

116TH CONGRESS
1ST SESSION

S. 38

To maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2023, to require a report on the implementation of those programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 8, 2019

Mr. GARDNER (for himself and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2023, to require a report on the implementation of those programs, 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 “Endangered Fish Re-
5 covery Programs Extension Act of 2019”.

1 **SEC. 2. EXTENSION OF AUTHORIZATION FOR ANNUAL BASE**
 2 **FUNDING OF FISH RECOVERY PROGRAMS;**
 3 **REMOVAL OF CERTAIN REPORTING RE-**
 4 **QUIREMENT.**

5 Section 3(d) of Public Law 106–392 (114 Stat. 1604;
 6 126 Stat. 2444) is amended—

7 (1) by striking paragraph (1) and inserting the
 8 following:

9 “(1) AUTHORIZATION OF APPROPRIATIONS.—

10 “(A) IN GENERAL.—There is authorized to
 11 be appropriated to the Secretary to be used by
 12 the Bureau of Reclamation to make the annual
 13 base funding contributions to the Recovery Im-
 14 plementation Programs \$10,000,000 for each of
 15 fiscal years 2020 through 2023.

16 “(B) NONREIMURSABLE FUNDS.—The
 17 funds contributed to the Recovery Implementa-
 18 tion Programs under subparagraph (A) shall be
 19 considered a nonreimbursable Federal expendi-
 20 ture.”; and

21 (2) in paragraph (2), by striking the fourth,
 22 fifth, sixth, and seventh sentences.

1 **SEC. 3. REPORT ON RECOVERY IMPLEMENTATION PRO-**
 2 **GRAMS.**

3 Section 3 of Public Law 106–392 (114 Stat. 1603;
 4 126 Stat. 2444) is amended by adding at the end the fol-
 5 lowing:

6 “(j) REPORT.—

7 “(1) IN GENERAL.—Not later than September
 8 30, 2021, the Secretary shall submit to the appro-
 9 priate committees of Congress a report that—

10 “(A) describes the accomplishments of the
 11 Recovery Implementation Programs;

12 “(B) identifies—

13 “(i) as of the date of the report, the
 14 listing status under the Endangered Spe-
 15 cies Act of 1973 (16 U.S.C. 1531 et seq.)
 16 of the Colorado pikeminnow, humpback
 17 chub, razorback sucker, and bonytail; and

18 “(ii) as of September 30, 2023, the
 19 projected listing status under that Act of
 20 each of the species referred to in clause (i);

21 “(C)(i) identifies—

22 “(I) the total expenditures and the ex-
 23 penditures by categories of activities by the
 24 Recovery Implementation Programs during
 25 the period beginning on the date on which
 26 the applicable Recovery Implementation

1 Program was established and ending on
2 September 30, 2021; and

3 “(II) projected expenditures by the
4 Recovery Implementation Programs during
5 the period beginning on October 1, 2021,
6 and ending on September 30, 2023; and

7 “(ii) for purposes of the expenditures iden-
8 tified under clause (i), includes a description
9 of—

10 “(I) any expenditures of appropriated
11 funds;

12 “(II) any power revenues;

13 “(III) any contributions by the States,
14 power customers, Tribes, water users, and
15 environmental organizations; and

16 “(IV) any other sources of funds for
17 the Recovery Implementation Programs;
18 and

19 “(D) describes—

20 “(i) any activities to be carried out
21 under the Recovery Implementation Pro-
22 gram after September 30, 2023; and

23 “(ii) the projected cost of the activi-
24 ties described under clause (i).

1 “(2) CONSULTATION REQUIRED.—The Sec-
2 retary shall consult with the participants in the Re-
3 covery Implementation Programs in preparing the
4 report under paragraph (1).”.

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