

118TH CONGRESS  
2D SESSION

# H. R. 8161

To prohibit the Secretary of the Interior and the Secretary of the Army from retiring an energy generation source if that retirement would raise customer electricity rates and decrease regional energy reliability by more than 10 percent, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2024

Mr. NEWHOUSE (for himself, Mr. FULCHER, Mr. BENTZ, and Mr. ROSENDALE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit the Secretary of the Interior and the Secretary of the Army from retiring an energy generation source if that retirement would raise customer electricity rates and decrease regional energy reliability by more than 10 percent, and for other purposes.

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 “Electric Act”.

1 **SEC. 2. PROHIBITION ON RETIREMENT OF ENERGY GEN-**  
2 **ERATION SOURCES.**

3 (a) PROHIBITION.—

4 (1) IN GENERAL.—The Secretary shall not re-  
5 tire an energy generation source if the retirement of  
6 that energy generation source would—

7 (A) raise customer electricity rates by  
8 more than 10 percent; or

9 (B) decrease energy reliability, as deter-  
10 mined by the Administrator of the Bonneville  
11 Power Administration, in any portion of Wash-  
12 ington, Oregon, Idaho, Montana, Wyoming, and  
13 California by more than 10 percent of the en-  
14 ergy reliability as compared to the 12-month  
15 period before the retirement.

16 (2) SAFETY EXCEPTION.—

17 (b) REPLACEMENT OF BASELOAD GENERATION.—

18 Not later than 30 days after retiring an energy generation  
19 source, the Secretary shall ensure that not less than 100  
20 percent of the baseload generation of the retired energy  
21 generation source has been replaced.

22 (c) DEFINITIONS.—In this section:

23 (1) BASELOAD GENERATION.—The term “base-  
24 load generation” means the the minimum amount of  
25 electric power supplied to an electrical grid.

1           (2) ENERGY GENERATION SOURCE.—The term  
2           “energy generation source” means a federally oper-  
3           ated dam that generates hydropower.

4           (3) SECRETARY.—The term “Secretary”  
5           means—

6                   (A) the Secretary of the Interior, in ref-  
7                   erence to an energy generation source operated  
8                   by the Bureau of Reclamation; and

9                   (B) the Secretary of the Army, in ref-  
10                  erence to an energy generation source operated  
11                  by the Army Corps of Engineers.

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