

111TH CONGRESS  
2D SESSION

# H. R. 5964

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

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## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2010

Mrs. MCMORRIS RODGERS introduced the following bill; which was referred to the Committee on Natural Resources

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## 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 2010”.

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

1 protecting endangered and threatened species under the  
2 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),  
3 the Administrator of each of the Bonneville Power Admin-  
4 istration, the Western Area Power Administration, the  
5 Southwestern Power Administration, and the South-  
6 eastern Power Administration shall include in monthly bil-  
7 lings sent to each of the firm's power customers informa-  
8 tion estimating and reporting the costs of the customer's  
9 share of the direct and indirect costs incurred by the ad-  
10 ministration related to compliance with the Endangered  
11 Species Act of 1973 and activities related to such Act.

12 (b) DIRECT COSTS.—Direct costs reported under  
13 subsection (a) shall include Federal agency obligations re-  
14 lated to costs of studies; capital, operation, maintenance,  
15 and replacement costs; and staffing costs.

16 (c) INDIRECT COSTS.—Indirect costs reported under  
17 subsection (a) shall include foregone generation and re-  
18 placement power costs, including the net costs of any  
19 transmission.

20 (d) COORDINATION.—The Director of the Bureau of  
21 Reclamation and the head of any other affected Federal  
22 agency shall assist the Administrators with the identifica-  
23 tion of the costs.

1 **SEC. 3. ENDANGERED SPECIES ACT OF 1973 COMPLIANCE**  
2 **REPORT.**

3 No later than January 30 of each year, each of the  
4 Administrators referred to in section 2(a), in coordination  
5 with the Bureau of Reclamation and other affected Fed-  
6 eral agencies, shall provide an annual report to the Com-  
7 mittee on Natural Resources of the House of Representa-  
8 tives and the Committee on Environment and Public  
9 Works of the Senate estimating direct and indirect costs  
10 associated with compliance with the Endangered Species  
11 Act of 1973—

- 12 (1) on a project-by-project basis, for the West-  
13 ern Area Power Administration; and  
14 (2) on a systemwide basis, for each of the other  
15 power marketing administrations.

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