

113TH CONGRESS
2D SESSION

S. 1800

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Bureau of Reclamation
3 Transparency Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

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

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

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

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

23 (5) actionable information on infrastructure
24 conditions at the asset level, including information
25 on maintenance needs at individual assets due to
26 aging infrastructure, is needed for Congress to con-

1 duct oversight of Reclamation facilities and meet the
2 needs of the public.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) ASSET.—

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

13 (i) Capitalized facilities, buildings,
14 structures, project features, power produc-
15 tion equipment, recreation facilities, or
16 quarters.

17 (ii) Capitalized and noncapitalized
18 heavy equipment and other installed equip-
19 ment.

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

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

1 (A) the annual plan prepared by the Bu-
2 reau of Reclamation known as the “Asset Man-
3 agement Plan”; and

4 (B) any publicly available information re-
5 lating to the plan described in subparagraph
6 (A) that summarizes the efforts of the Bureau
7 of Reclamation to evaluate and manage infra-
8 structure assets of the Bureau of Reclamation.

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

17 (4) RECLAMATION FACILITY.—The term “Rec-
18 lamation facility” means each of the infrastructure
19 assets that are owned by the Bureau of Reclamation
20 at a Reclamation project.

21 (5) RECLAMATION PROJECT.—The term “Rec-
22 lamation project” means a project that is owned by
23 the Bureau of Reclamation, including all reserved
24 works and transferred works owned by the Bureau
25 of Reclamation.

(6) RESERVED WORKS.—The term “reserved works” means buildings, structures, facilities, or equipment that are owned by the Bureau of Reclamation for which operations and maintenance are performed by employees of the Bureau of Reclamation or through a contract entered into by the Bureau of Reclamation, regardless of the source of funding for the operations and maintenance.

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

(8) TRANSFERRED WORKS.—The term “transferred works” means a Reclamation facility at which operations and maintenance of the facility is carried out by a non-Federal entity under the provisions of a formal operations and maintenance transfer contract or other legal agreement with the Bureau of Reclamation.

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

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

(1) describes the efforts of the Bureau of Reclamation—

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

3 (B) to standardize and streamline data re-
4 porting and processes across regions and areas
5 for the purpose of maintaining reserved works
6 at Reclamation facilities; and

7 (2) expands on the information otherwise pro-
8 vided in an Asset Management Report, in accord-
9 ance with subsection (b).

10 (b) INFRASTRUCTURE MAINTENANCE NEEDS AS-
11 SESSMENT.—

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

14 (A) a detailed assessment of major repair
15 and rehabilitation needs for all reserved works
16 at all Reclamation projects; and

17 (B) to the extent practicable, an itemized
18 list of major repair and rehabilitation needs of
19 individual Reclamation facilities at each Rec-
20 lamation project.

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

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

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

3 (3) RATING REQUIREMENTS.—

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

6 (i) consistent with existing uniform
7 categorization systems to inform the an-
8 nual budget process and agency require-
9 ments; and

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

12 (B) GUIDANCE.—As soon as practicable
13 after the date of enactment of this Act, the Sec-
14 retary shall issue guidance that describes the
15 applicability of the rating system applicable
16 under paragraph (2)(B) to Reclamation facili-
17 ties.

18 (4) PUBLIC AVAILABILITY.—Except as provided
19 in paragraph (5), the Secretary shall make publically
20 available, including on the Internet, the Asset Man-
21 agement Report required under subsection (a).

22 (5) CONFIDENTIALITY.—Subject to the discre-
23 tion of the Secretary, the Secretary may exclude
24 from the public version of the Asset Management
25 Report made available under paragraph (4) any in-

1 formation that the Secretary identifies as sensitive
2 or classified, but shall make available to the Com-
3 mittee on Energy and Natural Resources of the Sen-
4 ate and the Committee on Natural Resources of the
5 House of Representatives a version of the report
6 containing the sensitive or classified information.

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

12 (d) CONSULTATION.—The Secretary shall consult
13 with the Secretary of the Army (acting through the Chief
14 of Engineers) to the extent that the consultation would
15 assist the Secretary in preparing the Asset Management
16 Report under subsection (a) and updates to the Asset
17 Management Report under subsection (c).

18 **SEC. 5. ASSET MANAGEMENT REPORT ENHANCEMENTS**
19 **FOR TRANSFERRED WORKS.**

20 (a) IN GENERAL.—The Secretary shall coordinate
21 with the non-Federal entities responsible for the operation
22 and maintenance of transferred works in developing re-
23 porting requirements for Asset Management Reports with
24 respect to the condition of, and planned maintenance for,

1 transferred works that are similar to the reporting re-
2 quirements described in section 4(b).

3 (b) GUIDANCE.—

4 (1) IN GENERAL.—After considering input from
5 water and power contractors of the Bureau of Rec-
6 lamation, the Secretary shall develop and implement
7 a rating system for transferred works that incor-
8 porates, to the maximum extent practicable, the rat-
9 ing system for reserved works developed under sec-
10 tion 4(b)(3).

11 (2) UPDATES.—The ratings system developed
12 under paragraph (1) shall be included in the up-
13 dated Asset Management Reports under section
14 4(c).

15 **SEC. 6. OFFSET.**

16 Notwithstanding any other provision of law, in the
17 case of the project authorized by section 1617 of the Rec-
18 lamation Projects Authorization and Adjustment Act of
19 1992 (43 U.S.C. 390h–12c), the maximum amount of the
20 Federal share of the cost of the project under section
21 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) other-

- 1 wise available as of the date of enactment of this Act shall
- 2 be reduced by \$2,000,000.

Passed the Senate December 16, 2014.

Attest:

Secretary.

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