account,
15 \$5,000,000 shall be considered the Federal contribution
16 authorized by paragraph 402(b)(2) of the Central Utah
17 Project Completion Act and \$10,476,000 shall be available
18 to the Utah Reclamation Mitigation and Conservation
19 Commission to carry out activities authorized under that
20 Act.

21 In addition, for necessary expenses incurred in ear-
22 rying out related responsibilities of the Secretary of the
23 Interior, \$1,283,000, to remain available until expended.

1 BUREAU OF RECLAMATION

2 The following appropriations shall be expended to
3 execute authorized functions of the Bureau of Reclama-
4 tion:

5 WATER AND RELATED RESOURCES

6 (INCLUDING TRANSFER OF FUNDS)

7 For management, development, and restoration of
8 water and related natural resources and for related activi-
9 ties, including the operation, maintenance and rehabilita-
10 tion of reclamation and other facilities, participation in
11 fulfilling related Federal responsibilities to Native Ameri-
12 cans, and related grants to, and cooperative and other
13 agreements with, State and local governments, Indian
14 Tribes, and others, \$604,910,000, to remain available
15 until expended, of which \$2,247,000 shall be available for
16 transfer to the Upper Colorado River Basin Fund and
17 \$24,089,000 shall be available for transfer to the Lower
18 Colorado River Basin Development Fund, and of which
19 such amounts as may be necessary may be advanced to
20 the Colorado River Dam Fund: *Provided*, That such trans-
21 fers may be increased or decreased within the overall ap-
22 propriation under this heading: *Provided further*, That of
23 the total appropriated, the amount for program activities
24 that can be financed by the Reclamation Fund or the Bu-
25 reau of Reclamation special fee account established by 16
26 U.S.C. 4601-6a(i) shall be derived from that Fund or ac-

1 count: *Provided further*, That funds contributed under 43
2 U.S.C. 395 are available until expended for the purposes
3 for which contributed: *Provided further*, That funds ad-
4 vanced under 43 U.S.C. 397a shall be credited to this ac-
5 count and are available until expended for the same pur-
6 poses as the sums appropriated under this heading: *Pro-*
7 *vided further*, That funds available for expenditure for the
8 Departmental Irrigation Drainage Program may be ex-
9 pended by the Bureau of Reclamation for site remediation
10 on a non-reimbursable basis.

11 BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

12 For the cost of direct loans and/or grants,
13 \$12,000,000, to remain available until expended, as au-
14 thorized by the Small Reclamation Projects Act of August
15 6, 1956, as amended (43 U.S.C. 422a-422i): *Provided*,
16 That such costs, including the cost of modifying such
17 loans, shall be as defined in section 502 of the Congres-
18 sional Budget Act of 1974, as amended: *Provided further*,
19 That these funds are available to subsidize gross obliga-
20 tions for the principal amount of direct loans not to exceed
21 \$43,000,000.

22 In addition, for administrative expenses necessary to
23 carry out the program for direct loans and/or grants,
24 \$425,000, to remain available until expended: *Provided*,
25 That of the total sums appropriated, the amount of pro-

1 gram activities that can be financed by the Reclamation
2 Fund shall be derived from that Fund.

3 CENTRAL VALLEY PROJECT RESTORATION FUND

4 For carrying out the programs, projects, plans, and
5 habitat restoration, improvement, and acquisition provi-
6 sions of the Central Valley Project Improvement Act,
7 \$47,346,000, to be derived from such sums as may be col-
8 lected in the Central Valley Project Restoration Fund pur-
9 suant to sections 3407(d), 3404(e)(3), 3405(f), and
10 3406(e)(1) of Public Law 102-575, to remain available
11 until expended: *Provided*, That the Bureau of Reclamation
12 is directed to assess and collect the full amount of the
13 additional mitigation and restoration payments authorized
14 by section 3407(d) of Public Law 102-575.

15 CALIFORNIA BAY-DELTA RESTORATION

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses of the Department of the In-
18 terior and other participating Federal agencies in carrying
19 out ecosystem restoration activities pursuant to the Cali-
20 fornia Bay-Delta Environmental Enhancement Act and
21 other activities that are in accord with the CALFED Bay-
22 Delta Program, including projects to improve water use
23 efficiency, water quality, groundwater storage, surface
24 storage, levees, conveyance, and watershed management,
25 consistent with plans to be approved by the Secretary of
26 the Interior, in consultation with such Federal agencies,

1 \$75,000,000, to remain available until expended, of which
2 \$45,000,000 shall be used for ecosystem restoration activi-
3 ties and \$30,000,000 shall be used for such other activi-
4 ties, and of which such amounts as may be necessary to
5 conform with such plans shall be transferred to appro-
6 priate accounts of such Federal agencies: *Provided*, That
7 no more than \$7,000,000 of the funds appropriated herein
8 may be used for planning and management activities asso-
9 ciated with developing the overall CALFED Bay-Delta
10 Program and coordinating its staged implementation: *Pro-*
11 *vided further*, That funds for ecosystem restoration activi-
12 ties may be obligated only as non-Federal sources provide
13 their share in accordance with the cost-sharing agreement
14 required under section 1101(d) of such Act, and that
15 funds for such other activities may be obligated only as
16 non-Federal sources provide their share in a manner con-
17 sistent with such cost-sharing agreement: *Provided fur-*
18 *ther*, That such funds may be obligated prior to the com-
19 pletion of a final programmatic environmental impact
20 statement only if: (1) consistent with 40 CFR 1506.1(e);
21 and (2) used for purposes that the Secretary finds are of
22 sufficiently high priority to warrant such an expenditure.

23 POLICY AND ADMINISTRATION

24 For necessary expenses of policy, administration, and
25 related functions in the office of the Commissioner, the
26 Denver office, and offices in the five regions of the Bureau

1 of Reclamation, to remain available until expended,
2 \$45,000,000, to be derived from the Reclamation Fund
3 and be nonreimbursable as provided in ~~43~~ U.S.C. 377:
4 *Provided*, That no part of any other appropriation in this
5 Act shall be available for activities or functions budgeted
6 as policy and administration expenses.

7 ADMINISTRATIVE PROVISION

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

11 TITLE III

12 DEPARTMENT OF ENERGY

13 ENERGY PROGRAMS

14 ENERGY SUPPLY

15 (INCLUDING TRANSFER OF FUNDS)

16 For Department of Energy expenses including the
17 purchase, construction and acquisition of plant and capital
18 equipment, and other expenses necessary for energy sup-
19 ply, and uranium supply and enrichment activities in ear-
20 rying out the purposes of the Department of Energy Orga-
21 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
22 sition or condemnation of any real property or any facility
23 or for plant or facility acquisition, construction, or expan-
24 sion; and the purchase of not to exceed one passenger
25 motor vehicle for replacement only, ~~\$583,399,953~~ (in-
26 creased by \$30,000,000), of which ~~\$820,953~~ shall be de-

1 rived by transfer from the Geothermal Resources Develop-
2 ment Fund, and of which \$5,000,000 shall be derived by
3 transfer from the United States Enrichment Corporation
4 Fund.

5 NON-DEFENSE ENVIRONMENTAL MANAGEMENT

6 For Department of Energy expenses, including the
7 purchase, construction and acquisition of plant and capital
8 equipment and other expenses necessary for non-defense
9 environmental management activities in carrying out the
10 purposes of the Department of Energy Organization Act
11 (42 U.S.C. 7101 et seq.), including the acquisition or con-
12 demnation of any real property or any facility or for plant
13 or facility acquisition, construction or expansion,
14 \$327,223,000, to remain available until expended.

15 URANIUM ENRICHMENT DECONTAMINATION AND
16 DECOMMISSIONING FUND

17 For necessary expenses in carrying out uranium en-
18 richment facility decontamination and decommissioning,
19 remedial actions and other activities of title H of the
20 Atomic Energy Act of 1954 and title X, subtitle A of the
21 Energy Policy Act of 1992, \$240,198,000, to be derived
22 from the Fund, to remain available until expended: *Pro-*
23 *vided*, That \$30,000,000 of amounts derived from the
24 Fund for such expenses shall be available in accordance
25 with title X, subtitle A, of the Energy Policy Act of 1992.

1 SCIENCE

2 For Department of Energy expenses including the
3 purchase, construction and acquisition of plant and capital
4 equipment, and other expenses necessary for science ac-
5 tivities in carrying out the purposes of the Department
6 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
7 cluding the acquisition or condemnation of any real prop-
8 erty or facility or for plant or facility acquisition, construc-
9 tion, or expansion, and purchase of not to exceed six pas-
10 senger motor vehicles for replacement only,
11 \$2,718,647,000, to remain available until expended.

12 NUCLEAR WASTE DISPOSAL

13 For nuclear waste disposal activities to carry out the
14 purposes of Public Law 97-425, as amended, including
15 the acquisition of real property or facility construction or
16 expansion, \$169,000,000, to remain available until ex-
17 pended, to be derived from the Nuclear Waste Fund: *Pro-*
18 *vided*, That none of the funds provided therein shall be
19 distributed to the State of Nevada or affected units of
20 local government (as defined by Public Law 97-425) by
21 direct payment, grant, or other means, for financial assist-
22 ance under section 116 of the Nuclear Waste Policy Act
23 of 1982, as amended: *Provided further*, That the foregoing
24 proviso shall not apply to payments in lieu of taxes under

1 section 116(c)(3)(A) of the Nuclear Waste Policy Act of
2 1982, as amended.

3 DEPARTMENTAL ADMINISTRATION

4 For salaries and expenses of the Department of En-
5 ergy necessary for departmental administration in ear-
6 rying out the purposes of the Department of Energy Orga-
7 nization Act (42 U.S.C. 7101 et seq.); including the hire
8 of passenger motor vehicles and official reception and rep-
9 resentation expenses (not to exceed \$35,000),
10 \$193,769,000, to remain available until expended, plus
11 such additional amounts as necessary to cover increases
12 in the estimated amount of cost of work for others not-
13 withstanding the provisions of the Anti-Deficiency Act (31
14 U.S.C. 1511 et seq.): *Provided*, That such increases in
15 cost of work are offset by revenue increases of the same
16 or greater amount, to remain available until expended:
17 *Provided further*, That moneys received by the Department
18 for miscellaneous revenues estimated to total
19 \$106,887,000 in fiscal year 2000 may be retained and
20 used for operating expenses within this account, and may
21 remain available until expended, as authorized by section
22 201 of Public Law 95-238, notwithstanding the provisions
23 of 31 U.S.C. 3302: *Provided further*, That the sum herein
24 appropriated shall be reduced by the amount of miscella-
25 neous revenues received during fiscal year 2000 so as to

1 result in a final fiscal year 2000 appropriation from the
2 General Fund estimated at not more than \$86,882,000.

3 OFFICE OF THE INSPECTOR GENERAL

4 For necessary expenses of the Office of the Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, as amended, \$30,000,000, to remain
7 available until expended.

8 ATOMIC ENERGY DEFENSE ACTIVITIES

9 WEAPONS ACTIVITIES

10 For Department of Energy expenses, including the
11 purchase, construction and acquisition of plant and capital
12 equipment and other incidental expenses necessary for
13 atomic energy defense weapons activities in carrying out
14 the purposes of the Department of Energy Organization
15 Act (42 U.S.C. 7101 et seq.), including the acquisition or
16 condemnation of any real property or any facility or for
17 plant or facility acquisition, construction, or expansion;
18 and the purchase of passenger motor vehicles (not to ex-
19 ceed three for replacement only), \$4,000,000,000 (reduced
20 by \$37,500,000), to remain available until expended: *Pro-*
21 *vided*, That, of this amount, \$1,000,000,000 shall not be
22 available for obligation or expenditure until after June 30,
23 2000, and until legislation has been enacted restructuring
24 the national security programs of the Department of En-

1 ergy or establishing an independent agency for national
2 security programs.

3 DEFENSE ENVIRONMENTAL RESTORATION AND WASTE
4 MANAGEMENT

5 For Department of Energy expenses, including the
6 purchase, construction and acquisition of plant and capital
7 equipment and other expenses necessary for atomic energy
8 defense environmental restoration and waste management
9 activities in carrying out the purposes of the Department
10 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
11 cluding the acquisition or condemnation of any real prop-
12 erty or any facility or for plant or facility acquisition, con-
13 struction, or expansion; and the purchase of 35 passenger
14 motor vehicles for replacement only, \$4,157,758,000, to
15 remain available until expended.

16 DEFENSE FACILITIES CLOSURE PROJECTS

17 For expenses of the Department of Energy to accel-
18 erate the closure of defense environmental management
19 sites, including the purchase, construction and acquisition
20 of plant and capital equipment and other necessary ex-
21 penses, \$1,054,492,000, to remain available until ex-
22 pended.

1 DEFENSE ENVIRONMENTAL MANAGEMENT

2 PRIVATIZATION

3 For Department of Energy expenses for privatization
4 projects necessary for atomic energy defense environ-
5 mental management activities authorized by the Depart-
6 ment of Energy Organization Act (42 U.S.C. 7101 et
7 seq.), \$228,000,000, to remain available until expended.

8 OTHER DEFENSE ACTIVITIES

9 For Department of Energy expenses, including the
10 purchase, construction and acquisition of plant and capital
11 equipment and other expenses necessary for atomic energy
12 defense, other defense activities, in carrying out the pur-
13 poses of the Department of Energy Organization Act (42
14 U.S.C. 7101 et seq.), including the acquisition or con-
15 demnation of any real property or any facility or for plant
16 or facility acquisition, construction, or expansion,
17 \$1,651,809,000, to remain available until expended: *Pro-*
18 *vided*, That not to exceed \$5,000 may be used for official
19 reception and representation expenses for national secu-
20 rity and nonproliferation activities.

21 DEFENSE NUCLEAR WASTE DISPOSAL

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

1 expansion, \$112,000,000, to remain available until ex-
2 pended.

3 POWER MARKETING ADMINISTRATIONS

4 BONNEVILLE POWER ADMINISTRATION FUND

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

10 During fiscal year 2000, no new direct loan obliga-
11 tions may be made.

12 OPERATION AND MAINTENANCE, SOUTHWESTERN

13 POWER ADMINISTRATION

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses of operation and maintenance
16 of power transmission facilities and of marketing electric
17 power and energy, and for construction and acquisition of
18 transmission lines, substations and appurtenant facilities,
19 and for administrative expenses, including official recep-
20 tion and representation expenses in an amount not to ex-
21 ceed \$1,500 in carrying out the provisions of section 5
22 of the Flood Control Act of 1944 (16 U.S.C. 825s), as
23 applied to the southwestern power area, \$27,940,000, to
24 remain available until expended, of which \$773,000 shall
25 be derived by transfer from unobligated balances in “Op-

1 eration and Maintenance, Southeastern Power Adminis-
 2 tration"; in addition, notwithstanding the provisions of 31
 3 U.S.C. 3302, not to exceed \$4,200,000 in reimbursements,
 4 to remain available until expended.

5 CONSTRUCTION, REHABILITATION, OPERATION AND
 6 MAINTENANCE, WESTERN AREA POWER ADMINIS-
 7 TRATION

8 For carrying out the functions authorized by title III,
 9 section 302(a)(1)(E) of the Act of August 4, 1977 (42
 10 U.S.C. 7152), and other related activities including con-
 11 servation and renewable resources programs as author-
 12 ized, including official reception and representation ex-
 13 penses in an amount not to exceed \$1,500, \$171,471,000,
 14 to remain available until expended, of which \$160,286,000
 15 shall be derived from the Department of the Interior Rec-
 16 lamation Fund: *Provided*, That of the amount herein ap-
 17 propriated, \$5,036,000 is for deposit into the Utah Rec-
 18 lamation Mitigation and Conservation Account pursuant
 19 to title IV of the Reclamation Projects Authorization and
 20 Adjustment Act of 1992.

21 FALCON AND AMISTAD OPERATING AND MAINTENANCE
 22 FUND

23 For operation, maintenance, and emergency costs for
 24 the hydroelectric facilities at the Falcon and Amistad
 25 Dams, \$1,309,000, to remain available until expended,

1 and to be derived from the Falcon and Amistad Operating
2 and Maintenance Fund of the Western Area Power Ad-
3 ministration, as provided in section 423 of the Foreign
4 Relations Authorization Act, Fiscal Years 1994 and 1995.

5 FEDERAL ENERGY REGULATORY COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Federal Energy Regu-
8 latory Commission to carry out the provisions of the De-
9 partment of Energy Organization Act (42 U.S.C. 7101 et
10 seq.); including services as authorized by 5 U.S.C. 3109,
11 the hire of passenger motor vehicles, and official reception
12 and representation expenses (not to exceed \$3,000),
13 \$174,950,000, to remain available until expended: *Pro-*
14 *vided*, That notwithstanding any other provision of law,
15 not to exceed \$174,950,000 of revenues from fees and an-
16 nual charges, and other services and collections in fiscal
17 year 2000 shall be retained and used for necessary ex-
18 penses in this account, and shall remain available until
19 expended: *Provided further*, That the sum herein appro-
20 priated from the General Fund shall be reduced as reve-
21 nues are received during fiscal year 2000 so as to result
22 in a final fiscal year 2000 appropriation from the General
23 Fund estimated at not more than \$0.

GENERAL PROVISIONS

1
2 SEC. 301. (a) None of the funds appropriated by this
3 Act may be used to award a management and operating
4 contract unless such contract is awarded using competitive
5 procedures or the Secretary of Energy grants, on a case-
6 by-case basis, a waiver to allow for such a deviation. The
7 Secretary may not delegate the authority to grant such
8 a waiver.

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

17 SEC. 302. (a) None of the funds appropriated by this
18 Act may be used to award, amend, or modify a contract
19 in a manner that deviates from the Federal Acquisition
20 Regulation, unless the Secretary of Energy grants, on a
21 case-by-case basis, a waiver to allow for such a deviation.
22 The Secretary may not delegate the authority to grant
23 such a waiver.

24 (b) At least 60 days before a contract award, amend-
25 ment, or modification for which the Secretary intends to

1 grant such a waiver, the Secretary shall submit to the
2 Subcommittees on Energy and Water Development of the
3 Committees on Appropriations of the House of Represent-
4 atives and the Senate a report notifying the subcommit-
5 tees of the waiver and setting forth the reasons for the
6 waiver.

7 ~~SEC. 303.~~ None of the funds appropriated by this Act
8 may be used to—

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

12 (2) provide enhanced severance payments or
13 other benefits for employees of the Department of
14 Energy,

15 under section ~~3161~~ of the National Defense Authorization
16 Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat.
17 2644; 42 U.S.C. 7274h).

18 ~~SEC. 304.~~ None of the funds appropriated by this Act
19 may be used to augment the \$20,000,000 made available
20 for obligation by this Act for severance payments and
21 other benefits and community assistance grants under sec-
22 tion ~~3161~~ of the National Defense Authorization Act for
23 Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2644;
24 42 U.S.C. 7274h).

1 SEC. 305. None of the funds appropriated by this Act
2 may be used to prepare or initiate Requests For Proposals
3 (RFPs) for a program if the program has not been funded
4 by Congress.

5 (TRANSFERS OF UNEXPENDED BALANCES)

6 SEC. 306. The unexpended balances of prior appro-
7 priations provided for activities in this Act may be trans-
8 ferred to appropriation accounts for such activities estab-
9 lished pursuant to this title. Balances so transferred may
10 be merged with funds in the applicable established ac-
11 counts and thereafter may be accounted for as one fund
12 for the same time period as originally enacted.

13 SEC. 307. Notwithstanding 41 U.S.C. 254e(a), the
14 Secretary of Energy may use funds appropriated by this
15 Act to enter into or continue multi-year contracts for the
16 acquisition of property or services under the head, “En-
17 ergy Supply” without obligating the estimated costs asso-
18 ciated with any necessary cancellation or termination of
19 the contract. The Secretary of Energy may pay costs of
20 termination or cancellation from—

21 (1) appropriations originally available for the
22 performance of the contract concerned;

23 (2) appropriations currently available for pro-
24 curement of the type of property or services con-
25 cerned, and not otherwise obligated; or

26 (3) funds appropriated for those payments.

1 Sec. 308. None of the funds in this Act may be used
2 for Laboratory Directed Research and Development or Di-
3 rector's Discretionary Research and Development.

4 Sec. 309. Of the funds appropriated by this title to
5 the Department of Energy, not more than \$125,000,000
6 shall be available for reimbursement of contractor travel
7 expenses.

8 Sec. 310. (a) None of the funds in this Act or any
9 future Energy and Water Development Appropriations
10 Act may be expended under a covered contract unless the
11 funds are expended in accordance with a Laboratory
12 Funding Plan that has been approved by the Secretary
13 of Energy. The Plan shall be submitted on a quarterly
14 basis, or at such intervals as may be prescribed by the
15 Secretary. The Secretary's approval of the Plan may in-
16 clude adjusting or deleting particular items or categories
17 of items proposed in the Plan.

18 (b) For purposes of this section, "covered contract"
19 means a contract for the management and operation of
20 the Los Alamos National Laboratory, Lawrence Liver-
21 more National Laboratory, or Sandia National Labora-
22 tories.

23 Sec. 311. As part of the Department of Energy's ap-
24 proval of laboratory funding for Los Alamos National
25 Laboratory, Lawrence Livermore National Laboratory,

1 and Sandia National Laboratories, the Secretary shall re-
2 view and approve the incentive structure for contractor
3 fees, the amounts of award fees to be made available for
4 the next year, the salaries of first and second tier labora-
5 tory management, and the overhead costs.

6 Sec. 312. None of the funds provided in this Act may
7 be used to establish or maintain independent centers at
8 a Department of Energy laboratory or facility unless such
9 funds have been specifically identified in the budget sub-
10 mission.

11 Sec. 313. None of the funds provided in this Act may
12 be used to waive overhead or added factor charges for
13 work performed for other Federal agencies or for other
14 Department of Energy programs.

15 Sec. 314. Sec. 505 of Public Law 102-377, the Fiscal
16 Year 1993 Energy and Water Development Appropria-
17 tions Act, and section 208 of Public Law 99-349, the Ur-
18 gent Supplemental Appropriations Act, 1986, are re-
19 pealed.

20 SEC. 315. None of the funds made available in this
21 or any other Act may be used to restart the High Flux
22 Beam Reactor.

23 SEC. 316. None of the funds provided in this or any
24 other Act may be used by the Federal power marketing
25 administrations for construction, expansion or upgrades of

1 fiber optic telecommunication lines, associated facilities or
2 purchase of equipment directly related to such efforts, ex-
3 cept for fiber optic cable that is necessary for the foresee-
4 able future for internal management of programs of the
5 Federal power marketing administrations. Federal power
6 marketing administrations shall apply any reduction in
7 spending resulting from the restrictions in the section to
8 the reduction of debt of the Federal power marketing ad-
9 ministration.

10 SEC. 317. None of the funds provided in this or any
11 other Act may be used by the Federal power marketing
12 administrations to:

- 13 (1) rent or sell construction equipment;
14 (2) provide construction, equipment, operation,
15 maintenance or repair services;
16 (3) perform contract construction work;
17 (4) provide a construction engineering service;
18 or

- 19 (5) provide financing or leasing services for con-
20 struction, maintenance, operational or engineering
21 services to any private utility, wholesale or retail
22 customer (other than those existing retail customers
23 served by the Federal power marketing administra-
24 tion prior to the date of the enactment of this provi-
25 sion); publicly-owned utility, Federal agency, or state

1 or local government entity. The Federal power mar-
2 keting administrations may provide equipment or a
3 service to a private contractor that is engaged in
4 electrical work on an electrical utility project of the
5 Federal power marketing administration. As used in
6 this section, the term “used construction equipment”
7 means construction equipment that has been in serv-
8 ice for more than 2,500 hours. Any Federal power
9 marketing administration may dispose of used con-
10 struction equipment by means of a public auction
11 conducted by a private entity that is independent of
12 the Federal power marketing administration. Fed-
13 eral power marketing administrations shall apply all
14 proceeds of a disposition of used construction equip-
15 ment to the reduction of debt of the Federal power
16 marketing administration.

17 TITLE IV

18 INDEPENDENT AGENCIES

19 APPALACHIAN REGIONAL COMMISSION

20 For expenses necessary to carry out the programs au-
21 thorized by the Appalachian Regional Development Act of
22 1965, as amended, for necessary expenses for the Federal
23 Co-Chairman and the alternate on the Appalachian Re-
24 gional Commission, for payment of the Federal share of
25 the administrative expenses of the Commission, including

1 services as authorized by ~~5 U.S.C. 3109~~, and hire of pas-
 2 senger motor vehicles, ~~\$60,000,000~~, to remain available
 3 until expended.

4 DEFENSE NUCLEAR FACILITIES SAFETY

5 BOARD

6 SALARIES AND EXPENSES

7 For necessary expenses of the Defense Nuclear Fa-
 8 cilities Safety Board in carrying out activities authorized
 9 by the Atomic Energy Act of 1954, as amended by Public
 10 Law ~~100-456~~, section ~~1441~~, ~~\$16,500,000~~, to remain
 11 available until expended.

12 DENALI COMMISSION

13 (RESCISSION)

14 Of the funds made available under this heading in
 15 Public Law ~~105-245~~, ~~\$18,000,000~~ is rescinded.

16 NUCLEAR REGULATORY COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Commission in ear-
 19 rying out the purposes of the Energy Reorganization Act
 20 of 1974, as amended, and the Atomic Energy Act of 1954,
 21 as amended, including official representation expenses
 22 (not to exceed \$15,000), ~~\$455,400,000~~, to remain avail-
 23 able until expended: *Provided*, That of the amount appro-
 24 priated herein, \$19,150,000 shall be derived from the Nu-
 25 clear Waste Fund: *Provided further*, That revenues from

1 licensing fees, inspection services, and other services and
2 collections estimated at \$432,400,000 in fiscal year 2000
3 shall be retained and used for necessary salaries and ex-
4 penses in this account, notwithstanding 31 U.S.C. 3302,
5 and shall remain available until expended: *Provided fur-*
6 *ther,* That \$3,850,000 of the funds herein appropriated
7 for regulatory reviews and other assistance provided to the
8 Department of Energy and other Federal agencies shall
9 be excluded from license fee revenues, notwithstanding 42
10 U.S.C. 2214: *Provided further,* That the sum herein ap-
11 propriated shall be reduced by the amount of revenues re-
12 ceived during fiscal year 2000 so as to result in a final
13 fiscal year 2000 appropriation estimated at not more than
14 \$23,000,000.

15 OFFICE OF THE INSPECTOR GENERAL

16 For necessary expenses of the Office of the Inspector
17 General in carrying out the provisions of the Inspector
18 General Act of 1978, as amended, \$6,000,000, to remain
19 available until expended: *Provided,* That the sum herein
20 appropriated shall be reduced by the amount of revenues
21 received during fiscal year 2000 so as to result in a final
22 fiscal year 2000 appropriation estimated at not more than
23 \$0.

1 NUCLEAR WASTE TECHNICAL REVIEW BOARD
2 SALARIES AND EXPENSES

3 For necessary expenses of the Nuclear Waste Tech-
4 nical Review Board, as authorized by section 5051 of Pub-
5 lic Law 100-203, \$2,600,000, to be derived from the Nu-
6 clear Waste Fund, and to remain available until expended.

7 TITLE V—GENERAL PROVISIONS

8 SEC. 501. None of the funds appropriated by this Act
9 may be used in any way, directly or indirectly, to influence
10 congressional action on any legislation or appropriation
11 matters pending before Congress, other than to commu-
12 nicate to Members of Congress as described in section
13 1913 of title 18, United States Code.

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

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

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

13 SEC. 503. (a) None of the funds appropriated or oth-
14 erwise made available by this Act may be used to deter-
15 mine the final point of discharge for the interceptor drain
16 for the San Luis Unit until development by the Secretary
17 of the Interior and the State of California of a plan, which
18 shall conform to the water quality standards of the State
19 of California as approved by the Administrator of the En-
20 vironmental Protection Agency, to minimize any detri-
21 mental effect of the San Luis drainage waters.

22 (b) The costs of the Kesterson Reservoir Cleanup
23 Program and the costs of the San Joaquin Valley Drain-
24 age Program shall be classified by the Secretary of the
25 Interior as reimbursable or nonreimbursable and collected

1 until fully repaid pursuant to the “Cleanup Program—
2 Alternative Repayment Plan” and the “SJVDP—Alter-
3 native Repayment Plan” described in the report entitled
4 “Repayment Report, Kesterson Reservoir Cleanup Pro-
5 gram and San Joaquin Valley Drainage Program, Feb-
6 ruary 1995”, prepared by the Department of the Interior,
7 Bureau of Reclamation. Any future obligations of funds
8 by the United States relating to, or providing for, drainage
9 service or drainage studies for the San Luis Unit shall
10 be fully reimbursable by San Luis Unit beneficiaries of
11 such service or studies pursuant to Federal Reclamation
12 law.

13 SEC. 504. Section 6101(a)(3) of the Omnibus Budget
14 Reconciliation Act of 1990, as amended, (42 U.S.C.
15 2214(a)(3)) is amended by striking “September 30, 1999”
16 and inserting “September 30, 2000”.

17 SEC. 505. Title VI, division C, of Public Law 105-
18 277, Making Omnibus Consolidated and Emergency Sup-
19 plemental Appropriations for Fiscal Year 1999, is re-
20 pealed.

21 SEC. 506. Section 211(e)(2)(A) of the Water Re-
22 sources Development Act of 1996 (Public Law 104-303,
23 110 Stat. 3682) is amended by striking “in advance in
24 appropriations Acts”.

1 SEC. 507. None of the funds appropriated by this Act
2 shall be used to propose or issue rules, regulations, de-
3 crees, or orders for the purpose of implementation, or in
4 preparation for implementation, of the Kyoto Protocol
5 which was adopted on December 11, 1997, in Kyoto,
6 Japan at the Third Conference of the Parties to the
7 United Nations Framework Convention on Climate
8 Change, which has not been submitted to the Senate for
9 advice and consent to ratification pursuant to article II,
10 section 2, clause 2, of the United States Constitution, and
11 which has not entered into force pursuant to article 25
12 of the Protocol.

13 This Act may be cited as the “Energy and Water De-
14 velopment Appropriations Act, 2000”.

15 *That the following sums are appropriated, out of any*
16 *money in the Treasury not otherwise appropriated, for the*
17 *fiscal year ending September 30, 2000, for energy and*
18 *water development, and for other purposes, namely:*

19 *TITLE I*

20 *DEPARTMENT OF DEFENSE—CIVIL*

21 *DEPARTMENT OF THE ARMY*

22 *CORPS OF ENGINEERS—CIVIL*

23 *The following appropriations shall be expended under*
24 *the direction of the Secretary of the Army and the super-*
25 *vision of the Chief of Engineers for authorized civil func-*

1 *tions of the Department of the Army pertaining to rivers*
2 *and harbors, flood control, beach erosion, and related pur-*
3 *poses.*

4 *GENERAL INVESTIGATIONS*

5 *For expenses necessary for the collection and study of*
6 *basic information pertaining to river and harbor, flood con-*
7 *trol, shore protection, and related projects, restudy of au-*
8 *thorized projects, miscellaneous investigations, and, when*
9 *authorized by laws, surveys and detailed studies and plans*
10 *and specifications of projects prior to construction,*
11 *\$125,459,000, to remain available until expended, of which*
12 *funds are provided for the following projects in the amounts*
13 *specified:*

14 *Yellowstone River at Glendive, Montana Study,*
15 *\$150,000;*

16 *Great Egg Harbor Inlet to Townsend's Inlet,*
17 *New Jersey, \$226,000; and*

18 *Project for flood control, Park River, Grafton,*
19 *North Dakota, general reevaluation report, using cur-*
20 *rent data, to determine whether the project is tech-*
21 *nically sound, environmentally acceptable, and eco-*
22 *nomically justified, \$50,000:*

23 *Provided, That the Secretary of the Army is directed to use*
24 *\$328,000 of the funds appropriated herein to implement*
25 *section 211(f)(7) of Public Law 104-303 (110 Stat. 3684)*

1 *and to reimburse the non-Federal sponsor a portion of the*
2 *Federal share of project costs for the Hunting Bayou ele-*
3 *ment of the project for flood control, Buffalo Bayou and*
4 *tributaries, Texas.*

5 *CONSTRUCTION, GENERAL*

6 *For the prosecution of river and harbor, flood control,*
7 *shore protection, and related projects authorized by laws;*
8 *and detailed studies, and plans and specifications, of*
9 *projects (including those for development with participation*
10 *or under consideration for participation by States, local*
11 *governments, or private groups) authorized or made eligible*
12 *for selection by law (but such studies shall not constitute*
13 *a commitment of the Government to construction),*
14 *\$1,086,586,000, to remain available until expended, of*
15 *which such sums as are necessary for the Federal share of*
16 *construction costs for facilities under the Dredged Material*
17 *Disposal Facilities program shall be derived from the Har-*
18 *bor Maintenance Trust Fund, as authorized by Public Law*
19 *104–303; and of which such sums as are necessary pursuant*
20 *to Public Law 99–662 shall be derived from the Inland Wa-*
21 *terways Trust Fund, for one-half of the costs of construction*
22 *and rehabilitation of inland waterways projects, including*
23 *rehabilitation costs for the Lock and Dam 25, Mississippi*
24 *River, Illinois and Missouri; Lock and Dam 14, Mississippi*
25 *River, Iowa; Lock and Dam 24, Part 1 and Part 2, Mis-*

1 *Mississippi River, Illinois and Missouri; and Lock and Dam*
2 *3, Mississippi River, Minnesota, London Lock and Dam,*
3 *Kanawha River, West Virginia; and Lock and Dam 12,*
4 *Mississippi River, Iowa, projects, and of which funds are*
5 *provided for the following projects in the amounts specified:*

6 *Norco Bluffs, California, \$2,200,000;*

7 *Brevard County, Florida (Shore Protection),*
8 *\$1,000,000;*

9 *Everglades and South Florida Ecosystem Res-*
10 *toration, Florida, \$14,100,000;*

11 *St. John's County, Florida (Shore Protection),*
12 *\$1,000,000;*

13 *Indianapolis Central Waterfront, Indiana,*
14 *\$3,000,000;*

15 *Ohio River Flood Protection, Indiana,*
16 *\$1,000,000;*

17 *Jackson County, Mississippi, \$800,000;*

18 *Minnish Waterfront Park project, Passaic River,*
19 *New Jersey, \$1,500,000*

20 *Virginia Beach, Virginia (Hurricane Protec-*
21 *tion), \$17,000,000;*

22 *Upper Mingo County (including Mingo County*
23 *Tributaries), Lower Mingo County (Kermit), Wayne*
24 *County, and McDowell County, elements of the Levisa*
25 *and Tug Forks of the Big Sandy River and Upper*

1 *Cumberland River project in West Virginia,*
2 *\$4,400,000; and*

3 *Lake St. Clair, Metro Beach, Michigan, section*
4 *206 project, \$100,000:*

5 *Provided, That the Secretary of the Army is directed to use*
6 *\$9,000,000 of the funds appropriated herein to implement*
7 *section 211(f)(6) of Public Law 104–303 (110 Stat. 3683)*
8 *and to reimburse the non-Federal sponsor a portion of the*
9 *Federal share of project construction costs for the flood con-*
10 *trol components comprising the Brays Bayou element of the*
11 *project for flood control, Buffalo Bayou and tributaries,*
12 *Texas: Provided further, That the Secretary of the Army,*
13 *acting through the Chief of Engineers, is directed to use*
14 *\$2,000,000 provided herein to construct bluff stabilization*
15 *measures at authorized locations for Natchez Bluff, Mis-*
16 *sissippi: Provided further, That no part of any appropria-*
17 *tion contained in this Act shall be expended or obligated*
18 *to begin Phase II on the John Day Drawdown study or*
19 *to initiate a study of the drawdown of McNary Dam unless*
20 *authorized by law: Provided further, That using \$200,000*
21 *of the funds provided herein, the Secretary of the Army,*
22 *acting through the Chief of Engineers, is directed to initiate*
23 *a Detailed Project Report for the Dickenson County, Vir-*
24 *ginia, element of the Levisa and Tug Forks of the Big*
25 *Sandy River and Upper Cumberland River, West Virginia,*

1 *Virginia and Kentucky, project: Provided further, That*
2 *\$100,000 of the funding appropriated herein for section 107*
3 *navigation projects may be used by the Corps of Engineers*
4 *to produce a decision document, and, if favorable, signing*
5 *a project cost sharing agreement with a non-Federal project*
6 *sponsor for the Rochester Harbor, New York (CSX Swing*
7 *Bridge), project: Provided further, That the Secretary of the*
8 *Army, acting through the Chief of Engineers, may use*
9 *\$1,500,000 of funding appropriated herein to initiate con-*
10 *struction of shoreline protection measures at Assateague Is-*
11 *land, Maryland: Provided further, That the Secretary of the*
12 *Army, acting through the Chief of Engineers, may use Con-*
13 *struction, General funding as directed in Public Law 105-*
14 *62 and Public Law 105-245 to initiate construction of an*
15 *emergency outlet from Devils Lake, North Dakota, to the*
16 *Sheyenne River, except that the funds shall not become*
17 *available unless the Secretary of the Army determines that*
18 *an emergency (as defined in section 102 of the Robert T.*
19 *Stafford Disaster Relief and Emergency Assistance Act (42*
20 *U.S.C. 5122)) exists with respect to the emergency need for*
21 *the outlet and reports to Congress that the construction is*
22 *technically sound, economically justified, and environ-*
23 *mentally acceptable and in compliance with the National*
24 *Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.):*
25 *Provided further, That the economic justification for the*

1 *emergency outlet shall be prepared in accordance with the*
2 *principles and guidelines for economic evaluation as re-*
3 *quired by regulations and procedures of the Army Corps*
4 *of Engineers for all flood control projects, and that the eco-*
5 *nomie justification be fully described, including the anal-*
6 *ysis of the benefits and costs, in the project plan documents:*
7 *Provided further, That the plans for the emergency outlet*
8 *shall be reviewed and, to be effective, shall contain assur-*
9 *ances provided by the Secretary of State, after consultation*
10 *with the International Joint Commission, that the project*
11 *will not violate the requirements or intent of the Treaty*
12 *Between the United States and Great Britain Relating to*
13 *Boundary Waters Between the United States and Canada,*
14 *signed at Washington January 11, 1909 (36 Stat. 2448;*
15 *TS 548) (commonly known as the “Boundary Waters Trea-*
16 *ty of 1909”): Provided further, That the Secretary of the*
17 *Army shall submit the final plans and other documents for*
18 *the emergency outlet to Congress: Provided further, That no*
19 *funds made available under this Act or any other Act for*
20 *any fiscal year may be used by the Secretary of the Army*
21 *to carry out the portion of the feasibility study of the Devils*
22 *Lake Basin, North Dakota, authorized under the Energy*
23 *and Water Development Appropriations Act, 1993 (Public*
24 *Law 102–377), that addresses the needs of the area for sta-*
25 *bilized lake levels through inlet controls, or to otherwise*

1 *study any facility or carry out any activity that would per-*
2 *mit the transfer of water from the Missouri River Basin*
3 *into Devils Lake.*

4 *FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,*
5 *ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MIS-*
6 *SISSIPPI, MISSOURI, AND TENNESSEE*

7 *For expenses necessary for prosecuting work of flood*
8 *control, and rescue work, repair, restoration, or mainte-*
9 *nance of flood control projects threatened or destroyed by*
10 *flood, as authorized by law (33 U.S.C. 702a, 702g-1),*
11 *\$315,630,000, to remain available until expended.*

12 *OPERATION AND MAINTENANCE, GENERAL*

13 *For expenses necessary for the preservation, operation,*
14 *maintenance, and care of existing river and harbor, flood*
15 *control, and related works, including such sums as may be*
16 *necessary for the maintenance of harbor channels provided*
17 *by a State, municipality or other public agency, outside*
18 *of harbor lines, and serving essential needs of general com-*
19 *merce and navigation; surveys and charting of northern*
20 *and northwestern lakes and connecting waters; clearing and*
21 *straightening channels; and removal of obstructions to navi-*
22 *gation, \$1,790,043,000, to remain available until expended,*
23 *of which such sums as become available from the special*
24 *account established by the Land and Water Conservation*
25 *Act of 1965, as amended (16 U.S.C. 460l), may be derived*

1 *from that account for construction, operation, and mainte-*
2 *nance of outdoor recreation facilities, and of which*
3 *\$1,500,000 shall be available for development of technologies*
4 *for control of zebra mussels and other aquatic nuisance spe-*
5 *cies in and around public facilities: Provided, That no*
6 *funds, whether appropriated, contributed, or otherwise pro-*
7 *vided, shall be available to the United States Army Corps*
8 *of Engineers for the purpose of acquiring land in Jasper*
9 *County, South Carolina, in connection with the Savannah*
10 *Harbor navigation project: Provided further, That the Sec-*
11 *retary of the Army, acting through the Chief of Engineers,*
12 *shall use \$100,000 of available funds to study the economic*
13 *justification and environmental acceptability, in accord-*
14 *ance with section 509(a) of Public Law 104–303, of main-*
15 *taining the Matagorda Ship Channel, Point Comfort Turn-*
16 *ing Basin, Texas, project, and to use available funds to per-*
17 *form any required maintenance in fiscal year 2000 once*
18 *the Secretary determines such maintenance is justified and*
19 *acceptable as required by Public Law 104–303: Provided*
20 *further, That the Secretary of the Army, acting through the*
21 *Chief of Engineers, may use not to exceed \$300,000 for ex-*
22 *penses associated with the commemoration of the Lewis and*
23 *Clark Bicentennial.*

1 *REGULATORY PROGRAM*

2 *For expenses necessary for administration of laws per-*
3 *taining to regulation of navigable waters and wetlands,*
4 *\$115,000,000, to remain available until expended: Pro-*
5 *vided, That the Secretary of the Army, acting through the*
6 *Chief of Engineers, is directed to use \$5,000,000 of funds*
7 *appropriated herein to fully implement an administrative*
8 *appeals process for the Corps of Engineers Regulatory Pro-*
9 *gram, which administrative appeals process shall provide*
10 *for a single-level appeal of jurisdictional determinations.*

11 *FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM*12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For expenses necessary to clean up contamination*
14 *from sites throughout the United States resulting from work*
15 *performed as part of the Nation's early atomic energy pro-*
16 *gram, \$150,000,000, to remain available until expended:*
17 *Provided, That the United States Army Corps of Engineers*
18 *under this program shall undertake the following functions*
19 *and activities to be performed at eligible sites where remedi-*
20 *ation has not been completed: sampling and assessment of*
21 *contaminated areas, characterization of site conditions, de-*
22 *termination of the nature and extent of contamination, se-*
23 *lection of the necessary and appropriate response actions*
24 *as the lead Federal agency, cleanup and closeout of sites,*
25 *and any other functions and activities determined by the*

1 *Chief of Engineers as necessary for carrying out this pro-*
2 *gram, including the acquisition of real estate interests*
3 *where necessary, which may be transferred upon completion*
4 *of remediation to the administrative jurisdiction of the De-*
5 *partment of Energy: Provided further, That response ac-*
6 *tions by the United States Army Corps of Engineers under*
7 *this program shall be subject to the Comprehensive Environ-*
8 *mental Response, Compensation and Liability Act (42*
9 *U.S.C. 9601 et seq.), and the National Oil and Hazardous*
10 *Substances Pollution Contingency Plan, 40 CFR, Chapter*
11 *1, Part 300: Provided further, That these provisions do not*
12 *alter, curtail or limit the authorities, functions or respon-*
13 *sibilities of other agencies under CERCLA or, except as*
14 *stated herein, under the Atomic Energy Act (42 U.S.C. 2011*
15 *et seq.): Provided further, That any sums recovered under*
16 *CERCLA or other authority from a liable party, contractor,*
17 *insurer, surety, or other person for any expenditures by the*
18 *Army Corps of Engineers or the Department of Energy for*
19 *response actions under the Formerly Utilized Sites Reme-*
20 *dial Action Program shall be credited to this account and*
21 *will be available until expended for response action costs*
22 *for any eligible site: Provided further, That the Secretary*
23 *of Energy may exercise the authority of 42 U.S.C. 2208*
24 *to make payments in lieu of taxes for federally-owned prop-*
25 *erty where Formerly Utilized Sites Remedial Action Pro-*

1 *gram activities are conducted, regardless of which Federal*
2 *agency has administrative jurisdiction over the property*
3 *and notwithstanding references to “the activities of the*
4 *Commission” in 42 U.S.C. 2208.*

5 *GENERAL EXPENSES*

6 *For expenses necessary for general administration and*
7 *related functions in the Office of the Chief of Engineers and*
8 *offices of the Division Engineers; activities of the Coastal*
9 *Engineering Research Board, the Humphreys Engineer*
10 *Center Support Activity, the Water Resources Support Cen-*
11 *ter, and headquarters support functions at the USACE Fi-*
12 *nance Center; \$151,000,000, to remain available until ex-*
13 *pende: Provided, That no part of any other appropriation*
14 *provided in title I of this Act shall be available to fund*
15 *the activities of the Office of the Chief of Engineers or the*
16 *executive direction and management activities of the divi-*
17 *sion offices.*

18 *REVOLVING FUND*

19 *Using amounts available in the Revolving Fund, the*
20 *Secretary of the Army is authorized to renovate office space*
21 *in the General Accounting Office (GAO) headquarters*
22 *building in Washington, D.C., for use by the Corps and*
23 *GAO. The Secretary shall ensure that the Revolving Fund*
24 *is appropriately reimbursed from appropriations of the*
25 *Corps’ benefitting programs by collection each year of*

1 amounts sufficient to repay the capitalized cost of such ren-
2 ovation and through rent reductions or rebates from GAO.

3 *ADMINISTRATIVE PROVISION*

4 *Appropriations in this title shall be available for offi-*
5 *cial reception and representation expenses (not to exceed*
6 *\$5,000); and during the current fiscal year the Revolving*
7 *Fund, Corps of Engineers, shall be available for purchase*
8 *(not to exceed 100 for replacement only) and hire of pas-*
9 *senger motor vehicles.*

10 *GENERAL PROVISIONS*

11 *CORPS OF ENGINEERS—CIVIL*

12 *SEC. 101. Notwithstanding any other provisions of*
13 *law, no fully allocated funding policy shall be applied to*
14 *projects for which funds are identified in the Committee re-*
15 *ports accompanying this Act under the Construction, Gen-*
16 *eral; Operation and Maintenance, General; and Flood Con-*
17 *trol, Mississippi River and Tributaries, appropriation ac-*
18 *counts: Provided, That the Secretary of the Army, acting*
19 *through the Chief of Engineers, is directed to undertake*
20 *these projects using continuing contracts, as authorized in*
21 *section 10 of the Rivers and Harbors Act of September 22,*
22 *1922 (33 U.S.C. 621).*

23 *SEC. 102. Agreements proposed for execution by the As-*
24 *sistant Secretary of the Army for Civil Works or the U.S.*
25 *Army Corps of Engineers after the date of enactment of this*

1 *Act pursuant to section 4 of the Rivers and Harbor Act*
2 *of 1915, Public Law 64–291; section 11 of the River and*
3 *Harbor Act of 1925, Public Law 68–585; the Civil Func-*
4 *tions Appropriations Act, 1936, Public Law 75–208; section*
5 *215 of the Flood Control Act of 1968, as amended, Public*
6 *Law 90–483; sections 104, 203, and 204 of the Water Re-*
7 *sources Development Act of 1986, as amended (Public Law*
8 *99–662); section 206 of the Water Resources Development*
9 *Act of 1992, as amended, Public Law 102–580; and section*
10 *211 of the Water Resources Development Act of 1996, Public*
11 *Law 104–303, shall be limited to a single agreement per*
12 *project, credits and reimbursements per project not to exceed*
13 *\$10,000,000 in each fiscal year, and total credits and reim-*
14 *bursements for all applicable projects not to exceed*
15 *\$50,000,000 in each fiscal year.*

16 *SEC. 103. None of the funds made available in this*
17 *Act may be used to revise the Missouri River Master Water*
18 *Control Manual when it is made known to the Federal enti-*
19 *ty or official to which the funds are made available that*
20 *such revision provides for an increase in the springtime*
21 *water release program during the spring heavy rainfall and*
22 *snow melt period in States that have rivers draining into*
23 *the Missouri River below the Gavins Point Dam.*

24 *SEC. 104. CHEYENNE RIVER SIOUX TRIBE, LOWER*
25 *BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TER-*

1 *graph 402(b)(2) of the Central Utah Project Completion Act*
2 *and \$12,047,000 shall be available to the Utah Reclamation*
3 *Mitigation and Conservation Commission to carry out ac-*
4 *tivities authorized under that Act.*

5 *In addition, for necessary expenses incurred in car-*
6 *rying out related responsibilities of the Secretary of the In-*
7 *terior, \$1,321,000, to remain available until expended.*

8 *BUREAU OF RECLAMATION*

9 *For carrying out the functions of the Bureau of Rec-*
10 *lamation as provided in the Federal reclamation laws (Act*
11 *of June 17, 1902, 32 Stat. 388, and Acts amendatory there-*
12 *of or supplementary thereto) and other Acts applicable to*
13 *that Bureau as follows:*

14 *WATER AND RELATED RESOURCES*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For management, development, and restoration of*
17 *water and related natural resources and for related activi-*
18 *ties, including the operation, maintenance and rehabilita-*
19 *tion of reclamation and other facilities, participation in*
20 *fulfilling related Federal responsibilities to Native Ameri-*
21 *cans, and related grants to, and cooperative and other*
22 *agreements with, State and local governments, Indian*
23 *Tribes, and others, \$612,451,000, to remain available until*
24 *expended, of which \$150,000 shall be available for the Lake*
25 *Andes-Wagner/Marty II demonstration program authorized*
26 *by the Lake Andes-Wagner/Marty II Act of 1992 (106 Stat.*

1 4677), of which \$2,247,000 shall be available for transfer
2 to the Upper Colorado River Basin Fund and \$24,326,000
3 shall be available for transfer to the Lower Colorado River
4 Basin Development Fund, and of which such amounts as
5 may be necessary may be advanced to the Colorado River
6 Dam Fund: Provided, That such transfers may be increased
7 or decreased within the overall appropriation under this
8 heading: Provided further, That of the total appropriated,
9 the amount for program activities that can be financed by
10 the Reclamation Fund or the Bureau of Reclamation spe-
11 cial fee account established by 16 U.S.C. 460l-6a(i) shall
12 be derived from that Fund or account: Provided further,
13 That funds contributed under 43 U.S.C. 395 are available
14 until expended for the purposes for which contributed: Pro-
15 vided further, That funds advanced under 43 U.S.C. 397a
16 shall be credited to this account and are available until ex-
17 pended for the same purposes as the sums appropriated
18 under this heading: Provided further, That funds available
19 for expenditure for the Departmental Irrigation Drainage
20 Program may be expended by the Bureau of Reclamation
21 for site remediation on a non-reimbursable basis: Provided
22 further, That section 301 of Public Law 102-250, Reclama-
23 tion States Emergency Drought Relief Act of 1991, as
24 amended by Public Law 104-206, is amended further by
25 inserting “1999, and 2000” in lieu of “and 1997”: Provided

1 further, That the amount authorized for Indian municipal,
2 rural, and industrial water features by section 10 of Public
3 Law 89–108, as amended by section 8 of Public Law 99–
4 294, section 1701(b) of Public Law 102–575, and Public
5 Law 105–245, is increased by \$2,000,000 (October 1998
6 prices): Provided further, That \$500,000 of the funding ap-
7 propriated herein is provided for the Walker River Basin,
8 Nevada project, including not to exceed \$200,000 for the
9 Federal assessment team for the purpose of conducting a
10 comprehensive study of Walker River Basin issues: Pro-
11 vided further, That the Secretary of the Interior may pro-
12 vide \$2,865,000 from funds appropriated herein for envi-
13 ronmental restoration at Fort Kearny, Nebraska.

14 *BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT*

15 *For the cost of direct loans and/or grants, \$12,000,000,*
16 *to remain available until expended, as authorized by the*
17 *Small Reclamation Projects Act of August 6, 1956, as*
18 *amended (43 U.S.C. 422a–422l): Provided, That such costs,*
19 *including the cost of modifying such loans, shall be as de-*
20 *finied in section 502 of the Congressional Budget Act of*
21 *1974, as amended: Provided further, That these funds are*
22 *available to subsidize gross obligations for the principal*
23 *amount of direct loans not to exceed \$43,000,000.*

24 *In addition, for administrative expenses necessary to*
25 *carry out the program for direct loans and/or grants,*
26 *\$425,000, to remain available until expended: Provided,*

1 *That of the total sums appropriated, the amount of program*
2 *activities that can be financed by the Reclamation Fund*
3 *shall be derived from that Fund.*

4 *CENTRAL VALLEY PROJECT RESTORATION FUND*

5 *For carrying out the programs, projects, plans, and*
6 *habitat restoration, improvement, and acquisition provi-*
7 *sions of the Central Valley Project Improvement Act,*
8 *\$37,346,000, to be derived from such sums as may be col-*
9 *lected in the Central Valley Project Restoration Fund pur-*
10 *suant to sections 3407(d), 3404(c)(3), 3405(f), and*
11 *3406(c)(1) of Public Law 102–575, to remain available*
12 *until expended: Provided, That the Bureau of Reclamation*
13 *is directed to assess and collect the full amount of the addi-*
14 *tional mitigation and restoration payments authorized by*
15 *section 3407(d) of Public Law 102–575.*

16 *CALIFORNIA BAY-DELTA RESTORATION*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For necessary expenses of the Department of the Inte-*
19 *rior and other participating Federal agencies in carrying*
20 *out ecosystem restoration activities pursuant to the Cali-*
21 *fornia Bay-Delta Environmental Enhancement Act and*
22 *other activities that are in accord with the CALFED Bay-*
23 *Delta Program, including projects to improve water use ef-*
24 *iciency, water quality, groundwater and surface storage,*
25 *levees, conveyance, and watershed management, consistent*
26 *with plans to be approved by the Secretary of the Interior,*

1 *in consultation with such Federal agencies, \$50,000,000, to*
2 *remain available until expended, of which \$30,000,000 shall*
3 *be used for ecosystem restoration activities and \$20,000,000*
4 *shall be used for such other activities, and of which such*
5 *amounts as may be necessary to conform with such plans*
6 *shall be transferred to appropriate accounts of such Federal*
7 *agencies: Provided, That no more than \$2,500,000 of the*
8 *funds appropriated herein may be used for planning and*
9 *management activities associated with developing the over-*
10 *all CALFED Bay-Delta Program and coordinating its*
11 *staged implementation: Provided further, That funds for*
12 *ecosystem restoration activities may be obligated only as*
13 *non-Federal sources provide their share in accordance with*
14 *the cost-sharing agreement required under section 1101(d)*
15 *of such Act, and that funds for such other activities may*
16 *be obligated only as non-Federal sources provide their share*
17 *in a manner consistent with such cost-sharing agreement:*
18 *Provided further, That such funds may be obligated prior*
19 *to the completion of a final programmatic environmental*
20 *impact statement only if: (1) consistent with 40 CFR*
21 *1506.1(c); and (2) used for purposes that the Secretary finds*
22 *are of sufficiently high priority to warrant such an expend-*
23 *iture.*

24 *POLICY AND ADMINISTRATION*

25 *For necessary expenses of policy, administration, and*
26 *related functions in the office of the Commissioner, the Den-*

1 *ver office, and offices in the five regions of the Bureau of*
2 *Reclamation, to remain available until expended,*
3 *\$49,000,000, to be derived from the Reclamation Fund and*
4 *be nonreimbursable as provided in 43 U.S.C. 377: Provided,*
5 *That no part of any other appropriation in this Act shall*
6 *be available for activities or functions budgeted as policy*
7 *and administration expenses.*

8 *ADMINISTRATIVE PROVISIONS*

9 *SEC. 201. Advance payments made under this title to*
10 *Indian tribes, tribal organizations, and tribal consortia*
11 *pursuant to the Indian Self-Determination and Education*
12 *Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Con-*
13 *trolled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may*
14 *be invested by the Indian tribe, tribal organization, or con-*
15 *sortium before such funds are expended for the purposes of*
16 *the grant, compact, or annual funding agreement so long*
17 *as such funds are:*

18 *(1) invested by the Indian tribe, tribal organiza-*
19 *tion, or consortium only in obligations of the United*
20 *States, or in obligations or securities that are guaran-*
21 *teed or insured by the United States, or mutual (or*
22 *other) funds registered with the Securities and Ex-*
23 *change Commission and which only invest in obliga-*
24 *tions of the United States or securities that are guar-*
25 *anteed or insured by the United States; or*

1 *for energy supply, and uranium supply and enrichment ac-*
2 *tivities in carrying out the purposes of the Department of*
3 *Energy Organization Act (42 U.S.C. 7101 et seq.), includ-*
4 *ing the acquisition or condemnation of any real property*
5 *or any facility or for plant or facility acquisition, construc-*
6 *tion, or expansion; and the purchase of not to exceed 1 pas-*
7 *senger motor vehicle for replacement only, \$721,233,000, of*
8 *which \$821,000 shall be derived by transfer from the Geo-*
9 *thermal Resources Development Fund, and \$5,000,000 shall*
10 *be derived by transfer from the United States Enrichment*
11 *Corporation Fund: Provided, That, \$15,000,000, of which*
12 *\$10,000,000 shall be derived from reductions in contractor*
13 *travel balances, shall be available for civilian research and*
14 *development.*

15 *NON-DEFENSE ENVIRONMENTAL MANAGEMENT*

16 *For Department of Energy expenses, including the*
17 *purchase, construction and acquisition of plant and capital*
18 *equipment and other expenses necessary for non-defense en-*
19 *vironmental management activities in carrying out the*
20 *purposes of the Department of Energy Organization Act (42*
21 *U.S.C. 7101 et seq.), including the acquisition or con-*
22 *demnation of any real property or any facility or for plant*
23 *or facility acquisition, construction or expansion,*
24 *\$327,922,000, to remain available until expended.*

1 search reactor project: Provided, That of the amount pro-
2 vided, \$2,000,000 may be available to the Natural Energy
3 Laboratory of Hawaii, for the purpose of monitoring ocean
4 climate change indicators.

5 *NUCLEAR WASTE DISPOSAL*

6 *For nuclear waste disposal activities to carry out the*
7 *purposes of Public Law 97-425, as amended, including the*
8 *acquisition of real property or facility construction or ex-*
9 *pansion, \$242,500,000 to be derived from the Nuclear Waste*
10 *Fund: Provided, That not to exceed \$4,727,000 may be pro-*
11 *vided to the State of Nevada solely for expenditures, other*
12 *than salaries and expenses of State employees, to conduct*
13 *scientific oversight responsibilities pursuant to the Nuclear*
14 *Waste Policy Act of 1982, (Public Law 97-425) as amend-*
15 *ed: Provided further, That not to exceed \$5,432,000 may*
16 *be provided to affected units of local governments, as defined*
17 *in Public Law 97-425, to conduct appropriate activities*
18 *pursuant to the Act: Provided further, That the distribution*
19 *of the funds as determined by the units of local government*
20 *shall be approved by the Department of Energy: Provided*
21 *further, That the funds shall be made available to the State*
22 *and units of local government by direct payment: Provided*
23 *further, That within 90 days of the completion of each Fed-*
24 *eral fiscal year, the State and each local entity shall provide*
25 *certification to the Department of Energy, that all funds*

1 expended from such payments have been expended for ac-
2 tivities as defined in Public Law 97-425. Failure to pro-
3 vide such certification shall cause such entity to be prohib-
4 ited from any further funding provided for similar activi-
5 ties: Provided further, That none of the funds herein appro-
6 priated may be: (1) used directly or indirectly to influence
7 legislative action on any matter pending before Congress
8 or a State legislature or for lobbying activity as provided
9 in 18 U.S.C. 1913; (2) used for litigation expenses; or (3)
10 used to support multi-state efforts or other coalition build-
11 ing activities inconsistent with the restrictions contained
12 in this Act.

13 *DEPARTMENTAL ADMINISTRATION*

14 *For salaries and expenses of the Department of Energy*
15 *necessary for departmental administration in carrying out*
16 *the purposes of the Department of Energy Organization Act*
17 *(42 U.S.C. 7101 et seq.), including the hire of passenger*
18 *motor vehicles and official reception and representation ex-*
19 *penses (not to exceed \$35,000), \$219,415,000, to remain*
20 *available until expended, plus such additional amounts as*
21 *necessary to cover increases in the estimated amount of cost*
22 *of work for others notwithstanding the provisions of the*
23 *Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided,*
24 *That such increases in cost of work are offset by revenue*
25 *increases of the same or greater amount, to remain avail-*

1 *able until expended: Provided further, That moneys received*
2 *by the Department for miscellaneous revenues estimated to*
3 *total \$116,887,000 in fiscal year 2000 may be retained and*
4 *used for operating expenses within this account, and may*
5 *remain available until expended, as authorized by section*
6 *201 of Public Law 95–238, notwithstanding the provisions*
7 *of 31 U.S.C. 3302: Provided further, That the sum herein*
8 *appropriated shall be reduced by the amount of miscella-*
9 *neous revenues received during fiscal year 2000 so as to*
10 *result in a final fiscal year 2000 appropriation from the*
11 *General Fund estimated at not more than \$102,528,000.*

12 *OFFICE OF THE INSPECTOR GENERAL*

13 *For necessary expenses of the Office of the Inspector*
14 *General in carrying out the provisions of the Inspector Gen-*
15 *eral Act of 1978, as amended, \$29,000,000, to remain avail-*
16 *able until expended.*

17 *ATOMIC ENERGY DEFENSE ACTIVITIES*

18 *WEAPONS ACTIVITIES*

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

1 *or facility acquisition, construction, or expansion; and the*
2 *purchase of passenger motor vehicles (not to exceed 3 for*
3 *replacement only), \$4,609,832,000, to remain available*
4 *until expended: Provided, That funding for any ballistic*
5 *missile defense program undertaken by the Department of*
6 *Energy for the Department of Defense shall be provided by*
7 *the Department of Defense according to procedures estab-*
8 *lished for Work for Others by the Department of Energy:*
9 *Provided further, That, \$10,000,000 of the amount provided*
10 *for stockpile stewardship shall be available to provide lab-*
11 *oratory and facility capabilities in partnership with small*
12 *businesses for either direct benefit to Weapons Activities or*
13 *regional economic development.*

14 *DEFENSE ENVIRONMENTAL RESTORATION AND WASTE*
15 *MANAGEMENT*

16 *For Department of Energy expenses, including the*
17 *purchase, construction and acquisition of plant and capital*
18 *equipment and other expenses necessary for atomic energy*
19 *defense environmental restoration and waste management*
20 *activities in carrying out the purposes of the Department*
21 *of Energy Organization Act (42 U.S.C. 7101 et seq.), in-*
22 *cluding the acquisition or condemnation of any real prop-*
23 *erty or any facility or for plant or facility acquisition, con-*
24 *struction, or expansion; and the purchase of passenger*
25 *motor vehicles (not to exceed 35 for replacement only),*

1 \$4,551,676,000, to remain available until expended: Pro-
2 vided, That of the amount provided for site completion,
3 \$1,306,000 shall be for project 00-D-400, CFA Site Oper-
4 ations Center, Idaho National Engineering and Environ-
5 mental Laboratory, Idaho.

6 *DEFENSE FACILITIES CLOSURE PROJECTS*

7 *For expenses of the Department of Energy to accelerate*
8 *the closure of defense environmental management sites, in-*
9 *cluding the purchase, construction and acquisition of plant*
10 *and capital equipment and other necessary expenses,*
11 *\$1,069,492,000, to remain available until expended.*

12 *DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION*

13 *For Department of Energy expenses for privatization*
14 *projects necessary for atomic energy defense environmental*
15 *management activities authorized by the Department of*
16 *Energy Organization Act (42 U.S.C. 7101 et seq.),*
17 *\$228,000,000, to remain available until expended.*

18 *OTHER DEFENSE ACTIVITIES*

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

1 *or facility acquisition, construction, or expansion,*
2 *\$1,872,000,000, to remain available until expended: Pro-*
3 *vided, That not to exceed \$3,000 may be used for official*
4 *reception and representation expenses for transparency ac-*
5 *tivities and not to exceed \$2,000 for the same purpose for*
6 *national security and nonproliferation activities.*

7 *DEFENSE NUCLEAR WASTE DISPOSAL*

8 *For nuclear waste disposal activities to carry out the*
9 *purposes of Public Law 97-425, as amended, including the*
10 *acquisition of real property or facility construction or ex-*
11 *pansion, \$112,500,000, to remain available until expended.*

12 *POWER MARKETING ADMINISTRATIONS*

13 *BONNEVILLE POWER ADMINISTRATION FUND*

14 *Expenditures from the Bonneville Power Administra-*
15 *tion Fund, established pursuant to Public Law 93-454, are*
16 *approved for the Northeast Oregon Hatchery Master Plan,*
17 *and for official reception and representation expenses in an*
18 *amount not to exceed \$3,000.*

19 *During fiscal year 2000, no new direct loan obliga-*
20 *tions may be made.*

21 *OPERATION AND MAINTENANCE, SOUTHEASTERN POWER*

22 *ADMINISTRATION*

23 *For necessary expenses of operation and maintenance*
24 *of power transmission facilities and of marketing electric*
25 *power and energy, including transmission wheeling and*

1 *ancillary services, pursuant to the provisions of section 5*
2 *of the Flood Control Act of 1944 (16 U.S.C. 825s), as ap-*
3 *plied to the southeastern power area, \$11,594,000; in addi-*
4 *tion, notwithstanding the provisions of 31 U.S.C. 3302, not*
5 *to exceed \$28,000,000 in reimbursements for transmission*
6 *wheeling and ancillary services and for power purchases,*
7 *to remain available until expended.*

8 *OPERATION AND MAINTENANCE, SOUTHWESTERN POWER*
9 *ADMINISTRATION*

10 *For necessary expenses of operation and maintenance*
11 *of power transmission facilities and of marketing electric*
12 *power and energy, and for construction and acquisition of*
13 *transmission lines, substations and appurtenant facilities,*
14 *and for administrative expenses, including official recep-*
15 *tion and representation expenses in an amount not to ex-*
16 *ceed \$1,500 in carrying out the provisions of section 5 of*
17 *the Flood Control Act of 1944 (16 U.S.C. 825s), as applied*
18 *to the southwestern power area, \$28,000,000, to remain*
19 *available until expended; in addition, notwithstanding the*
20 *provisions of 31 U.S.C. 3302, not to exceed \$4,200,000 in*
21 *reimbursements, to remain available until expended.*

22 *CONSTRUCTION, REHABILITATION, OPERATION AND*
23 *MAINTENANCE, WESTERN AREA POWER ADMINISTRATION*

24 *For carrying out the functions authorized by title III,*
25 *section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C.*

1 7152), and other related activities including conservation
2 and renewable resources programs as authorized, including
3 official reception and representation expenses in an amount
4 not to exceed \$1,500, \$223,555,000, to remain available
5 until expended, of which \$160,286,000 shall be derived from
6 the Department of the Interior Reclamation Fund: Pro-
7 vided, That of the amount herein appropriated, \$5,036,000
8 is for deposit into the Utah Reclamation Mitigation and
9 Conservation Account pursuant to title IV of the Reclama-
10 tion Projects Authorization and Adjustment Act of 1992.

11 *FALCON AND AMISTAD OPERATING AND MAINTENANCE*

12 *FUND*

13 *For operation, maintenance, and emergency costs for*
14 *the hydroelectric facilities at the Falcon and Amistad*
15 *Dams, \$1,309,000, to remain available until expended, and*
16 *to be derived from the Falcon and Amistad Operating and*
17 *Maintenance Fund of the Western Area Power Administra-*
18 *tion, as provided in section 423 of the Foreign Relations*
19 *Authorization Act, Fiscal Years 1994 and 1995.*

20 *FEDERAL ENERGY REGULATORY COMMISSION*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses of the Federal Energy Regu-*
23 *latory Commission to carry out the provisions of the De-*
24 *partment of Energy Organization Act (42 U.S.C. 7101 et*
25 *seq.), including services as authorized by 5 U.S.C. 3109,*

1 *the hire of passenger motor vehicles, and official reception*
2 *and representation expenses (not to exceed \$3,000),*
3 *\$170,000,000, to remain available until expended: Pro-*
4 *vided, That notwithstanding any other provision of law, not*
5 *to exceed \$170,000,000 of revenues from fees and annual*
6 *charges, and other services and collections in fiscal year*
7 *2000 shall be retained and used for necessary expenses in*
8 *this account, and shall remain available until expended:*
9 *Provided further, That the sum herein appropriated from*
10 *the General Fund shall be reduced as revenues are received*
11 *during fiscal year 2000 so as to result in a final fiscal year*
12 *2000 appropriation from the General Fund estimated at*
13 *not more than \$0.*

14 *GENERAL PROVISIONS*

15 *DEPARTMENT OF ENERGY*

16 *SEC. 301. (a) None of the funds appropriated by this*
17 *Act or any prior appropriations Act may be used to award*
18 *a management and operating contract unless such contract*
19 *is awarded using competitive procedures or the Secretary*
20 *of Energy grants, on a case-by-case basis, a waiver to allow*
21 *for such a deviation. The Secretary may not delegate the*
22 *authority to grant such a waiver.*

23 *(b) At least 60 days before a contract award, amend-*
24 *ment, or modification for which the Secretary intends to*
25 *grant such a waiver, the Secretary shall submit to the Sub-*

1 *committees on Energy and Water Development of the Com-*
2 *mittees on Appropriations of the House of Representatives*
3 *and the Senate a report notifying the subcommittees of the*
4 *waiver and setting forth the reasons for the waiver.*

5 *SEC. 302. Of the funds appropriated by this title to*
6 *the Department of Energy, not more than \$200,000,000*
7 *shall be available for reimbursement of contractor travel ex-*
8 *penses, and no funds shall be available for reimbursement*
9 *of contractor travel expenses that exceed 80 percent of the*
10 *amount incurred by any individual contractor in fiscal*
11 *year 1998.*

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

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

17 *(2) provide enhanced severance payments or*
18 *other benefits for employees of the Department of En-*
19 *ergy; under section 3161 of the National Defense Au-*
20 *thorization Act for Fiscal Year 1993 (Public Law*
21 *102-484; 106 Stat. 2644; 42 U.S.C. 7274h).*

22 *SEC. 304. None of the funds appropriated by this Act*
23 *or any prior appropriations Act may be used to augment*
24 *the \$30,000,000 made available for obligation by this Act*
25 *for severance payments and other benefits and community*

1 *assistance grants under section 3161 of the National De-*
2 *fense Authorization Act for Fiscal Year 1993 (Public Law*
3 *102-484; 106 Stat. 2644; 42 U.S.C. 7274h).*

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

8 *(TRANSFERS OF UNEXPENDED BALANCES)*

9 *SEC. 306. The unexpended balances of prior appro-*
10 *priations provided for activities in this Act may be trans-*
11 *ferred to appropriation accounts for such activities estab-*
12 *lished pursuant to this title. Balances so transferred may*
13 *be merged with funds in the applicable established accounts*
14 *and thereafter may be accounted for as one fund for the*
15 *same time period as originally enacted.*

16 *SEC. 307. None of the funds in this Act may be used*
17 *to dispose of transuranic waste in the Waste Isolation Pilot*
18 *Plant which contains concentrations of plutonium in excess*
19 *of 20 percent by weight for the aggregate of any material*
20 *category on the date of enactment of this Act, or is generated*
21 *after such date.*

22 *SEC. 308. LIMITING THE INCLUSION OF COSTS OF*
23 *PROTECTION OF, MITIGATION OF DAMAGE TO, AND EN-*
24 *HANCEMENT OF FISH, WITHIN RATES CHARGED BY THE*
25 *BONNEVILLE POWER ADMINISTRATION, TO THE RATE PE-*
26 *RIOD IN WHICH THE COSTS ARE INCURRED. Section 7 of*

1 *the Pacific Northwest Electric Power Planning and Con-*
2 *servation Act (16 U.S.C. 839e) is amended by adding at*
3 *the end the following:*

4 “(n) *LIMITING THE INCLUSION OF COSTS OF PROTEC-*
5 *TION OF, MITIGATION OF DAMAGE TO, AND ENHANCEMENT*
6 *OF FISH, WITHIN RATES CHARGED BY THE BONNEVILLE*
7 *POWER ADMINISTRATION, TO THE RATE PERIOD IN WHICH*
8 *THE COSTS ARE INCURRED.—Notwithstanding any other*
9 *provision of this section, rates established by the Adminis-*
10 *trator, in accordance with established fish funding prin-*
11 *ciples, under this section shall recover costs for protection,*
12 *mitigation and enhancement of fish, whether under the Pa-*
13 *cific Northwest Electric Power Planning and Conservation*
14 *Act or any other Act, not to exceed such amounts the Ad-*
15 *ministrator forecasts will be expended during the period for*
16 *which such rates are established.”.*

17

TITLE IV

18

INDEPENDENT AGENCIES

19

APPALACHIAN REGIONAL COMMISSION

20

21 *For expenses necessary to carry out the programs au-*
22 *thorized by the Appalachian Regional Development Act of*
23 *1965, as amended, for necessary expenses for the Federal*
24 *Co-Chairman and the alternate on the Appalachian Re-*
25 *gional Commission, for payment of the Federal share of the*
administrative expenses of the Commission, including serv-

1 *ices as authorized by 5 U.S.C. 3109, and hire of passenger*
2 *motor vehicles, \$71,400,000, to remain available until ex-*
3 *pended.*

4 *DENALI COMMISSION*

5 *For expenses of the Denali Commission including the*
6 *purchase, construction and acquisition of plant and capital*
7 *equipment as necessary and other expenses, \$25,000,000, to*
8 *remain available until expended.*

9 *DEFENSE NUCLEAR FACILITIES SAFETY BOARD*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the Defense Nuclear Facili-*
12 *ties Safety Board in carrying out activities authorized by*
13 *the Atomic Energy Act of 1954, as amended by Public Law*
14 *100-456, section 1441, \$17,500,000, to remain available*
15 *until expended.*

16 *NUCLEAR REGULATORY COMMISSION*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Commission in carrying*
19 *out the purposes of the Energy Reorganization Act of 1974,*
20 *as amended, and the Atomic Energy Act of 1954, as amend-*
21 *ed, including official representation expenses (not to exceed*
22 *\$15,000), \$465,400,000, to remain available until expended:*
23 *Provided, That of the amount appropriated herein,*
24 *\$19,150,000 shall be derived from the Nuclear Waste Fund:*
25 *Provided further, That revenues from licensing fees, inspec-*

1 *tion services, and other services and collections estimated*
2 *at \$442,400,000 in fiscal year 2000 shall be retained and*
3 *used for necessary salaries and expenses in this account,*
4 *notwithstanding 31 U.S.C. 3302, and shall remain avail-*
5 *able until expended: Provided further, That \$3,850,000 of*
6 *the funds herein appropriated for regulatory reviews and*
7 *other assistance provided to the Department of Energy and*
8 *other Federal agencies shall be excluded from license fee rev-*
9 *enues, notwithstanding 42 U.S.C. 2214: Provided further,*
10 *That the sum herein appropriated shall be reduced by the*
11 *amount of revenues received during fiscal year 2000 so as*
12 *to result in a final fiscal year 2000 appropriation estimated*
13 *at not more than \$23,000,000.*

14 *OFFICE OF INSPECTOR GENERAL*

15 *For necessary expenses of the Office of Inspector Gen-*
16 *eral in carrying out the provisions of the Inspector General*
17 *Act of 1978, as amended, \$5,000,000, to remain available*
18 *until expended: Provided, That the sum herein appro-*
19 *riated shall be reduced by the amount of revenues received*
20 *during fiscal year 2000 so as to result in a final fiscal year*
21 *2000 appropriation estimated at not more than \$0.*

22 *NUCLEAR WASTE TECHNICAL REVIEW BOARD*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Nuclear Waste Technical*
25 *Review Board, as authorized by Public Law 100–203, sec-*

1 *tion 5051, \$3,150,000, to be derived from the Nuclear Waste*
 2 *Fund, and to remain available until expended.*

3 *TENNESSEE VALLEY AUTHORITY FUND*

4 *For the purposes of carrying out the provisions of the*
 5 *Tennessee Valley Authority Act of 1933, as amended (16*
 6 *U.S.C. ch. 12A), \$7,000,000, to remain available until ex-*
 7 *pended for operation, maintenance, surveillance, and im-*
 8 *provement of Land Between The Lakes.*

9 *TITLE V—RESCISSIONS*

10 *DEPARTMENT OF DEFENSE—CIVIL*

11 *DEPARTMENT OF THE ARMY*

12 *CORPS OF ENGINEERS—CIVIL*

13 *GENERAL INVESTIGATIONS*

14 *(RESCISSIONS)*

15 *Of the funds made available under this heading in*
 16 *Public Law 105–245 and prior Energy and Water Develop-*
 17 *ment Acts, the following amounts are hereby rescinded in*
 18 *the amounts specified:*

19 *Calleguas, Creek, California, \$271,100;*

20 *San Joaquin, Caliente Creek, California,*
 21 *\$155,400;*

22 *Red River Waterway, Shreveport, Louisiana, to*
 23 *Dangerfield, Texas \$582,600;*

24 *Buffalo, Small Boat Harbor, New York, \$15,100;*

25 *City of Buffalo, New York, \$4,000;*

1 *Geneva State Park, Ohio Shoreline Protection,*
2 *\$91,000;*
3 *Clinton River Spillway, Michigan, \$50,000;*
4 *Lackawanna River Basin Greenway Corridor,*
5 *Pennsylvania, \$217,900; and*
6 *Red River Waterway, Index Arkansas, to*
7 *Denison Dam, Texas, \$125,000.*

8 *CONSTRUCTION, GENERAL*

9 *(RESCISSIONS)*

10 *Of the funds made available under this heading in*
11 *Public Law 105–245, and prior Energy and Water Devel-*
12 *opment Acts, the following amounts are hereby rescinded*
13 *in the amounts specified:*

14 *Sacramento River Flood Control Project, Cali-*
15 *formia (Deficiency Correction), \$1,500,000;*
16 *Melaleuca Quarantine Facility, Florida,*
17 *\$295,000;*
18 *Lake George, Hobart, Indiana, \$3,484,000;*
19 *Southern and Eastern Kentucky, Kentucky,*
20 *\$2,623,000;*
21 *Anacostia River (Section 1135), Maryland,*
22 *\$1,534,000;*
23 *Sowashee Creek, Meridian, Mississippi,*
24 *\$2,537,000;*
25 *Platte River Flood and Streambank Erosion*
26 *Control, Nebraska, \$1,409,000;*

1 *Rochester Harbor, New York, \$1,842,000;*
2 *Columbia River, Seafarers Museum, Hammond,*
3 *Oregon, \$98,000;*
4 *South Central Pennsylvania, Environmental Im-*
5 *provements Program, Pennsylvania, \$20,000,000; and*
6 *Quonset Point, Davisville, Rhode Island,*
7 *\$120,000.*

8 *DEPARTMENT OF ENERGY*

9 *OPERATION AND MAINTENANCE, SOUTHEASTERN POWER*

10 *ADMINISTRATION*

11 *(RESCISSION)*

12 *Of the funds made available under this heading in*
13 *Public Law 105–245 and prior Energy and Water Develop-*
14 *ment Acts, \$5,500,000, are rescinded.*

15 *TITLE VI—GENERAL PROVISIONS*

16 *SEC. 601. None of the funds appropriated by this Act*
17 *may be used in any way, directly or indirectly, to influence*
18 *congressional action on any legislation or appropriation*
19 *matters pending before Congress, other than to commu-*
20 *nicate to Members of Congress as described in section 1913*
21 *of title 18, United States Code.*

22 *SEC. 602. (a) PURCHASE OF AMERICAN-MADE EQUIP-*
23 *MENT AND PRODUCTS.—It is the sense of the Congress that,*
24 *to the greatest extent practicable, all equipment and prod-*

1 *ucts purchased with funds made available in this Act should*
2 *be American-made.*

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

9 **(c) PROHIBITION OF CONTRACTS WITH PERSONS**
10 **FALSELY LABELING PRODUCTS AS MADE IN AMERICA.**—
11 *If it has been finally determined by a court or Federal agen-*
12 *cy that any person intentionally affixed a label bearing a*
13 *“Made in America” inscription, or any inscription with*
14 *the same meaning, to any product sold in or shipped to*
15 *the United States that is not made in the United States,*
16 *the person shall be ineligible to receive any contract or sub-*
17 *contract made with funds made available in this Act, pur-*
18 *suant to the debarment, suspension, and ineligibility proce-*
19 *dures described in sections 9.400 through 9.409 of title 48,*
20 *Code of Federal Regulations.*

21 **SEC. 603.** *(a) None of the funds appropriated or other-*
22 *wise made available by this Act may be used to determine*
23 *the final point of discharge for the interceptor drain for*
24 *the San Luis Unit until development by the Secretary of*
25 *the Interior and the State of California of a plan, which*

1 *shall conform to the water quality standards of the State*
2 *of California as approved by the Administrator of the Envi-*
3 *ronmental Protection Agency, to minimize any detrimental*
4 *effect of the San Luis drainage waters.*

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

20 *SEC. 604. None of the funds made available in this*
21 *or any other Act may be used to restart the High Flux*
22 *Beam Reactor.*

23 *SEC. 605. Section 6101(a)(3) of the Omnibus Budget*
24 *Reconciliation Act of 1990, as amended, (42 U.S.C.*

1 2214(a)(3)) is amended by striking “September 30, 1999”
2 and inserting “September 30, 2000”.

3 SEC. 606. UNITED STATES ENRICHMENT CORPORA-
4 TION FUND. (a) WITHDRAWALS.—Subsections (b) and (c)
5 of section 1 of Public Law 105–204 (112 Stat. 681) are
6 amended by striking “fiscal year 2000” and inserting “fis-
7 cal year 2002”.

8 (b) INVESTMENT OF AMOUNTS IN THE USEC FUND.—

9 (1) IN GENERAL.—The Secretary of the Treasury
10 shall invest such portion of the United States Enrich-
11 ment Corporation Fund as is not, in the judgment of
12 the Secretary, required to meet current withdrawals.
13 Investments may be made only in interest-bearing ob-
14 ligations of the United States.

15 (2) ACQUISITION OF OBLIGATIONS.—For the pur-
16 pose of investments under paragraph (1), obligations
17 may be acquired—

18 (A) on original issue at the issue price; or

19 (B) by purchase of outstanding obligations
20 at the market price.

21 (3) SALE OF OBLIGATIONS.—Any obligation ac-
22 quired by the Fund may be sold by the Secretary of
23 the Treasury at the market price.

24 (4) CREDITS TO FUND.—The interest on, and the
25 proceeds from the sale or redemption of, any obliga-

1 *tions held in the Fund shall be credited to and form*
2 *a part of the Fund.*

3 *SEC. 607. LAKE CASCADE. (a) DESIGNATION.—The*
4 *reservoir commonly known as the “Cascade Reservoir”, cre-*
5 *ated as a result of the building of the Cascade Dam author-*
6 *ized by the matter under the heading “BUREAU OF REC-*
7 *LAMATION” of the fifth section of the Interior Department*
8 *Appropriation Act, 1942 (55 Stat. 334, chapter 259) for*
9 *the Boise Project, Idaho, Payette division, is redesignated*
10 *as “Lake Cascade”.*

11 *(b) REFERENCES.—Any reference in any law, regula-*
12 *tion, document, record, map, or other paper of the United*
13 *States to “Cascade Reservoir” shall be considered to be a*
14 *reference to “Lake Cascade”.*

15 *SEC. 608. Section 4(h)(10)(D) of the Pacific Northwest*
16 *Electric Power Planning and Conservation Act (16 U.S.C.*
17 *839b(h)(10)(D)) is amended by striking clauses (vii) and*
18 *(viii) and inserting the following:*

19 *“(vii) COST LIMITATION.—The annual cost of this pro-*
20 *vision shall not exceed \$500,000 in 1997 dollars.”.*

