

Union Calendar No. 418

109TH CONGRESS
2^D SESSION

H. R. 4857

[Report No. 109-693]

To better inform consumers regarding costs associated with compliance for protecting endangered and threatened species under the Endangered Species Act of 1973.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2006

Miss MCMORRIS (for herself, Mr. DICKS, Mr. OTTER, Mr. SIMPSON, Mr. HASTINGS of Washington, and Mr. WALDEN of Oregon) introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 28, 2006

Additional sponsors: Mr. PEARCE, Mr. RADANOVICH, Mr. GOHMERT, Mr. RENZI, Mr. HERGER, Mr. CALVERT, Mrs. MUSGRAVE, Mr. HAYWORTH, Mr. BROWN of South Carolina, Mr. GIBBONS, Mr. REHBERG, Mr. NUNES, Mrs. CUBIN, Mr. OSBORNE, Mr. FLAKE, Mr. YOUNG of Alaska, and Mr. JONES of North Carolina

SEPTEMBER 28, 2006

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To better inform consumers regarding costs associated with compliance for protecting endangered and threatened species under the Endangered Species Act of 1973.

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 Species
5 Compliance and Transparency Act of 2006”.

6 **SEC. 2. ENDANGERED SPECIES ACT COMPLIANCE ESTI-**
7 **MATION AND REPORTING.**

8 (a) CUSTOMER INFORMATION.—To better inform
9 consumers regarding costs associated with compliance for
10 protecting endangered and threatened species under the
11 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),
12 the Administrators of the Bonneville Power Administra-
13 tion, the Western Area Power Administration, the South-
14 western Power Administration, and the Southeastern
15 Power Administration shall each include in monthly bil-
16 lings sent to each firm’s power customer information esti-
17 mating and reporting the costs of each customer’s share
18 of the direct and indirect costs incurred by each adminis-
19 tration related to compliance with the Endangered Species
20 Act and activities related to such Act.

21 (b) DIRECT COSTS.—Direct costs shall include Fed-
22 eral agency obligations related to study-related costs, cap-
23 ital, operation, maintenance, and replacement costs, and
24 staffing costs.

1 (c) **INDIRECT COSTS.**—Indirect costs shall include
2 foregone generation and replacement power costs, includ-
3 ing the net costs of any transmission.

4 (d) **COORDINATION.**—The Bureau of Reclamation
5 and any other affected Federal agencies shall assist the
6 Administrators with the identification of the costs.

7 **SEC. 3. ENDANGERED SPECIES ACT COMPLIANCE REPORT.**

8 No later than January 30 of each year, each Admin-
9 istrator, in coordination with the Bureau of Reclamation
10 and other affected Federal agencies, shall provide an an-
11 nual report to the Committee on Resources of the House
12 of Representatives and the Committee on Environment
13 and Public Works of the Senate estimating direct and in-
14 direct costs associated with compliance with the Endan-
15 gered Species Act of 1973 on a project-by-project basis
16 for the Western Area Power Administration and on a sys-
17 tem-wide basis for each of the other power marketing ad-
18 ministrations.

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