AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MS. MCSALLY OF ARIZONA

At the end of title I, add the following:

SEC. ___. INTERNATIONAL OUTFALL INTERCEPTOR REPAIR, OPERATIONS, AND MAINTENANCE.

(a) SENSE OF CONGRESS.—It is the sense that pursuant to the Act of Congress of July 27, 1953 (22 U.S.C. 277d–10), and notwithstanding the memorandum of agreement between the United States Section of the International Boundary and Water Commission and the City of Nogales, Arizona, dated January 20, 2006, an equitable proportion of the costs of operation and maintenance of the Nogales sanitation project to be contributed by the City of Nogales, Arizona, should be based on the average daily volume of wastewater originating from the City.

(b) CAPITAL COSTS EXCLUDED.—Pursuant to the memorandum of agreement between the United States Section of the International Boundary and Water Commission and the City of Nogales, Arizona, dated January 20, 2006, and the Act of Congress of July 27, 1953 (22 U.S.C. 277d–10), the City of Nogales has no obligation
to contribute to any capital costs of repairing or upgrading the Nogales sanitation project.

(c) OVERCHARGES.—Notwithstanding the memorandum of agreement referred to in subsection (b), the United States Section of the International Boundary and Water Commission shall reimburse the City and shall not charge the City in the future for operations and maintenance costs in excess of an equitable proportion of the costs as defined in subsection (a).

(e) LIMITATION.—Costs reimbursed or a reduction in costs charged under subsection (c) shall not exceed $4,000,000.

(d) DEFINITION.—For purposes of this section, the term “the Nogales sanitation project” includes the International Outfall Interceptor (IOI).