

BOB FILNER
50TH DISTRICT, CALIFORNIA

2463 RAYBURN BUILDING
WASHINGTON, DC 20515
TEL: (202) 225-8045
FAX: (202) 225-9073

333 F STREET, SUITE A
CHULA VISTA, CALIFORNIA 91910
TEL: (619) 422-5963
FAX: (619) 422-7290



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TRANSPORTATION AND INFRASTRUCTURE
COMMITTEE

LEH 5
C.A.R.
VETERANS' AFFAIRS
COMMITTEE

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

website: www.house.gov/filner

January 10, 2001

Mr. John Bernal
United States Commissioner
International Boundary and Water Commission
The Commons Building #C-310
4171 N Mesa St
El Paso, TX 79902

Dear John:

I am writing to forward to you a letter I received from Congressman Oberstar, Ranking Democratic Member of the House of Representatives Transportation and Infrastructure Committee, regarding Congressional intent on S. 835, the Estuaries and Clean Waters Act of 2000.

As you can see, Congress was briefed on, and supportive of, the Bajagua proposal at the highest levels. Congress intentionally exempted the owners of the proposed "Mexican facility" from federal procurement law anticipating that AguaClara, LLC would be the owner of that facility, Mr. Oberstar writes. Competitive procedures are required for construction, operations and maintenance of the facility. The money authorized in the bill, he states, is to be used for a new wastewater treatment facility in Mexico. Lastly, he writes that the bill was silent on the issue of the cap that would need to be raised in order to build a secondary treatment plant at South Bay IWTP.

I hope this letter confirms points that either you or your employees had questioned. I look forward to the cooperation of the IBWC in carrying out negotiations on the treaty and the contract. I hope we can work together to finally provide needed relief for the citizens of South Bay in San Diego County.

Sincerely,

BOB FILNER
Member of Congress

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Enclosure