

119TH CONGRESS
2D SESSION

H. R. 9019

To direct the Secretary of Energy to report to Congress on the use of electric energy and water by certain data centers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2026

Mr. ROY introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Secretary of Energy to report to Congress on the use of electric energy and water by certain data centers, 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 “Public Oversight of
5 Water and Energy Reporting Act” or the “POWER Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that the construction and operation
8 of data centers should not come at the sacrifice of our
9 nation’s water resources or valuable farm and ranchland,
10 and the Federal Government should make sure it is not

1 subsidizing data centers that would not be viable other-
2 wise.

3 **SEC. 3. REPORTS ON USE OF ELECTRIC ENERGY AND**
4 **WATER BY CERTAIN DATA CENTERS.**

5 Not later than the date that is 2 years after the date
6 of enactment of this Act, and annually thereafter, the Sec-
7 retary of Energy shall, in consultation with the Adminis-
8 trator of the Environmental Protection Agency, submit to
9 Congress a report on the use of electric energy and water
10 by covered data centers during the applicable report pe-
11 riod, which shall include information on—

12 (1) the amount of water used by each covered
13 data center that is provided by a public water sys-
14 tem during the applicable report period, including—

15 (A) for a covered data center that recycles
16 and reuses the water provided by a public water
17 system, the amount of water so provided during
18 the applicable report period; and

19 (B) for a covered data center that is con-
20 tinuously provided water by a public water sys-
21 tem, the average amount of water so provided
22 each day during the applicable report period;

23 (2) the number of covered data centers with re-
24 spect to which the covered data center generates all

1 of the electric energy used by that covered data cen-
2 ter;

3 (3) the number of covered data centers that are
4 electric consumers; and

5 (4) the costs associated with the connection of
6 any covered data center to the bulk-power system
7 during the applicable report period and who paid
8 such costs.

9 **SEC. 4. DEFINITIONS.**

10 In this Act:

11 (1) BULK-POWER SYSTEM.—The term “bulk-
12 power system” has the meaning given such term in
13 section 215(a) of the Federal Power Act (16 U.S.C.
14 824o(a)).

15 (2) COVERED DATA CENTER.—The term “cov-
16 ered data center”—

17 (A) means any qualifying project under
18 Executive Order 14318 (90 Fed. Reg. 35385;
19 relating to accelerating Federal permitting of
20 data center infrastructure); and

21 (B) does not include any such qualifying
22 project that is owned, operated, or maintained
23 by a covered agency (as such term is defined in
24 section 834(a)(2) of the Carl Levin and How-
25 ard P. ‘Buck’ McKeon National Defense Au-

1 thorization Act for Fiscal Year 2015 (44 U.S.C.
2 3601 note(a)(2))).

3 (3) ELECTRIC CONSUMER.—The term “electric
4 consumer” has the meaning given such term in sec-
5 tion 3 of the Public Utility Regulatory Policies Act
6 of 1978 (16 U.S.C. 2602).

7 (4) PUBLIC WATER SYSTEM.—The term “public
8 water system” has the meaning given such term in
9 section 1401(4)(A) of the Safe Drinking Water Act
10 (42 U.S.C. 300f(4)(A)).

11 (5) REPORT PERIOD.—The term “report pe-
12 riod” means—

13 (A) for an initial report submitted under
14 section 3, the period of time beginning on the
15 date of enactment of this Act and ending on the
16 date (prior to submission of the initial report)
17 that the Secretary of Energy determines to be
18 appropriate; and

19 (B) for any subsequent report submitted
20 under section 3, a 365-day period ending on the
21 date that the Secretary of Energy determines to
22 be appropriate.

○