

Calendar No. 649

110TH CONGRESS
2D SESSION

S. 1522

[Report No. 110–297]

To amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2008 through 2014, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2007

Mr. WYDEN (for himself, Mr. SMITH, Mr. CRAIG, Mrs. MURRAY, Ms. CANTWELL, Mr. BAUCUS, Mr. CRAPO, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

APRIL 10, 2008

Reported by Mr. BINGAMAN, with amendments and an amendment to the title
[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2008 through 2014, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Fisheries Restoration
3 and Irrigation Mitigation Act of ~~2007~~ **2008**”.

4 **SEC. 2. PRIORITY PROJECTS.**

5 Section 3(c)(3) of the Fisheries Restoration and Irri-
6 gation Mitigation Act of 2000 (16 U.S.C. 777 note; Public
7 Law 106–502) is amended by striking “\$5,000,000” and
8 inserting “\$2,500,000”.

9 **SEC. 3. COST SHARING.**

10 Section 7(c) of Fisheries Restoration and Irrigation
11 Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law
12 106–502) is amended—

13 (1) by striking “The value” and inserting the
14 following:

15 “(1) IN GENERAL.—The value”; and

16 (2) by adding at the end the following:

17 “(2) BONNEVILLE POWER ADMINISTRATION.—

18 “(A) IN GENERAL.—The Secretary may,
19 without further appropriation and without fiscal
20 year limitation, accept any amounts provided to
21 the Secretary by the Administrator of the Bon-
22 neville Power Administration.

23 “(B) NON-FEDERAL SHARE.—Any
24 amounts provided by the Bonneville Power Ad-
25 ministration directly or through a grant to an-
26 other entity for a project carried under the Pro-

1 gram shall be credited toward the non-Federal
2 share of the costs of the project.”.

3 **SEC. 4. REPORT.**

4 Section 9 of the Fisheries Restoration and Irrigation
5 Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law
6 106–502) is amended—

7 (1) by inserting “any” before “amounts are
8 made”; and

9 (2) by inserting after “Secretary shall” the fol-
10 lowing: “, after partnering with local governmental
11 entities and the States in the Pacific Ocean drainage
12 area,”.

13 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 10 of the Fisheries Restoration and Irriga-
15 tion Mitigation Act of 2000 (16 U.S.C. 777 note; Public
16 Law 106–502) is amended—

17 (1) in subsection (a), by striking “2001 through
18 2005” and inserting “~~2008 through 2014~~ 2009
19 *through 2015*”; and

20 (2) in subsection (b), by striking paragraph (2)
21 and inserting the following:

22 “(2) ADMINISTRATIVE EXPENSES.—

23 “(A) DEFINITION OF ADMINISTRATIVE EX-
24 PENSE.—In this paragraph, the term ‘adminis-
25 trative expense’ means, except as provided in

subparagraph (B)(iii)(II), any expenditure relating to—

“(i) staffing and overhead, such as the rental of office space and the acquisition of office equipment; and

“(ii) the review, processing, and provision of applications for funding under the Program.

“(B) LIMITATION.—

“(i) IN GENERAL.—Not more than 6 percent of amounts made available to carry out this Act for each fiscal year may be used for Federal and State administrative expenses of carrying out this Act.

“(ii) FEDERAL AND STATE SHARES.—To the maximum extent practicable, of the amounts made available for administrative expenses under clause (i)—

“(I) 50 percent shall be provided to the State agencies provided assistance under the Program; and

“(II) an amount equal to the cost of 1 full-time equivalent Federal employee, as determined by the Sec-

1 retary, shall be provided to the Fed-
 2 eral agency carrying out the Program.

3 “(iii) STATE EXPENSES.—Amounts
 4 made available to States for administrative
 5 expenses under clause (i)—

6 “(I) shall be divided evenly
 7 among all States provided assistance
 8 under the Program; and

9 “(II) may be used by a State to
 10 provide technical assistance relating to
 11 the program, including any staffing
 12 expenditures (including staff travel ex-
 13 penses) associated with—

14 “(aa) arranging meetings to
 15 promote the Program to potential
 16 applicants;

17 “(bb) assisting applicants
 18 with the preparation of applica-
 19 tions for funding under the Pro-
 20 gram; and

21 “(cc) visiting construction
 22 sites to provide technical assist-
 23 ance, if requested by the appli-
 24 cant.”.

Amend the title so as to read: “To amend the Bon-
 neville Power Administration portions of the Fisheries

Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2009 through 2015, and for other purposes.”.

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