

109TH CONGRESS
2^D SESSION

H. R. 6278

To amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2006 through 2012, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2006

Mr. DEFAZIO introduced the following bill; which was referred to the
Committee on Resources

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 2006 through 2012, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fisheries Restoration
5 and Irrigation Mitigation Act of 2006”.

1 **SEC. 2. PRIORITY PROJECTS; PARTICIPATION IN PROGRAM.**

2 The Fisheries Restoration and Irrigation Mitigation
3 Act of 2000 (16 U.S.C. 777 note; Public Law 106–502)
4 is amended—

5 (1) in section 3—

6 (A) in subsection (a), by inserting “as a
7 pass-through program” before “within the De-
8 partment”; and

9 (B) in subsection (c)(3), by striking
10 “\$5,000,000” and inserting “\$2,500,000”; and

11 (2) in section 4, by striking subsection (b) and
12 inserting the following:

13 “(b) NONREIMBURSABLE FEDERAL AND TRIBAL EX-
14 PENDITURES.—Development and implementation of
15 projects under the Program on land or facilities owned by
16 the United States or an Indian tribe shall be nonreimburs-
17 able expenditures.”.

18 **SEC. 3. COST SHARING.**

19 Section 7(c) of Fisheries Restoration and Irrigation
20 Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law
21 106–502) is amended—

22 (1) by striking “The value” and inserting the
23 following:

24 “(1) IN GENERAL.—The value”; and

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

1 “(2) BONNEVILLE POWER ADMINISTRATION.—
2 Any amounts provided by the Bonneville Power Ad-
3 ministration directly or through a grant to another
4 entity for a project carried under the Program shall
5 be credited toward the non-Federal share of the
6 costs of the project.”.

7 **SEC. 4. REPORT.**

8 Section 9 of the Fisheries Restoration and Irrigation
9 Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law
10 106–502) is amended—

11 (1) by inserting “any” before “amounts are
12 made”; and

13 (2) by inserting after “Secretary shall” the fol-
14 lowing: “, after partnering with local governmental
15 entities and the States in the Pacific Ocean drainage
16 area,”.

17 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

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

21 (1) in subsection (a), by striking “2001 through
22 2005” and inserting “2006 through 2012”; and

23 (2) in subsection (b), by striking paragraph (2)
24 and inserting the following:

25 “(2) ADMINISTRATIVE EXPENSES.—

1 “(A) DEFINITION OF ADMINISTRATIVE EX-
2 PENSE.—In this paragraph, the term ‘adminis-
3 trative expense’ means any expenditure relating
4 to—

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

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

11 “(B) LIMITATION.—

12 “(i) IN GENERAL.—Except as pro-
13 vided in subparagraph (C), a percentage of
14 amounts up to 6 percent made available
15 for each fiscal year, as determined under
16 clause (ii), may be used for Federal (in-
17 cluding tribal) and State administrative ex-
18 penses of carrying out this Act.

19 “(ii) FORMULA.—For purposes of de-
20 termining the percentage of administrative
21 expenses to be made available under clause
22 (i) for a fiscal year—

23 “(I) 1 percent shall be provided
24 if less than \$1,000,000 is made avail-

1 able to carry out the Program for the
2 fiscal year;

3 “(II) 2 percent shall be provided
4 if \$1,000,000 or more, but less than
5 \$6,000,000, is made available to carry
6 out the Program for the fiscal year;

7 “(III) 3 percent shall be provided
8 if \$6,000,000 or more, but less than
9 \$11,000,000, is made available to
10 carry out the Program for the fiscal
11 year;

12 “(IV) 4 percent shall be provided
13 if \$11,000,000 or more, but less than
14 \$15,000,000, is made available to
15 carry out the Program for the fiscal
16 year;

17 “(V) 5 percent shall be provided
18 if \$15,000,000 or more, but less than
19 \$21,000,000, is made available to
20 carry out the Program for the fiscal
21 year; and

22 “(VI) 6 percent shall be provided
23 if \$21,000,000 or more is made avail-
24 able to carry out the Program for the
25 fiscal year.

1 “(iii) FEDERAL AND STATE
2 SHARES.—To the maximum extent prac-
3 ticable, of the amounts made available for
4 administrative expenses under clause (i)—

5 “(I) 50 percent shall be provided
6 to the Federal agencies (including In-
7 dian tribes) carrying out the Program;
8 and

9 “(II) 50 percent shall be provided
10 to the State agencies provided assist-
11 ance under the Program.

12 “(iv) STATE EXPENSES.—Amounts
13 made available to States for administrative
14 expenses under clause (i)—

15 “(I) shall be divided evenly
16 among all States provided assistance
17 under the Program; and

18 “(II) on request of a project
19 sponsor, may be used to provide tech-
20 nical support to the project sponsor.

21 “(C) TECHNICAL ASSISTANCE.—

22 “(i) IN GENERAL.—Amounts ex-
23 pended by the Secretary for the provision
24 of technical assistance relating to the Pro-
25 gram shall not be subject to the 6 percent

1 limitation on administrative expenses
2 under subparagraph (B)(i).

3 “(ii) INCLUSIONS.—For purposes of
4 clause (i), expenditures for the provision of
5 technical assistance include any staffing
6 expenditures (including staff travel ex-
7 penses) associated with—

8 “(I) arranging meetings to pro-
9 mote the Program to potential appli-
10 cants;

11 “(II) assisting applicants with
12 the preparation of applications for
13 funding under the Program; and

14 “(III) visiting construction sites
15 to provide technical assistance, if re-
16 quested by the applicant.”.

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