

**Calendar No. 649**110<sup>TH</sup> CONGRESS  
2<sup>D</sup> 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.

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**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*]

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**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

1           subparagraph (B)(iii)(II), any expenditure re-  
2           lating to—

3                   “(i) staffing and overhead, such as  
4                   the rental of office space and the acquisi-  
5                   tion of office equipment; and

6                   “(ii) the review, processing, and provi-  
7                   sion of applications for funding under the  
8                   Program.

9           “(B) LIMITATION.—

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

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

19                           “(I) 50 percent shall be provided  
20                           to the State agencies provided assist-  
21                           ance under the Program; and

22                           “(II) an amount equal to the cost  
23                           of 1 full-time equivalent Federal em-  
24                           ployee, 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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