

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2569

To amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for expanding the scope of the Independent Scientific Review Panel.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 7 (legislative day, OCTOBER 2), 1998

Mr. GORTON (for himself, Mr. SMITH of Oregon, and Mr. KEMPTHORNE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for expanding the scope of the Independent Scientific Review Panel.

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. REVIEW OF REIMBURSABLE PROJECTS, PRO-**  
4                               **GRAMS, AND MEASURES BY THE INDEPEND-**  
5                               **ENT SCIENTIFIC REVIEW PANEL OF THE PA-**  
6                               **CIFIC NORTHWEST ELECTRIC POWER PLAN-**  
7                               **NING COUNCIL.**

8       Section 4(h)(10)(D) of the Pacific Northwest Electric  
9       Power Planning and Conservation Act (16 U.S.C.

1 839b(h)(10)(D)) is amended by striking clauses (vii) and  
2 (viii) and inserting the following:

3 “(vii) REVIEW BY THE PANEL OF RE-  
4 IMBURSABLE PROJECTS, PROGRAMS, AND  
5 MEASURES.—

6 “(I) IN GENERAL.—With regard  
7 to Columbia Basin fish and wildlife  
8 projects, programs or measures pro-  
9 posed in a Federal agency budget to  
10 be reimbursed by BPA, or paid  
11 through a direct funding agreement  
12 with BPA, the panel shall annually—

13 “(aa) review such proposals;

14 “(bb) determine whether the  
15 proposals are consistent with the  
16 criteria stated in item (iv);

17 “(cc) make any rec-  
18 ommendations that the Panel  
19 considers appropriate to make  
20 the project, program, or measure  
21 meet the criteria stated in item  
22 (iv); and

23 “(dd) transmit the rec-  
24 ommendations to the Council no  
25 later than April 1 of each year.

1                   “(II) PUBLIC AVAILABILITY AND  
2 COMMENT.—Determinations and rec-  
3 ommendations made by the Panel  
4 under subclause (I) shall be available  
5 to the public and shall be subject to  
6 public comment as in item (v).

7                   “(III) ROLE OF THE COUNCIL.—  
8 The Council shall fully consider the  
9 recommendations of the Panel when  
10 making its final recommendations of  
11 projects proposed by Federal agencies  
12 and reimbursed by BPA, or paid  
13 through a direct funding agreement  
14 with BPA. The Council shall submit  
15 its recommendations to the House and  
16 Senate Committees on Appropriations  
17 and relevant authorizing committees  
18 no later than May 15 of each year. If  
19 the Council does not incorporate a  
20 recommendation of the Panel in its  
21 recommendations, the Council shall  
22 explain in writing its reasons for not  
23 accepting Panel recommendations.

1                   “(viii) COST LIMITATION.—The an-  
2                   nual cost of this provision shall not exceed  
3                   \$750,000 in 1997 dollars.

4                   “(ix) EXPIRATION.—This paragraph  
5                   shall expire on September 30, 2002.”.

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