

118TH CONGRESS
2D SESSION

H. R. 8263

To amend the Reclamation Project Act of 1939 to encourage non-Federal hydropower development with respect to Bureau of Reclamation projects.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2024

Ms. BOEBERT introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Reclamation Project Act of 1939 to encourage non-Federal hydropower development with respect to Bureau of Reclamation projects.

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 “Rural Jobs and Hydro-
5 power Expansion Act”.

6 **SEC. 2. AMENDMENTS TO RECLAMATION PROJECT ACT.**

7 Section 9(c) of the Reclamation Project Act of 1939
8 (53 Stat. 1194) is amended—

9 (1) by striking “(1) The Secretary is author-
10 ized” and inserting “The Secretary is authorized”;

1 (2) by striking “small conduit hydropower using
2 Bureau of Reclamation facilities and pumped stor-
3 age hydropower exclusively using Bureau of Rec-
4 lamation reservoirs” and inserting “hydropower
5 using all Bureau of Reclamation facilities”;

6 (3) by striking “No contract relating to munic-
7 ipal water supply” and inserting the following:

8 “(1) No contract relating to municipal water
9 supply”;

10 (4) in paragraph (2)(A)—

11 (A) by striking “applicable transferred
12 conduit” and inserting “applicable transferred
13 works facility”;

14 (B) by striking “applicable reserved con-
15 duit” and inserting “applicable reserved works
16 facility”; and

17 (C) by striking “power privilege offer for a
18 small conduit” and inserting “power privilege
19 offer for the”;

20 (5) in paragraph (3), by striking “small con-
21 duit” and inserting “applicable”;

22 (6) in paragraph (4), by striking “small conduit
23 hydropower”;

24 (7) in paragraph (6)—

1 (A) by striking “conduit” before “hydro-
2 power generation”; and

3 (B) by striking “transferred conduit” and
4 inserting “transferred works facility”;
5 (8) in paragraph (7), by striking “conduit”;
6 (9) in paragraph (8)—

7 (A) by inserting “(referred to in this sec-
8 tion as an ‘authorization’)” before “issued by
9 the Federal Energy Regulatory Commission”;

10 (B) by striking “August 9, 2013,” and in-
11 serting “the date of the enactment of the Rural
12 Jobs and Hydropower Expansion Act”; and

13 (C) by adding at the end “Any authoriza-
14 tion issued by the Federal Energy Regulatory
15 Commission with respect to a project shall re-
16 main in place until such authorization becomes
17 inactive. As allowed by the Federal Energy
18 Regulatory Commission, an authorization may
19 be renewed and remain active. Once the author-
20 ization becomes inactive, project site jurisdic-
21 tion shall shift to the Bureau of Reclamation
22 exclusively.”;

23 (10) by redesignating paragraph (9) as para-
24 graph (10);

1 (11) by inserting after paragraph (8) the fol-
 2 lowing:

3 “(9) Nothing in this section shall expand or
 4 otherwise amend the Bureau of Reclamation lease of
 5 power privilege authorities outside the project
 6 boundary.”; and

7 (12) in paragraph (10), as so redesignated—

8 (A) by striking subparagraphs (A), (C),
 9 (D), and (E);

10 (B) by redesignating subparagraph (B) as
 11 subparagraph (A); and

12 (C) by adding at the end the following:

13 “(B) RESERVED WORKS FACILITY.—The
 14 term ‘reserved works facility’ means those fa-
 15 cilities owned by the Bureau of Reclamation
 16 where the Bureau of Reclamation has retained
 17 responsibility for carrying out operation and
 18 maintenance activities.

19 “(C) TRANSFERRED WORKS FACILITY.—
 20 The term ‘transferred works facility’ means a
 21 project facility where the operations and main-
 22 tenance of that facility is carried out by a non-
 23 Federal entity under the provisions of a formal
 24 operations and maintenance transfer contract.”.

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