

106TH CONGRESS  
2D SESSION

# S. 1167

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## AN ACT

To amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for expanding the scope of the Independent Scientific Review Panel.

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

1 **SECTION 1. REVIEW OF REIMBURSABLE PROJECTS, PRO-**  
 2 **GRAMS, AND MEASURES BY THE INDE-**  
 3 **PENDENT SCIENTIFIC REVIEW PANEL OF THE**  
 4 **PACIFIC NORTHWEST ELECTRIC POWER**  
 5 **PLANNING COUNCIL.**

6 Section 4(h)(10)(D) of the Pacific Northwest Electric  
 7 Power Planning and Conservation Act (16 U.S.C.  
 8 839b(h)(10)(D)) is amended by striking clauses (vii) and  
 9 (viii) and inserting the following:

10 “(vii) REVIEW BY THE PANEL OF RE-  
 11 IMBURSABLE PROJECTS, PROGRAMS, AND  
 12 MEASURES.—

13 “(I) IN GENERAL.—With regard  
 14 to Columbia Basin fish and wildlife  
 15 projects, programs or measures pro-  
 16 posed in a Federal agency budget to  
 17 be reimbursed by BPA, or paid  
 18 through a direct funding agreement  
 19 with BPA, the panel shall annually—

20 “(aa) review such proposals;

21 “(bb) determine whether the  
 22 proposals are consistent with the  
 23 criteria stated in item (iv);

24 “(cc) make any rec-  
 25 ommendations that the Panel  
 26 considers appropriate to make

1 the project, program, or measure  
2 meet the criteria stated in item  
3 (iv); and

4 “(dd) transmit the rec-  
5 ommendations to the Council no  
6 later than April 1 of each year.

7 “(II) PUBLIC AVAILABILITY AND  
8 COMMENT.—Determinations and rec-  
9 ommendations made by the panel  
10 under subclause (I) shall be available  
11 to the public and shall be subject to  
12 public comment as in item (v).

13 “(III) ROLE OF THE COUNCIL.—  
14 The Council shall fully consider the  
15 recommendations of the Panel when  
16 making its final recommendations of  
17 projects proposed by Federal agencies  
18 and reimbursed by BPA, or paid  
19 through a direct funding agreement  
20 with BPA. The Council shall submit  
21 its recommendations to the House and  
22 Senate Committees on Appropriations  
23 and relevant authorizing committees,  
24 and the U.S. Army Corps of Engi-  
25 neers, U.S. Fish and Wildlife Service,

1 Bureau of Reclamation, and the Bon-  
2 neville Power Administration no later  
3 than May 15 of each year. If the  
4 Council does not incorporate a rec-  
5 ommendation of the Panel in its rec-  
6 ommendations, the Council shall ex-  
7 plain in writing its reasons for not ac-  
8 cepting Panel recommendations.  
9 “(viii) COST LIMITATION.—The an-  
10 nual cost of this provision shall not exceed  
11 \$750,000 in 1997 dollars.”.

Passed the Senate April 13, 2000.

Attest:

*Secretary.*

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