

113TH CONGRESS
1ST SESSION

S. 1800

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 SENATE OF THE UNITED STATES

DECEMBER 11, 2013

Mr. BARRASSO (for himself and Mr. SCHATZ) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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

1 related to irrigated agriculture, hydropower, and
2 recreation in the 17 Reclamation States;

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

6 (3) the majority of the water resources infra-
7 structure facilities of the Bureau of Reclamation are
8 at least 60 years old;

9 (4) the Bureau of Reclamation has previously
10 undertaken efforts to better manage the assets of
11 the Bureau of Reclamation, including an annual re-
12 view of asset maintenance activities of the Bureau of
13 Reclamation known as the “Asset Management
14 Plan”; and

15 (5) actionable information on infrastructure
16 conditions at the project level, including information
17 on maintenance needs and potential public safety
18 threats at individual projects due to aging infra-
19 structure, is needed for Congress to conduct over-
20 sight of Reclamation facilities and meet the needs of
21 the public.

22 **SEC. 3. DEFINITIONS.**

23 In this Act:

24 (1) ASSET MANAGEMENT REPORT.—The term
25 “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 (2) MAJOR REPAIR AND REHABILITATION
10 NEED.—The term “major repair and rehabilitation
11 need” means a significant maintenance need at a
12 Reclamation facility, including maintenance related
13 to the safety of dams, extraordinary operations at
14 and maintenance of dams, deferred maintenance,
15 and all other significant repairs and extraordinary
16 maintenance.

17 (3) 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 (4) 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.

1 (5) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 **SEC. 4. ASSET MANAGEMENT REPORT ENHANCEMENTS.**

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

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

9 (A) to manage all Reclamation facilities;
10 and

11 (B) to standardize and streamline data re-
12 porting and processes across regions and areas
13 for the purpose of managing Reclamation facili-
14 ties; and

15 (2) expands on the information otherwise pro-
16 vided in Asset Management Reports, in accordance
17 with subsection (b).

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

20 (1) IN GENERAL.—The report submitted under
21 subsection (a) shall include—

22 (A) a detailed assessment of major repair
23 and rehabilitation needs at all Reclamation
24 projects; and

1 (B) to the extent practicable, an itemized
2 list of major repair and rehabilitation needs of
3 individual Reclamation facilities at each Rec-
4 lamation project.

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

8 (A) a cost estimate of the expenditures
9 needed to complete each item; and

10 (B) an assignment of a categorical rating
11 of 1, 2, 3, 4, or 5 for each item, consistent with
12 paragraph (3).

13 (3) RATING REQUIREMENTS.—

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

16 (i) consistent with existing uniform
17 categorization systems for the safety of
18 dams projects; and

19 (ii) subject to any regulations issued
20 under subparagraph (B).

21 (B) REGULATIONS.—As soon as prac-
22 ticable after the date of enactment of this Act,
23 the Secretary shall issue regulations that de-
24 scribe the applicability of the rating system ap-

1 plicable under paragraph (2)(B) to Reclamation
2 facilities.

3 (4) PUBLIC AVAILABILITY.—Except as provided
4 in paragraph (5), the Secretary shall make publically
5 available, including on the Internet, the report re-
6 quired under subsection (a).

7 (5) CONFIDENTIALITY.—Subject to the discre-
8 tion of the Secretary, the Secretary may exclude
9 from the public version of the report made available
10 under paragraph (4) any information that the Sec-
11 retary identifies as sensitive or classified, but shall
12 make available to the Committee on Energy and
13 Natural Resources of the Senate and the Committee
14 on Natural Resources of the House of Representa-
15 tives a version of the report containing the sensitive
16 or classified information.

17 (c) UPDATES.—Not later than 2 years after the date
18 on which the report is submitted under subsection (a) and
19 biennially thereafter, the Secretary shall update the re-
20 port, subject to the requirements of subsection (b).

21 (d) CONSULTATION.—The Secretary shall consult
22 with the Secretary of the Army (acting through the Chief
23 of Engineers) to the extent that the consultation would

- 1 assist the Secretary in preparing the report under sub-
- 2 section (a) and updates to the report under subsection (c).

