

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

VALIDATING CONVEYANCES MADE BY THE UNION PACIFIC RAILROAD COMPANY

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2246) to validate certain conveyances made by the Union Pacific Railroad Company of lands located in Reno, Nevada, that were originally conveyed by the United States to facilitate construction of transcontinental railroads, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2246

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RAILROAD LANDS DEFINED.

For the purposes of this Act, the term "railroad lands" means those lands within the City of Reno, Nevada, located within portions of sections 10, 11, and 12 of T.19 N., R. 19 E., and portions of section 7 of T.19 N., R. 20 E., Mount Diablo Meridian, Nevada, that were originally granted to the Union Pacific Railroad under the provisions of the Act of July 1, 1862, commonly known as the Union Pacific Railroad Act.

SEC. 2. RELEASE OF REVERSIONARY INTEREST.

Any reversionary interests of the United States (including interests under the Act of July 1, 1862, commonly known as the Union Pacific Railroad Act) in and to the railroad lands as defined in section one of this Act are hereby released.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentlewoman from Washington (Mrs. McMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Mr. Speaker, the Union Pacific Railroad operates a rail line through downtown Reno, Nevada. Like similar corridors across the West, the rail line was created on Federal land in the 19th century to facilitate development of a transcontinental rail system. The grant to the railroad includes a requirement that the land revert back to Federal ownership should it ever be abandoned by the railroad.

The City of Reno has undertaken a massive project to move approximately two miles of the rail line into a concrete trench constructed alongside the existing track to improve safety and traffic flow through downtown. As part

of the project, the railroad apparently conveyed portions of the right-of-way to the city for construction of the trench. It is not clear whether Union Pacific had authority to make such a conveyance given the Federal reversionary interest. H.R. 2246, as amended, would simply release any Federal reversionary interest in the specific parcels involved in the project. So given the City's enormous investment in this project and that the parcels in question will continue to be used for purposes related to the operation of the rail line, clearing title to these parcels is appropriate. So I urge all of our colleagues to support H.R. 2246.

Mr. Speaker, I reserve the balance of my time.

Mrs. McMORRIS RODGERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentlewoman from Guam has explained the bill very well. I thank her, as well as Chairman GRIJALVA, for working with us to move this legislation out of committee and through the House.

I would like to recognize the sponsor of this legislation, Congressman DEAN HELLER from Nevada, and yield him such time as he may consume.

Mr. HELLER of Nevada. Mr. Speaker, I rise today in support of H.R. 2246, which will resolve outdated Federal reversionary interests in land important to the City of Reno, Nevada, which I represent.

The reversionary interest concerns a rail line that goes through downtown Reno. The City of Reno and the Union Pacific/Southern Pacific join together to submerge a portion of the track below street level as a result of merger between the two railroads.

As part of the project, known as RETRAC, the railroad agreed to grant the City of Reno title to the land immediately surrounding the right-of-way for the project within the city. This bill assists in the revitalization and economic development in this community.

Title for these lands was originally granted to the railroad in 1866 to facilitate construction of a transcontinental rail system. However, when the United States granted the right-of-way to the railroad, it retained a reversionary interest in the land to ensure that it was, in fact, used to facilitate the building of the railroad. This purpose obviously was satisfied many years ago.

This reversionary interest is an obsolete restriction on the title of the land granted to the City of Reno, and H.R. 2246 instructs the Secretary of the Interior to release the reversionary interest originally created in 1866.

I appreciate the chairman of the committee, and also Chairman GRIJALVA and his staff, for the work they have done on this legislation. I also want to thank Reno Mayor Cashell, who came out to Washington to testify on this piece of legislation, and the City of Reno for their continued support and the efforts by their

citizens. I would encourage all of my colleagues to support this legislation.

Ms. BORDALLO. Mr. Speaker, I reserve the balance of my time.

Mrs. McMORRIS RODGERS. Mr. Speaker, I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield back the balance of my time, and I want to thank the gentlewoman from Washington (Mrs. McMORRIS RODGERS) for co-managing our bills today from the Resources Committee.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 2246, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to provide for the release of any reversionary interest of the United States in and to certain lands in Reno, Nevada..."

A motion to reconsider was laid on the table.

NORTH BAY WATER REUSE PROGRAM ACT OF 2007

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 236) to authorize the Secretary of the Interior to create a Bureau of Reclamation partnership with the North Bay Water Reuse Authority and other regional partners to achieve objectives relating to water supply, water quality, and environmental restoration, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 236

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "North Bay Water Reuse Program Act of 2007".

SEC. 2. PROJECT AUTHORIZATION.

(a) **IN GENERAL.**—The Reclamation Waste-water and Groundwater Study and Facilities Act (Public Law 102-575, title XVI; 43 U.S.C. 390h et seq.) is amended by adding at the end the following:

SEC. 16. NORTH BAY WATER REUSE PROGRAM.

"(a) **DEFINITIONS.**—In this section:

"(1) **ELIGIBLE ENTITY.**—The term 'eligible entity' means a member agency of the North Bay Water Reuse Authority of the State located in the North San Pablo Bay watershed in—

"(A) Marin County;

"(B) Napa County;

"(C) Solano County; or

"(D) Sonoma County.

"(2) **WATER RECLAMATION AND REUSE PROJECT.**—The term 'water reclamation and reuse project' means a project carried out by the Secretary and an eligible entity in the North San Pablo Bay watershed relating to—

"(A) water quality improvement;

"(B) wastewater treatment;

"(C) water reclamation and reuse;

"(D) groundwater recharge and protection;

"(E) surface water augmentation; or

"(F) other related improvements.

“(3) STATE.—The term ‘State’ means the State of California.

“(b) NORTH BAY WATER REUSE PROGRAM.—

“(1) IN GENERAL.—Contingent upon a finding of feasibility, the Secretary, acting through a cooperative agreement with the State or a subdivision of the State, is authorized to enter into cooperative agreements with eligible entities for the planning, design, and construction of water reclamation and reuse facilities and recycled water conveyance and distribution systems.

“(2) COORDINATION WITH OTHER FEDERAL AGENCIES.—In carrying out this section, the Secretary and the eligible entity shall, to the maximum extent practicable, use the design work and environmental evaluations initiated by—

“(A) non-Federal entities; and

“(B) the Corps of Engineers in the San Pablo Bay Watershed of the State.

“(3) PHASED PROJECT.—A cooperative agreement described in paragraph (1) shall require that the North Bay Water Reuse Program carried out under this section shall consist of 2 phases as follows:

“(A) **FIRST PHASE.**—During the first phase, the Secretary and an eligible entity shall complete the planning, design, and construction of the main treatment and main conveyance systems.

“(B) **SECOND PHASE.**—During the second phase, the Secretary and an eligible entity shall complete the planning, design, and construction of the sub-regional distribution systems.

“(4) COST SHARING.—

“(A) **FEDERAL SHARE.**—The Federal share of the cost of the first phase of the project authorized by this section shall not exceed 25 percent of the total cost of the first phase of the project.

“(B) **FORM OF NON-FEDERAL SHARE.**—The non-Federal share may be in the form of any in-kind services that the Secretary determines would contribute substantially toward the completion of the water reclamation and reuse project, including—

“(i) reasonable costs incurred by the eligible entity relating to the planning, design, and construction of the water reclamation and reuse project; and

“(ii) the acquisition costs of land acquired for the project that is—

“(I) used for planning, design, and construction of the water reclamation and reuse project facilities; and

“(II) owned by an eligible entity and directly related to the project.

“(C) **LIMITATION.**—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

“(5) EFFECT.—Nothing in this section—

(A) affects or preempts—

“(i) State water law; or

“(ii) an interstate compact relating to the allocation of water; or

“(B) confers on any non-Federal entity the ability to exercise any Federal right to—

“(i) the water of a stream; or

“(ii) any groundwater resource.

“(6) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for the Federal share of the total cost of the first phase of the project authorized by this section \$25,000,000, to remain available until expended.”.

(b) CONFORMING AMENDMENT.—The table of sections in section 2 of Public Law 102-575 is amended by inserting after the last item relating to title XVI the following:

“Sec. 16. North Bay water reuse program.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. NAPOLITANO) and the gentlewoman from Washington (Mrs. McMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

This legislation, introduced by our colleague from California, Representative MIKE THOMPSON, authorizes the Secretary of the Interior to provide limited financial assistance for planning, design, and construction of the North Bay Water Reuse Program in Northern California. This is an innovative regional water recycling project that will allow North Bay Water Reuse Authority and many of the other regional partners to improve water supplies and water quality and to implement environmental restoration work.

Similar legislation was introduced by Congressman THOMPSON in the 109th Congress, and I certainly want to thank Representative THOMPSON for his hard work on this important legislation, and my co-chair, Mrs. McMORRIS RODGERS.

Mr. Speaker, this measure receives strong bipartisan support, and we strongly support this noncontroversial bill. I urge my colleagues to support H.R. 236, as amended.

Mr. Speaker, I reserve the balance of my time.

Mrs. McMORRIS RODGERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Chairwoman GRACE NAPOLITANO has done a great job of describing this bill. We have no objection and applaud the effort of those that have been involved in passing it.

Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I have no requests for time, so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 236, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WESTMORELAND. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

□ 1445

BUREAU OF RECLAMATION SITE SECURITY COSTS ACT OF 2007

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1662) to amend the Reclamation Safety of Dams Act of 1978 to authorize improvements for the security of dams and other facilities, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1662

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘Bureau of Reclamation Site Security Costs Act of 2007’.

SEC. 2. TREATMENT OF CAPITAL COSTS.

Costs incurred by the Secretary of the Interior for the physical fortification of Bureau of Reclamation facilities to satisfy increased post-September 11, 2001, security needs, including the construction, modification, upgrade, or replacement of such facility fortifications, shall be non-reimbursable.

SEC. 3. TREATMENT OF SECURITY-RELATED OPERATION AND MAINTENANCE COSTS.

(a) REIMBURSABLE COSTS.—*The Secretary of the Interior shall include no more than \$18,900,000 per fiscal year, indexed each fiscal year after fiscal year 2008 according to the preceding year’s Consumer Price Index, of those costs incurred for increased levels of guards and patrols, training, patrols by local and tribal law enforcement entities, operation, maintenance, and replacement of guard and response force equipment, and operation and maintenance of facility fortifications at Bureau of Reclamation facilities after the events of September 11, 2001, as reimbursable operation and maintenance costs under Reclamation law.*

(b) COSTS COLLECTED THROUGH WATER RATES.—*In the case of the Central Valley Project of California, site security costs allocated to irrigation and municipal and industrial water service in accordance with this Act shall be collected by the Secretary exclusively through inclusion of these costs in the operation and maintenance water rates.*

SEC. 4. TRANSPARENCY AND REPORT TO CONGRESS.

(a) POLICIES AND PROCEDURES.—*The Secretary is authorized to develop policies and procedures with project beneficiaries, consistent with the requirements of subsections (b) and (c), to provide for the payment of the reimbursable costs described in section 3.*

(b) NOTICE.—*On identifying a Bureau of Reclamation facility for a site security measure, the Secretary shall provide to the project beneficiaries written notice—*

(1) describing the need for the site security measure and the process for identifying and implementing the site security measure; and

(2) summarizing the administrative and legal requirements relating to the site security measure.

(c) CONSULTATION.—*The Secretary shall—*

(1) provide project beneficiaries an opportunity to consult with the Bureau of Reclamation on the planning, design, and construction of the site security measure; and

(2) in consultation with project beneficiaries, develop and provide timeframes for the consultation described in paragraph (1).

(d) RESPONSE; NOTICE.—*Before incurring costs pursuant to activities described in section 3, the Secretary shall consider cost containment measures recommended by a project beneficiary that has elected to consult with the Bureau of Reclamation on such activities. The Secretary shall provide to the project beneficiary—*