

Public Law 119–90
119th Congress

An Act

May 11, 2026
[S. 1020]

To require the Federal Energy Regulatory Commission to extend the time period during which licensees are required to commence construction of certain hydropower projects.

16 USC 806 note. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. EXTENSION OF TIME TO COMMENCE CONSTRUCTION OF CERTAIN HYDROPOWER PROJECTS.

(a) **DEFINITION OF COVERED PROJECT.**—In this section, the term “covered project” means a hydropower project with respect to which the Federal Energy Regulatory Commission issued a license before March 13, 2020.

(b) **AUTHORIZATION OF EXTENSION.**—Notwithstanding section 13 of the Federal Power Act (16 U.S.C. 806), on the request of a licensee of a covered project, the Federal Energy Regulatory Commission may, after reasonable notice and for good cause shown, extend in accordance with subsection (c) the period during which the licensee is required to commence construction of the covered project for not more than an additional 6 years beyond the 8 years authorized by that section.

(c) **PERIOD OF EXTENSION.**—An extension of time to commence construction of a covered project under subsection (b) shall—

- (1) consist of not more than 3 consecutive 2-year periods;
- (2) begin on the date on which the final extension of the period for commencement of construction granted to the licensee under section 13 of the Federal Power Act (16 U.S.C. 806) expires; and

- (3) end on the date that is not more than 6 years after the latest date to which the Federal Energy Regulatory Commission is authorized to extend the period for commencement of construction under that section.

(d) **REINSTATEMENT OF EXPIRED LICENSE.**—If the time period required under section 13 of the Federal Power Act (16 U.S.C. 806) to commence construction of a covered project expires after December 31, 2023, and before the date of enactment of this Act—

- (1) the Federal Energy Regulatory Commission may reinstate the license for the applicable project effective as of the date of expiration of the license; and

(2) the extension authorized under subsection (b) shall take effect on the date of that expiration.

Approved May 11, 2026.

LEGISLATIVE HISTORY—S. 1020 (H.R. 2072):

HOUSE REPORTS: No. 119–477 (Comm. on Energy and Commerce) accompanying H.R. 2072.

CONGRESSIONAL RECORD:

Vol. 171 (2025): July 29, considered and passed Senate.

Vol. 172 (2026): Apr. 21, considered and passed House.

