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

FEBRUARY 26, 2015

Mr. GOSAR (for himself, Mr. AMODEI, Mr. BARTON, Mr. CARTWRIGHT, Mr. COFFMAN, Mr. FRANKS of Arizona, Mr. GARAMENDI, Mr. HARDY, Mr. HECK of Nevada, Mr. HUFFMAN, Mrs. KIRKPATRICK, Mr. TED LIEU of California, Mrs. LUMMIS, Mr. McCLINTOCK, Mr. MILLER of Florida, Mr. PEARCE, Mr. SALMON, Mr. TIPTON, Mr. ZINKE, Mr. DENHAM, Mrs. NAPOLITANO, and Ms. SINEMA) introduced the following bill; which was referred to the Committee on 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—
(1) the water resources infrastructure of the Bureau of Reclamation provides important benefits related to irrigated agriculture, municipal and industrial water, hydropower, flood control, fish and wildlife, and recreation in the 17 Reclamation States;

(2) as of 2013, the combined replacement value of the infrastructure assets of the Bureau of Reclamation was $94,500,000,000;

(3) the majority of the water resources infrastructure facilities of the Bureau of Reclamation are at least 60 years old;

(4) the Bureau of Reclamation has previously undertaken efforts to better manage the assets of the Bureau of Reclamation, including an annual review of asset maintenance activities of the Bureau of Reclamation known as the “Asset Management Plan”; and

(5) actionable information on infrastructure conditions at the asset level, including information on maintenance needs at individual assets due to aging infrastructure, is needed for Congress to conduct oversight of Reclamation facilities and meet the needs of the public.

SEC. 3. DEFINITIONS.

In this Act:
(1) Asset.—

(A) In General.—The term “asset” means any of the following assets that are used to achieve the mission of the Bureau of Reclamation to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the people of the United States:

(i) Capitalized facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.

(ii) Capitalized and nonecapitalized heavy equipment and other installed equipment.

(B) Inclusions.—The term “asset” includes assets described in subparagraph (A) that are considered to be mission critical.

(2) Asset Management Report.—The term “Asset Management Report” means—

(A) the annual plan prepared by the Bureau of Reclamation known as the “Asset Management Plan”; and

(B) any publicly available information relating to the plan described in subparagraph
(A) that summarizes the efforts of the Bureau
of Reclamation to evaluate and manage infra-
structure assets of the Bureau of Reclamation.

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

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

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

(6) RESERVED WORKS.—The term “reserved
works” means buildings, structures, facilities, or
equipment that are owned by the Bureau of Rec-
lamation for which operations and maintenance are
performed by employees of the Bureau of Reclama-
tion or through a contract entered into by the Bu-
reau 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 “trans-
ferred 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 con-
tract 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 Re-
clamation—

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

(B) to standardize and streamline data re-
porting and processes across regions and areas 
for the purpose of maintaining reserved works 
at Reclamation facilities; and
(2) expands on the information otherwise pro-
vided in an Asset Management Report, in accord-
ance with subsection (b).

(b) INFRASTRUCTURE MAINTENANCE NEEDS AS-
SESSMENT.—

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

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

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

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

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

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

(3) RATING REQUIREMENTS.—

(A) IN GENERAL.—The system for assign-
ing ratings under paragraph (2)(B) shall be—
(i) consistent with existing uniform categorization systems to inform the annual budget process and agency requirements; and

(ii) subject to the guidance and instructions issued under subparagraph (B).

(B) GUIDANCE.—As soon as practicable after the date of enactment of this Act, the Secretary shall issue guidance that describes the applicability of the rating system applicable under paragraph (2)(B) to Reclamation facilities.

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

(5) CONFIDENTIALITY.—The Secretary may exclude from the public version of the Asset Management Report made available under paragraph (4) any information that the Secretary identifies as sensitive or classified, but shall make available to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a version of the report containing the sensitive or classified information.
(c) Updates.—Not later than 2 years after the date on which the Asset Management Report is submitted under subsection (a) and biennially thereafter, the Secretary shall update the Asset Management Report, subject to the requirements of section 5(b)(2).

(d) Consultation.—To the extent that such consultation would assist the Secretary in preparing the Asset Management Report under subsection (a) and updates to the Asset Management Report under subsection (c), the Secretary shall consult with—

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

(2) water and power contractors.

SEC. 5. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR TRANSFERRED WORKS.

(a) In General.—The Secretary shall coordinate with the non-Federal entities responsible for the operation and maintenance of transferred works in developing reporting requirements for Asset Management Reports with respect to the condition of, and planned maintenance for, transferred works that are similar to the reporting requirements described in section 4(b).

(b) Guidance.—

(1) In General.—After considering input from water and power contractors of the Bureau of Rec-
lamination, the Secretary shall develop and implement a rating system for transferred works that incorporates, to the maximum extent practicable, the rating system for reserved works developed under section 4(b)(3).

(2) **UPDATES.**—The ratings system developed under paragraph (1) shall be included in the updated Asset Management Reports under section 4(e).