

**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:

1 **SEC. ____ . INTERNATIONAL OUTFALL INTERCEPTOR RE-**
2 **PAIR, OPERATIONS, AND MAINTENANCE.**

3 (a) SENSE OF CONGRESS.—It is the sense that pur-
4 suant to the Act of Congress of July 27, 1953 (22 U.S.C.
5 277d–10), and notwithstanding the memorandum of
6 agreement between the United States Section of the Inter-
7 national Boundary and Water Commission and the City
8 of Nogales, Arizona, dated January 20, 2006, an equitable
9 proportion of the costs of operation and maintenance of
10 the Nogales sanitation project to be contributed by the
11 City of Nogales, Arizona, should be based on the average
12 daily volume of wastewater originating from the City.

13 (b) CAPITAL COSTS EXCLUDED.—Pursuant to the
14 memorandum of agreement between the United States
15 Section of the International Boundary and Water Com-
16 mission and the City of Nogales, Arizona, dated January
17 20, 2006, and the Act of Congress of July 27, 1953 (22
18 U.S.C. 277d–10), the City of Nogales has no obligation

1 to contribute to any capital costs of repairing or upgrading
2 the Nogales sanitation project.

3 (c) OVERCHARGES.—Notwithstanding the memo-
4 randum of agreement referred to in subsection (b), the
5 United States Section of the International Boundary and
6 Water Commission shall reimburse the City and shall not
7 charge the City in the future for operations and mainte-
8 nance costs in excess of an equitable proportion of the
9 costs as defined in subsection (a).

10 (e) LIMITATION.—Costs reimbursed or a reduction in
11 costs charged under subsection (c) shall not exceed
12 \$4,000,000.

13 (d) DEFINITION.—For purposes of this section, the
14 term “the Nogales sanitation project” includes the Inter-
15 national Outfall Interceptor (IOI).

