

118TH CONGRESS
1ST SESSION

S. 966

To provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 23, 2023

Mr. RISCH (for himself and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time, 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 The Act may be cited as the “Northwest Energy Se-
5 curity Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) FCRPS.—The term “FCRPS” means those
9 portions of the Federal Columbia River Power Sys-

1 tem that are the subject of the Supplemental Opin-
2 ion.

3 (2) SECRETARIES.—The term “Secretaries”
4 means—

5 (A) the Secretary of the Interior, acting
6 through the Commissioner of Reclamation;

7 (B) the Secretary of Energy, acting
8 through the Administrator of the Bonneville
9 Power Administration; and

10 (C) the Secretary of the Army, acting
11 through the Chief of Engineers.

12 (3) SUPPLEMENTAL OPINION.—The term “Sup-
13 plemental Opinion” means the document entitled
14 “Columbia River System Operations Environmental
15 Impact Statement Record of Decision” and dated
16 September 2020.

17 **SEC. 3. OPERATION OF FCRPS.**

18 The Secretaries shall operate the FCRPS in a man-
19 ner consistent with the reasonable and prudent alternative
20 described in the Supplemental Opinion.

21 **SEC. 4. AMENDMENTS TO SUPPLEMENTAL OPINION.**

22 (a) IN GENERAL.—Notwithstanding section 3, the
23 Secretaries may amend portions of the Supplemental
24 Opinion and operate the FCRPS in accordance with those

1 amendments if all of the Secretaries determine, in the sole
2 discretion of each Secretary, that—

3 (1) the amendment is necessary for public safe-
4 ty or transmission and grid reliability; or

5 (2) the actions, operations, or other require-
6 ments that the amendment would remove are no
7 longer warranted.

8 (b) RESTRICTION ON AMENDMENTS.—The process
9 described in subsection (a) shall be the only method by
10 which the Secretaries may operate the FCRPS in any way
11 that is not consistent with the reasonable and prudent al-
12 ternative set forth in the Supplemental Opinion.

13 **SEC. 5. LIMITATION ON RESTRICTING FCRPS ELECTRICAL**
14 **GENERATION; CLARIFICATION.**

15 (a) RESTRICTING FCRPS ELECTRICAL GENERA-
16 TION.—No structural modification, action, study, or engi-
17 neering plan that restricts electrical generation at any
18 FCRPS hydroelectric dam, or that limits navigation on
19 the Snake River in the State of Washington, Oregon, or
20 Idaho, shall proceed unless such proposal is specifically
21 and expressly authorized by a Federal statute enacted
22 after the date of the enactment of this Act.

23 (b) CLARIFICATION.—Nothing in this section affects
24 or interferes with the authority of the Secretaries to con-
25 duct operation and maintenance activities or make capital

- 1 improvements necessary to meet authorized project pur-
- 2 poses of FCRPS facilities.

