

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.**

**S. 2166**

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.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by \_\_\_\_\_

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Endangered Fish Re-  
5 covery Programs Extension Act”.

6 **SEC. 2. EXTENSION OF AUTHORIZATION FOR ANNUAL BASE**

7 **FUNDING OF FISH RECOVERY PROGRAMS;**

8 **REMOVAL OF CERTAIN REPORTING RE-**

9 **QUIREMENT.**

10 Section 3(d) of Public Law 106–392 (114 Stat. 1604;

11 126 Stat. 2444) is amended—

1           (1) by striking paragraph (1) and inserting the  
2 following:

3           “(1) AUTHORIZATION OF APPROPRIATIONS.—

4                   “(A) IN GENERAL.—There is authorized to  
5 be appropriated to the Secretary to be used by  
6 the Bureau of Reclamation to make the annual  
7 base funding contributions to the Recovery Im-  
8 plementation Programs \$10,000,000 for each of  
9 fiscal years 2020 through 2023.

10                   “(B) NONREIMURSABLE FUNDS.—The  
11 funds contributed to the Recovery Implementa-  
12 tion Programs under subparagraph (A) shall be  
13 considered a nonreimbursable Federal expendi-  
14 ture.”; and

15           (2) in paragraph (2)—

16                   (A) in the fourth sentence, by striking  
17 “power revenues” each place it appears and in-  
18 serting “Colorado River Storage Project power  
19 revenues”; and

20                   (B) by striking the fifth, sixth, and seventh  
21 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).”.