

Union Calendar No. 103

115TH CONGRESS
1ST SESSION

H. R. 660

[Report No. 115–156]

To require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2017

Mr. GOSAR (for himself, Mr. AMODEI, Mr. BIGGS, Mr. CARTWRIGHT, Mr. COSTA, Mr. DENHAM, Mr. FARENTHOLD, Mr. FRANKS of Arizona, Mr. GARAMENDI, Mr. GOHMERT, Mr. HUFFMAN, Ms. MCSALLY, Mr. NEWHOUSE, Mr. PEARCE, Ms. SINEMA, Mr. TIPTON, Mr. LAMALFA, and Mrs. BLACK) introduced the following bill; which was referred to the Committee on Natural Resources

JUNE 2, 2017

Additional sponsors: Mr. MCCLINTOCK, Mr. VALADAO, and Mr. JODY B. HICE of Georgia

JUNE 2, 2017

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

A BILL

To require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets.

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 “Bureau of Reclamation
5 Transparency Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the water resources infrastructure of the
9 Bureau of Reclamation provides important benefits
10 related to irrigated agriculture, municipal and indus-
11 trial water, hydropower, flood control, fish and wild-
12 life, and recreation in the 17 Reclamation States;

13 (2) as of 2013, the combined replacement value
14 of the infrastructure assets of the Bureau of Rec-
15 lamation was \$94,500,000,000;

16 (3) the majority of the water resources infra-
17 structure facilities of the Bureau of Reclamation are
18 at least 60 years old;

19 (4) the Bureau of Reclamation has previously
20 undertaken efforts to better manage the assets of
21 the Bureau of Reclamation, including an annual re-
22 view of asset maintenance activities of the Bureau of
23 Reclamation known as the “Asset Management
24 Plan”; and

1 (5) actionable information on infrastructure
2 conditions at the asset level, including information
3 on maintenance needs at individual assets due to
4 aging infrastructure, is needed for Congress to con-
5 duct oversight of Reclamation facilities and meet the
6 needs of the public.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) ASSET.—

10 (A) IN GENERAL.—The term “asset”
11 means any of the following assets that are used
12 to achieve the mission of the Bureau of Rec-
13 lamation to manage, develop, and protect water
14 and related resources in an environmentally and
15 economically sound manner in the interest of
16 the people of the United States:

17 (i) Capitalized facilities, buildings,
18 structures, project features, power produc-
19 tion equipment, recreation facilities, or
20 quarters.

21 (ii) Capitalized and noncapitalized
22 heavy equipment and other installed equip-
23 ment.

1 (B) INCLUSIONS.—The term “asset” in-
2 cludes assets described in subparagraph (A)
3 that are considered to be mission critical.

4 (2) ASSET MANAGEMENT REPORT.—The term
5 “Asset Management Report” means—

6 (A) the annual plan prepared by the Bu-
7 reau of Reclamation known as the “Asset Man-
8 agement Plan”; and

9 (B) any publicly available information re-
10 lating to the plan described in subparagraph
11 (A) that summarizes the efforts of the Bureau
12 of Reclamation to evaluate and manage infra-
13 structure assets of the Bureau of Reclamation.

14 (3) MAJOR REPAIR AND REHABILITATION
15 NEED.—The term “major repair and rehabilitation
16 need” means major nonrecurring maintenance at a
17 Reclamation facility, including maintenance related
18 to the safety of dams, extraordinary maintenance of
19 dams, deferred major maintenance activities, and all
20 other significant repairs and extraordinary mainte-
21 nance.

22 (4) RECLAMATION FACILITY.—The term “Rec-
23 lamation facility” means each of the infrastructure
24 assets that are owned by the Bureau of Reclamation
25 at a Reclamation project.

1 (5) RECLAMATION PROJECT.—The term “Rec-
2 lamation project” means a project that is owned by
3 the Bureau of Reclamation, including all reserved
4 works and transferred works owned by the Bureau
5 of Reclamation.

6 (6) RESERVED WORKS.—The term “reserved
7 works” means buildings, structures, facilities, or
8 equipment that are owned by the Bureau of Rec-
9 lamation for which operations and maintenance are
10 performed by employees of the Bureau of Reclama-
11 tion or through a contract entered into by the Bu-
12 reau of Reclamation, regardless of the source of
13 funding for the operations and maintenance.

14 (7) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

16 (8) TRANSFERRED WORKS.—The term “trans-
17 ferred works” means a Reclamation facility at which
18 operations and maintenance of the facility is carried
19 out by a non-Federal entity under the provisions of
20 a formal operations and maintenance transfer con-
21 tract or other legal agreement with the Bureau of
22 Reclamation.

1 **SEC. 4. ASSET MANAGEMENT REPORT ENHANCEMENTS**
2 **FOR RESERVED WORKS.**

3 (a) IN GENERAL.—Not later than 2 years after the
4 date of enactment of this Act, the Secretary shall submit
5 to Congress an Asset Management Report that—

6 (1) describes the efforts of the Bureau of Rec-
7 lamation—

8 (A) to maintain in a reliable manner all re-
9 served works at Reclamation facilities; and

10 (B) to standardize and streamline data re-
11 porting and processes across regions and areas
12 for the purpose of maintaining reserved works
13 at Reclamation facilities; and

14 (2) expands on the information otherwise pro-
15 vided in an Asset Management Report, in accord-
16 ance with subsection (b).

17 (b) INFRASTRUCTURE MAINTENANCE NEEDS AS-
18 SESSMENT.—

19 (1) IN GENERAL.—The Asset Management Re-
20 port submitted under subsection (a) shall include—

21 (A) a detailed assessment of major repair
22 and rehabilitation needs for all reserved works
23 at all Reclamation projects; and

24 (B) to the extent practicable, an itemized
25 list of major repair and rehabilitation needs of

1 individual Reclamation facilities at each Rec-
2 lamation project.

3 (2) INCLUSIONS.—To the extent practicable,
4 the itemized list of major repair and rehabilitation
5 needs under paragraph (1)(B) shall include—

6 (A) a budget level cost estimate of the ap-
7 propriations needed to complete each item; and

8 (B) an assignment of a categorical rating
9 for each item, consistent with paragraph (3).

10 (3) RATING REQUIREMENTS.—

11 (A) IN GENERAL.—The system for assign-
12 ing ratings under paragraph (2)(B) shall be—

13 (i) consistent with existing uniform
14 categorization systems to inform the an-
15 nual budget process and agency require-
16 ments; and

17 (ii) subject to the guidance and in-
18 structions issued under subparagraph (B).

19 (B) GUIDANCE.—As soon as practicable
20 after the date of enactment of this Act, the Sec-
21 retary shall issue guidance that describes the
22 applicability of the rating system applicable
23 under paragraph (2)(B) to Reclamation facili-
24 ties.

1 (4) PUBLIC AVAILABILITY.—Except as provided
2 in paragraph (5), the Secretary shall make publicly
3 available, including on the Internet, the Asset Man-
4 agement Report required under subsection (a).

5 (5) CONFIDENTIALITY.—The Secretary may ex-
6 clude from the public version of the Asset Manage-
7 ment Report made available under paragraph (4)
8 any information that the Secretary identifies as sen-
9 sitive or classified, but shall make available to the
10 Committee on Energy and Natural Resources of the
11 Senate and the Committee on Natural Resources of
12 the House of Representatives a version of the report
13 containing the sensitive or classified information.

14 (c) UPDATES.—Not later than 2 years after the date
15 on which the Asset Management Report is submitted
16 under subsection (a) and biennially thereafter, the Sec-
17 retary shall update the Asset Management Report, subject
18 to the requirements of section 5(b)(2).

19 (d) CONSULTATION.—To the extent that such con-
20 sultation would assist the Secretary in preparing the Asset
21 Management Report under subsection (a) and updates to
22 the Asset Management Report under subsection (c), the
23 Secretary shall consult with—

24 (1) the Secretary of the Army (acting through
25 the Chief of Engineers); and

1 (2) water and power contractors.

2 **SEC. 5. ASSET MANAGEMENT REPORT ENHANCEMENTS**
3 **FOR TRANSFERRED WORKS.**

4 (a) IN GENERAL.—The Secretary shall coordinate
5 with the non-Federal entities responsible for the operation
6 and maintenance of transferred works in developing re-
7 porting requirements for Asset Management Reports with
8 respect to major repair and rehabilitation needs for trans-
9 ferred works that are similar to the reporting require-
10 ments described in section 4(b).

11 (b) GUIDANCE.—

12 (1) IN GENERAL.—After considering input from
13 water and power contractors of the Bureau of Rec-
14 lamation, the Secretary shall develop and implement
15 a rating system for transferred works that incor-
16 porates, to the maximum extent practicable, the rat-
17 ing system for major repair and rehabilitation needs
18 for reserved works developed under section 4(b)(3).

19 (2) UPDATES.—The ratings system developed
20 under paragraph (1) shall be included in the up-
21 dated Asset Management Reports under section
22 4(c).

23 **SEC. 6. OFFSET.**

24 Notwithstanding any other provision of law, in the
25 case of the project authorized by section 1617 of the Rec-

1 lamation Projects Authorization and Adjustment Act of
2 1992 (43 U.S.C. 390h–12*e*), the maximum amount of the
3 Federal share of the cost of the project under section
4 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) other-
5 wise available as of the date of enactment of this Act shall
6 be reduced by \$2,000,000.

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