

# Union Calendar No. 601

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7872

[Report No. 118-709]

To amend the Colorado River Basin Salinity Control Act to modify certain requirements applicable to salinity control units, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2024

Mr. CURTIS (for himself, Mr. NEGUSE, Mr. CISCOMANI, Ms. STANSBURY, Ms. HAGEMAN, Mr. OWENS, Mr. MOORE of Utah, Ms. MALOY, Ms. LEGER FERNANDEZ, and Mrs. NAPOLITANO) introduced the following bill; which was referred to the Committee on Natural Resources

OCTOBER 22, 2024

Additional sponsor: Mr. CROW

OCTOBER 22, 2024

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

To amend the Colorado River Basin Salinity Control Act to modify certain requirements applicable to salinity control units, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Colorado River Salinity  
5 Control Fix Act”.

6 **SEC. 2. SALINITY CONTROL UNITS.**

7       Section 205 of the Colorado River Basin Salinity  
8 Control Act (43 U.S.C. 1595) is amended—

9           (1) by striking the section designation and all  
10       that follows through “(a) The Secretary” and insert-  
11       ing the following:

12 **“SEC. 205. SALINITY CONTROL UNITS; AUTHORITY AND**  
13                   **FUNCTIONS OF THE SECRETARY OF THE IN-**  
14                   **TERIOR.**

15       “(a) ALLOCATION OF COSTS.—The Secretary”;

16           (2) by striking paragraph (1) and inserting the  
17       following:

18           “(1) NONREIMBURSABLE COSTS; REIMBURS-  
19       ABLE COSTS.—

20                   “(A) NONREIMBURSABLE COSTS.—

21                           “(i) IN GENERAL.—In recognition of  
22                           Federal responsibility for the Colorado  
23                           River as an interstate stream and for  
24                           international comity with Mexico, Federal  
25                           ownership of the land of the Colorado

1 River Basin from which most of the dis-  
2 solved salts originate, and the policy estab-  
3 lished in the Federal Water Pollution Con-  
4 trol Act (33 U.S.C. 1251 et seq.) and ex-  
5 cept as provided in clause (ii), the fol-  
6 lowing shall be nonreimbursable:

7 “(I) 75 percent of the total costs  
8 of construction and replacement of  
9 each unit or separable feature of a  
10 unit authorized by section 202(a)(1),  
11 including 90 percent of—

12 “(aa) the costs of operation  
13 and maintenance of each unit or  
14 separable feature of a unit au-  
15 thorized by that section; and

16 “(bb) the total costs of con-  
17 struction, operation, and mainte-  
18 nance of the associated measures  
19 to replace incidental fish and  
20 wildlife values foregone.

21 “(II) 75 percent of the total costs  
22 of construction and replacement of  
23 each unit or separable feature of a  
24 unit authorized by section 202(a)(2),  
25 including 100 percent of—

1                   “(aa) the costs of operation  
2                   and maintenance of each unit or  
3                   separable feature of a unit au-  
4                   thorized by that section; and

5                   “(bb) the total costs of con-  
6                   struction, operation, and mainte-  
7                   nance of the associated measures  
8                   to replace incidental fish and  
9                   wildlife values foregone.

10                  “(III) 75 percent of the total  
11                  costs of construction, operation, main-  
12                  tenance, and replacement of each unit  
13                  or separable feature of a unit author-  
14                  ized by section 202(a)(3), including  
15                  75 percent of the total costs of con-  
16                  struction, operation, and maintenance  
17                  of the associated measures to replace  
18                  incidental fish and wildlife values fore-  
19                  gone.

20                  “(IV) 70 percent of the total  
21                  costs of construction, operation, main-  
22                  tenance, and replacement of each unit  
23                  or separable feature of a unit author-  
24                  ized by paragraphs (4) and (6) of sec-  
25                  tion 202(a), including 70 percent of

1 the total costs of construction, oper-  
2 ation, and maintenance of the associ-  
3 ated measures to replace incidental  
4 fish and wildlife values foregone.

5 “(V) 70 percent of the total costs  
6 of construction and replacement of  
7 each unit or separable feature of a  
8 unit authorized by section 202(a)(5),  
9 including 100 percent of—

10 “(aa) the costs of operation  
11 and maintenance of each unit or  
12 separable feature of a unit au-  
13 thorized by that section; and

14 “(bb) the total costs of con-  
15 struction, operation, and mainte-  
16 nance of the associated measures  
17 to replace incidental fish and  
18 wildlife values foregone.

19 “(VI) 85 percent of the total  
20 costs of implementation of the on-  
21 farm measures authorized by section  
22 202(c), including 85 percent of the  
23 total costs of the associated measures  
24 to replace incidental fish and wildlife  
25 values foregone.

1                   “(ii) SPECIAL RULE FOR NONREIM-  
2                   BURSABLE COSTS FOR FISCAL YEARS 2024  
3                   AND 2025.—Notwithstanding clause (i), for  
4                   each of fiscal years 2024 and 2025, the  
5                   following shall be nonreimbursable:

6                                 “(I) 75 percent of all costs de-  
7                                 scribed in clause (i)(I).

8                                 “(II) 75 percent of all costs de-  
9                                 scribed in clause (i)(II).

10                                “(III) 70 percent of all costs de-  
11                               scribed in clause (i)(V).

12                                “(IV) The percentages of all  
13                                costs described in subclauses (III),  
14                                (IV), and (VI) of clause (i).

15                                “(B) REIMBURSABLE COSTS.—The total  
16                                costs remaining after the allocations under  
17                                clauses (i) and (ii) of subparagraph (A) shall be  
18                                reimbursable as provided for in paragraphs (2),  
19                                (3), (4), and (5).”;

20                                (3) in subsection (b), by striking the subsection  
21                                designation and all that follows through “Costs of  
22                                construction” in paragraph (1) and inserting the fol-  
23                                lowing:

24                                “(b) COSTS PAYABLE FROM LOWER COLORADO  
25 RIVER BASIN DEVELOPMENT FUND.—

1           “(1) IN GENERAL.—Costs of construction”;

2           (4) in subsection (c), by striking “(c) Costs of  
3 construction” and inserting the following:

4           “(c) COSTS PAYABLE FROM UPPER COLORADO  
5 RIVER BASIN FUND.—Costs of construction”; and

6           (5) in subsection (e), by striking “(e) The Sec-  
7 retary is” and inserting the following:

8           “(e) UPWARD ADJUSTMENT OF RATES FOR ELEC-  
9 TRICAL ENERGY.—The Secretary is”.





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