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### § 2901. Purpose

The purpose of this chapter is to facilitate the transfer of title to Reclamation project facilities to qualifying entities on the completion of repayment of capital costs.

(Pub. L. 116-9, title VIII, § 8001, Mar. 12, 2019, 133 Stat. 804.)

### § 2902. Definitions

In this chapter:

#### (1) Conveyed property

The term “conveyed property” means an eligible facility that has been conveyed to a qualifying entity under section 2903 of this title.

#### (2) Eligible facility

The term “eligible facility” means a facility that meets the criteria for potential transfer established under section 2904(a) of this title.

#### (3) Facility

##### (A) In general

The term “facility” includes a dam or appurtenant works, canal, lateral, ditch, gate, control structure, pumping station, other infrastructure, recreational facility, building, distribution and drainage works, and associated land or interest in land or water.

##### (B) Exclusions

The term “facility” does not include a Reclamation project facility, or a portion of a Reclamation project facility—

- (i) that is a reserved works as of March 12, 2019;
- (ii) that generates hydropower marketed by a Federal power marketing administration; or
- (iii) that is managed for recreation under a lease, permit, license, or other management agreement that does contribute to capital repayment.

#### (4) Project use power

The term “project use power” means the electrical capacity, energy, and associated ancillary service components required to provide the minimum electrical service needed to operate or maintain Reclamation project facilities in accordance with the authorization for the Reclamation project.

#### (5) Qualifying entity

The term “qualifying entity” means an agency of a State or political subdivision of a State, a joint action or powers agency, a water users association, or an Indian Tribe or Tribal utility authority that—

- (A) as of the date of conveyance under this chapter, is the current operator of the eligible facility pursuant to a contract with Reclamation; and

(B) as determined by the Secretary, has the capacity to continue to manage the eligible facility for the same purposes for which the property has been managed under the reclamation laws.

#### (6) Reclamation

The term “Reclamation” means the Bureau of Reclamation.

#### (7) Reclamation project

The term “Reclamation project” means—

- (A) any reclamation or irrigation project, including incidental features of the project—
  - (i) that is authorized by the reclamation laws;
  - (ii) that is constructed by the United States pursuant to the reclamation laws; or
  - (iii) in connection with which there is a repayment or water service contract executed by the United States pursuant to the reclamation laws; or
- (B) any project constructed by the Secretary for the reclamation of land.

#### (8) Reserved works

The term “reserved works” means any building, structure, facility, or equipment—

- (A) that is owned by the Bureau; and
- (B) for which operations and maintenance are performed, regardless of the source of funding—
  - (i) by an employee of the Bureau; or
  - (ii) through a contract entered into by the Commissioner.

#### (9) Secretary

The term “Secretary” means the Secretary, acting through the Commissioner of Reclamation.

(Pub. L. 116-9, title VIII, § 8002, Mar. 12, 2019, 133 Stat. 804.)

#### Statutory Notes and Related Subsidiaries

##### DEFINITION OF “SECRETARY”

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 116-9, set out as a note under section 1 of Title 16, Conservation.

### § 2903. Authorization of transfers of title to eligible facilities

#### (a) Authorization

##### (1) In general

Subject to the requirements of this chapter, the Secretary, without further authorization from Congress, may, on application of a qualifying entity, convey to a qualifying entity all right, title, and interest of the United States in and to any eligible facility, if—

- (A) not later than 90 days before the date on which the Secretary makes the conveyance, the Secretary submits to Congress—
  - (i) a written notice of the proposed conveyance; and
  - (ii) a description of the reasons for the conveyance; and
- (B) a joint resolution disapproving the conveyance is not enacted before the date on which the Secretary makes the conveyance.