

Public Law 95-96
95th Congress

An Act

Making appropriations for public works for water and power development and energy research for the fiscal year ending September 30, 1978, and for other purposes.

Aug. 7, 1977
[H.R. 7553]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1978, for public works for water and power development and energy research, and for other purposes, namely:

Public Works for
Water and Power
Development and
Energy Research
Appropriation
Act, 1978.

TITLE I—ENERGY RESEARCH AND DEVELOPMENT
ADMINISTRATION

OPERATING EXPENSES

For necessary operating expenses of the Administration in carrying out the purposes of the Energy Reorganization Act of 1974; hire, maintenance, and operation of aircraft; publication and dissemination of atomic and other energy information; purchase, repair, and cleaning of uniforms; official entertainment expenses (not to exceed \$15,000); reimbursement of the General Services Administration for security guard services; hire of passenger motor vehicles; \$4,359,806,000 and any moneys (except sums received from disposal of property under the Atomic Energy Community Act of 1955 and the Strategic and Critical Materials Stockpiling Act, as amended, and fees received for tests or investigations under the Act of May 16, 1910, as amended (42 U.S.C. 2301; 50 U.S.C. 98h; 30 U.S.C. 7)) received by the Energy Research and Development Administration, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484), to remain available until expended: *Provided*, That from this appropriation transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further*, That the amount appropriated in any other appropriation act for "Operating expenses" for the Energy Research and Development Administration for the fiscal year ending September 30, 1978, shall be merged with this appropriation: *Provided further*, That up to \$14,000,000 of this appropriation is to conduct a study of the Barnwell Nuclear Fuels Plant located in South Carolina to determine if that facility may be utilized in support of the nonproliferation objectives of the United States; and for activities contributing to the International Fuel Cycle Evaluation Program to be carried out under contract at the Barnwell Nuclear Fuels Plant, including only such research, assessment and evaluation activities as the Administrator determines are consistent with the Nation's nuclear research and nonproliferation policies and provided that the plant shall not be used to process spent fuel from nuclear reactors: *Provided further*,

42 USC 5801
note.

Presidential
certification to
Congress.

Disapproval
resolution.

That none of the funds appropriated herein shall be used to terminate the Clinch River Breeder Reactor Project: *Provided further*, That \$1,800,000 of this appropriation shall be for financial awards to independent inventors, as authorized, for the purpose of carrying out section 14 of the Federal Nonnuclear Energy Research and Development Act of 1974, as amended (42 U.S.C. 5913): *Provided further*, That none of the funds appropriated in this Act shall be used for production of enhanced radiation weapons until the President certifies to Congress that production of these weapons is in the national interest: *Provided further, however*, That after such certification is received, production may proceed, unless within forty-five days Congress by concurrent resolution disapproves such production: *Provided further*, That such disapproval resolution be referred to the appropriate committee, and if the committee has not reported the resolution at the end of ten calendar days after its introduction, it is in order to move to discharge the committee from further consideration, which motion shall be privileged and shall not be debatable. A motion to proceed to the resolution shall be privileged and not be debatable. Debate on the resolution shall be limited to not more than ten hours which shall be equally divided between, and controlled by, the Majority Leader and the Minority Leader or their designees. Amendments to the resolution shall not be in order and debate on any debatable motion or point of order submitted by the Chair shall be limited to not more than thirty minutes to be equally divided between, and controlled by, the mover and the Majority Leader or his designee. Motions to recommit the resolution or to reconsider the vote by which the resolution was disposed of shall not be received.

PLANT AND CAPITAL EQUIPMENT

42 USC 5801
note.

For expenses of the Administration, as authorized by law, in connection with the purchase and construction of plant and the acquisition of capital equipment and other expenses incidental thereto necessary in carrying out the purposes of the Energy Reorganization Act of 1974, including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of not to exceed four hundred and sixty-six of which four hundred and sixteen are for replacement only, and hire of passenger motor vehicles; purchase of not to exceed two, and hire of aircraft; \$1,601,849,000, to remain available until expended: *Provided*, That the amount appropriated in any other appropriation Act for "Plant and capital equipment" for the Energy Research and Development Administration for the fiscal year ending September 30, 1978, shall be merged with this appropriation.

GEOTHERMAL RESOURCES DEVELOPMENT FUND

30 USC 1101
note.

For carrying out the Loan Guarantee and Interest Assistance Program as authorized by the Geothermal Energy Research, Development, and Demonstration Act of 1974, \$15,000,000, to remain available until expended: *Provided*, That the indebtedness guaranteed or committed to be guaranteed shall not exceed the aggregate of \$300,000,000: *Provided further*, That after September 2, 1984, no part of this or any other appropriation for the purposes of the Loan Guarantee and Interest Assistance Program shall be available for obligation.

SPECIAL FOREIGN CURRENCY PROGRAM

For payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses of the Energy Research and Development Administration, as authorized by law, \$1,500,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations, to such office for payment in the foregoing currencies.

GENERAL PROVISION

SEC. 101. Not to exceed 5 per centum of appropriations made available for the current fiscal year for "Operating expenses" and "Plant and capital equipment" may be transferred between such appropriations, but neither such appropriation, except as otherwise provided herein, shall be increased by more than 5 per centum by any such transfers, and any such transfers shall be reported promptly to the Appropriations Committees of the House and Senate.

Funds, transfer.
Report to
congressional
committees.

TITLE II—DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

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

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, and when authorized by law, surveys and studies of projects prior to authorization for construction, \$103,646,000, to remain available until expended.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), \$1,523,820,000, to remain available until expended: *Provided*, That no part of this appropriation shall be used for projects not authorized by law or which are authorized by law limiting the amount to be appropriated therefor, except as may be within the limits of the amount now or hereafter authorized to be appropriated: *Provided further*, That not to exceed \$4,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), as amended, including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

16 USC 1531
note.

CONSTRUCTION, GENERAL

(Rescission)

90 Stat. 891.

Appropriations provided under this head in the Public Works for Water and Power Development and Energy Research Appropriation Act, 1977, are hereby rescinded in the amount of \$6,550,000.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

16 USC 1531
note.

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g-1), \$253,081,000, to remain available until expended: *Provided*, That not less than \$250,000 shall be available for bank stabilization measures as determined by the Chief of Engineers to be advisable for the control of bank erosion of streams in the Yazoo Basin, including the foothill area, and where necessary such measures shall complement similar works planned and constructed by the Soil Conservation Service and be limited to the areas of responsibility mutually agreeable to the District engineer and the State Conservationist: *Provided further*, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), as amended, including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; administration of laws pertaining to preservation of navigable waters; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation; \$745,370,000, to remain available until expended.

REVOLVING FUND

For the design and construction of hopper dredges, \$21,525,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

33 USC 701n.

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act, approved August 18, 1941, as amended, \$18,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Board of Engineers for Rivers and Harbors and the Coastal Engineering Research Center; commercial statistics; and miscellaneous investigations; \$56,800,000.

SPECIAL RECREATION USE FEES

For construction, operation, and maintenance of outdoor recreation facilities, including collection of special recreation use fees, to remain available until expended, \$6,000,000, to be derived from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601): *Provided*, That not more than 40 per centum of the foregoing amount shall be available for the enhancement of the fee collection system established by section 4 of such Act, including the promotion and enforcement thereof.

16 USC 4601-6a.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for expenses of attendance by military personnel at meetings in the manner authorized by 5 U.S.C. 4110, uniforms, and allowances therefor, as authorized by law (5 U.S.C. 5901-5902), and for printing, either during a recess or session of Congress, of survey reports authorized by law, and such survey reports as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress; not to exceed \$10,000 for official reception and representation expenses; and during the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed one hundred and ninety-five for replacement only), and hire of passenger motor vehicles: *Provided*, That the total capital of the revolving fund shall not exceed \$351,600,000.

TITLE III—DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau, as follows:

43 USC 371 and note.

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation and betterment, financial adjustment, or extension of existing projects, to remain available until expended, \$25,106,000: *Provided*, That none of this appropriation shall be used for more than one-half of the cost of an investigation requested by a State, municipality, or other interest.

CONSTRUCTION AND REHABILITATION

For construction and rehabilitation of authorized reclamation projects or parts thereof (including power transmission facilities) and for other related activities, as authorized by law, to remain available until expended, \$362,835,000, of which \$245,000,000 shall be derived from the reclamation fund: *Provided*, That no part of this appropriation shall be used to initiate the construction of transmission facilities within those areas covered by power wheeling service contracts which include provision for service to Federal establishments and preferred customers, except those transmission facilities for which construction funds have been heretofore appropriated, those facilities which are necessary to carry out the terms of such contracts or those facilities for

which the Secretary of the Interior finds the wheeling agency is unable or unwilling to provide for the integration of Federal projects or for service to a Federal establishment or preferred customer: *Provided further*, That the final point of discharge for the interceptor drain for the San Luis Unit shall not be determined until development by the Secretary of the Interior and the State of California of a plan, which shall conform with the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters: *Provided further*, That of the amount herein appropriated not to exceed \$400,000 for the Central Oregon Irrigation District shall be available for construction on a rehabilitation and betterment program under the Act of October 7, 1949 (63 Stat. 724), as amended, to be repaid in full under conditions satisfactory to the Secretary of the Interior: *Provided further*, That not to exceed \$2,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), as amended, including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

43 USC 504 and
note.

16 USC 1531
note.

CONSTRUCTION AND REHABILITATION

(Rescission)

Appropriations provided under this head in the Public Works for Water and Power Development and Energy Research Appropriation Act, 1977, are hereby rescinded in the amount of \$2,200,000.

90 Stat. 893.

UPPER COLORADO RIVER STORAGE PROJECT

For the Upper Colorado River Storage Project, as authorized by the Act of April 11, 1956, as amended (43 U.S.C. 620d), to remain available until expended, \$71,066,000, of which \$67,051,000 shall be available for the "Upper Colorado River Basin Fund" authorized by section 5 of said Act of April 11, 1956, and \$4,015,000 shall be available for construction of recreational and fish and wildlife facilities authorized by section 8 thereof, and may be expended by bureaus of the Department through or in cooperation with State or other Federal agencies, and advances to such Federal agencies are hereby authorized: *Provided*, That no part of the funds herein approved shall be available for construction or operation of facilities to prevent waters of Lake Powell from entering any national monument.

43 USC 620d.

43 USC 620g.

UPPER COLORADO RIVER STORAGE PROJECT

(Rescission)

Appropriations provided under this head in the Public Works for Water and Power Development and Energy Research Appropriation Act, 1977, are hereby rescinded in the amount of \$3,000,000.

90 Stat. 894.

COLORADO RIVER BASIN PROJECT

For advances to the Lower Colorado River Basin Development Fund, as authorized by section 403 of the Act of September 30, 1968 (82 Stat. 894), for the construction, operation, and maintenance of projects authorized by title III of said Act, to remain available until expended, \$78,145,000.

43 USC 1543.

43 USC 1521.

COLORADO RIVER BASIN SALINITY CONTROL PROJECTS

For construction of projects authorized by the Act of June 24, 1974, Public Law 93-320, to remain available until expended, \$22,675,000.

43 USC 1571
note.

OPERATION AND MAINTENANCE

For operation and maintenance of reclamation projects or parts thereof and other facilities, as authorized by law; and for a soil and moisture conservation program on lands under the jurisdiction of the Bureau of Reclamation, pursuant to law, \$157,400,000, of which \$133,000,000 shall be derived from the reclamation fund and \$5,327,000 shall be derived from the Colorado River Dam fund: *Provided*, That funds advanced by water users for operation and maintenance of reclamation projects or parts thereof shall be deposited to the credit of this appropriation and may be expended for the same objects and in the same manner as sums appropriated herein may be expended, and such advances shall remain available until expended.

LOAN PROGRAM

For loans to irrigation districts and other public agencies for construction of distribution systems on authorized Federal reclamation projects, and for loans and grants to non-Federal agencies for construction of projects, as authorized by the Act of July 4, 1955, as amended (43 U.S.C. 421a-421d), and August 6, 1956, as amended (43 U.S.C. 422a-422k), including expenses necessary for carrying out the program, \$27,753,000, to remain available until expended: *Provided*, That any contract under the Act of July 4, 1955 (69 Stat. 244), as amended, not yet executed by the Secretary, which calls for the making of loans beyond the fiscal year in which the contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197).

43 USC 421a.

43 USC 388.

GENERAL ADMINISTRATIVE EXPENSES

For necessary expenses of general administration and related functions in the offices of the Commissioner of Reclamation and in the regional offices of the Bureau of Reclamation, \$24,445,000, to be derived from the reclamation fund and to be nonreimbursable pursuant to the Act of April 19, 1945 (43 U.S.C. 377): *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted for the current fiscal year as general administrative expenses.

SPECIAL FUNDS

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

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed forty-one passenger motor vehicles of which thirty shall be for replacement only; purchase of two aircraft for replacement only; payment of claims for damages to or loss of property, personal injury, or death arising out of activities of the Bureau of Reclamation; payment, except as otherwise provided for, of compensation and expenses of persons on the rolls of the Bureau of Reclamation appointed as authorized by law to represent the United States in the negotiations and administration of interstate compacts without reimbursement or return under the reclamation laws; for services as authorized by 5 U.S.C. 3109, in total not to exceed \$65,000; rewards for information or evidence concerning violations of law involving property under the jurisdiction of the Bureau of Reclamation; performance of the functions specified under the head "Operation and Maintenance Administration", Bureau of Reclamation, in the Interior Department Appropriation Act, 1945; preparation and dissemination of useful information including recordings, photographs, and photographic prints; and studies of recreational uses of reservoir areas, and investigation and recovery of archeological and paleontological remains in such areas in the same manner as provided for in the Act of August 21, 1935 (16 U.S.C. 461-467): *Provided*, That no part of any appropriation made herein shall be available pursuant to the Act of April 19, 1945 (43 U.S.C. 377), for expenses other than those incurred on behalf of specific reclamation projects except "General Administrative Expenses" and amounts provided for reconnaissance, basin surveys, and general engineering and research under the head "General Investigations".

58 Stat. 487.

Sums appropriated herein which are expended in the performance of reimbursable functions of the Bureau of Reclamation shall be returnable to the extent and in the manner provided by law.

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

43 USC 377a.

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

Not to exceed \$225,000 may be expended from the appropriation "Construction and Rehabilitation" for work by force account on any one project or Pick-Sloan Missouri Basin Program unit and then only when such work is unsuitable for contract or no acceptable bid has been received and, other than otherwise provided in this paragraph or as may be necessary to meet local emergencies, not to exceed 12 per centum of the construction allotment for any project from the appropriation "Construction and Rehabilitation" contained in this

Act, shall be available for construction work by force account: *Provided*, That this paragraph shall not apply to work performed under the Rehabilitation and Betterment Act of 1949 (63 Stat. 724).

43 USC 504 and note.

ALASKA POWER ADMINISTRATION

GENERAL INVESTIGATIONS

For engineering and economic investigations to promote the development and utilization of the water, power, and related resources of Alaska, \$864,000, to remain available until expended: *Provided*, That \$20,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service for studies, investigations, and reports thereon, as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563-565).

16 USC 661 note.

OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of projects in Alaska and of marketing electric power and energy, including purchase of not to exceed one passenger motor vehicle for replacement only, \$1,231,000.

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are hereby specifically approved for purchase of three helicopters for replacement only; and for official reception and representation expenses not to exceed \$1,500.

16 USC 838i.

SOUTHEASTERN POWER ADMINISTRATION

OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$1,143,000.

SOUTHWESTERN POWER ADMINISTRATION

CONSTRUCTION

For construction and acquisition of transmission lines, substations, and appurtenant facilities, and for administrative expenses connected therewith, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, \$4,312,000, to remain available until expended.

OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, including purchase of not to exceed three passenger motor vehicles for replacement only, \$8,193,000.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

Emergency
reconstruction.

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

Fire prevention.

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

Warehouses,
garages, and
shops.

SEC. 303. Appropriations in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency, or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by the Act of June 30, 1932 (31 U.S.C. 686): *Provided*, That reimbursements for costs of supplies, materials, and equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

Southwestern
Power
Administration.

SEC. 304. No part of any funds made available by this Act to the Southwestern Power Administration may be made available to any other agency, bureau, or office for any purposes other than for services rendered pursuant to law to the Southwestern Power Administration.

SEC. 305. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total not to exceed \$100,000.

SEC. 306. Appropriations in this title shall be available for hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone services in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

TITLE IV—INDEPENDENT OFFICES

APPALACHIAN REGIONAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Cochairman and his alternate on the Appalachian Regional Commission and for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$2,075,000.

FUNDS APPROPRIATED TO THE PRESIDENT

APPALACHIAN REGIONAL DEVELOPMENT PROGRAMS

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, except expenses authorized by section 105 of said Act, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, to remain available until expended, \$323,700,000, of which \$211,300,000 shall be available for the Appalachian Development Highway System, but no part of any appropriation in this Act shall be available for expenses in connection with commitments for contracts or grants for the Appalachian Development Highway System in excess of the total amount herein and heretofore appropriated.

40 USC app. 1.
40 USC app. 109.

DELAWARE RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), \$87,000.

CONTRIBUTION TO DELAWARE RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Delaware River Basin Commission, as authorized by law (75 Stat. 706, 707), \$232,000.

FEDERAL POWER COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the work of the Commission, as authorized by law, including hire of passenger motor vehicles, hire of aircraft, services as authorized by 5 U.S.C. 3109, and not to exceed \$1,000 for official reception and representation expenses, \$42,785,000.

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

CONTRIBUTION TO INTERSTATE COMMISSION ON THE
POTOMAC RIVER BASIN

To enable the Secretary of the Treasury to pay in advance to the Interstate Commission on the Potomac River Basin the Federal contribution toward the expenses of the Commission during the current fiscal year in the administration of its business in the conservancy district established pursuant to the Act of July 11, 1940 (54 Stat. 748), as amended by the Act of September 25, 1970 (Public Law 91-407), \$53,000.

33 USC 567b-1.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, including the employment of aliens; services authorized by 5 U.S.C. 3109; publication and dissemination of atomic information; purchase, repair, and cleaning of

42 USC 5801
note.

uniforms; official entertainment expenses (not to exceed \$10,000); reimbursement of the General Services Administration for security guard services; hire of passenger motor vehicles and aircraft; \$281,423,000, to remain available until expended: *Provided*, That from this appropriation, transfer of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further*, That moneys received by the Commission for the cooperative nuclear safety research programs may be retained and used for salaries and expenses associated with those programs, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484), and shall remain available until expended.

SUSQUEHANNA RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Susquehanna River Basin Commission, as authorized by law (84 Stat. 1541), \$88,000.

CONTRIBUTION TO SUSQUEHANNA RIVER BASIN COMMISSION

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

TENNESSEE VALLEY AUTHORITY

PAYMENT TO TENNESSEE VALLEY AUTHORITY FUND

16 USC 831.

16 USC 1531
note.

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. ch. 12A), including hire, maintenance, and operation of aircraft, and hire of passenger motor vehicles, \$138,510,000, to remain available until expended: *Provided*, That not to exceed \$2,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), as amended, including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

WATER RESOURCES COUNCIL

WATER RESOURCES PLANNING

For expenses necessary in carrying out the provisions of the Water Resources Planning Act of 1965 (42 U.S.C. 1962-1962d-3), as amended, including services as authorized by 5 U.S.C. 3109 and 42 U.S.C. 1962a-4(5), and hire of passenger motor vehicles (42 U.S.C. 1962a-4(6)), \$13,696,000, to remain available until expended, including \$1,158,000 for expenses in administering the Act (42 U.S.C. 1962d(b)), \$3,631,000 for preparation of assessments and plans (42 U.S.C. 1962d(c)), \$3,006,000 for preparation of plans (33 U.S.C. 1289), \$2,901,000 for expenses of river basin commissions under title II of the Act (42 U.S.C. 1962d(a)), and \$3,000,000 for grants to States under title III of the Act (42 U.S.C. 1962c(a)).

TITLE V—GENERAL PROVISIONS

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

Fiscal year
limitation.

This Act may be cited as the "Public Works for Water and Power Development and Energy Research Appropriation Act, 1978".

Short title.

Approved August 7, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 95-379 (Comm. on Appropriations) and No. 95-507 (Comm. of Conference).

SENATE REPORT No. 95-301 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 123 (1977):

June 13, 14, considered and passed House.

June 30, July 1, 11-13, considered and passed Senate, amended.

July 25, House agreed to conference report; receded and concurred in certain Senate amendments; receded and concurred in one Senate amendment with an amendment; Senate agreed to conference report; concurred in House amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 13, No. 33:

Aug. 8, Presidential statement.