

PROVIDING FOR FURTHER CONSIDERATION OF THE BILL (H.R. 8) TO MODERNIZE ENERGY INFRASTRUCTURE, BUILD A 21ST CENTURY ENERGY AND MANUFACTURING WORKFORCE, BOLSTER AMERICA'S ENERGY SECURITY AND DIPLOMACY, AND PROMOTE ENERGY EFFICIENCY AND GOVERNMENT ACCOUNTABILITY, AND FOR OTHER PURPOSES, AND PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO ACCOMPANY THE BILL (S. 1177) TO REAUTHORIZE THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 TO ENSURE THAT EVERY CHILD ACHIEVES

DECEMBER 1, 2015.—Referred to the House Calendar and ordered to be printed

Mr. BURGESS, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 542]

The Committee on Rules, having had under consideration House Resolution 542, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for further consideration of H.R. 8, the North American Energy Security and Infrastructure Act of 2015, under a structured rule. The resolution provides that no further general debate shall be in order. The resolution makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-36 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of the conference report to accompany S. 1177, the Student Success Act. The resolution waives all points of order against the conference report and against its consideration. The resolution provides that the conference report shall be considered as read. The resolution provides that the previous question shall be considered as ordered without intervention of any motion except one hour of debate and one motion to recommit if applicable. Debate on the conference report is divided pursuant to clause 8(d) of rule XXII.

EXPLANATION OF WAIVERS

The waiver of all points of order against the amendment in the nature of a substitute to H.R. 8 made in order as original text includes a waiver of the following:

Clause 7 of rule XVI, which requires that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and

Clause 4 of rule XXI, which prohibits reporting a bill or joint resolution carrying an appropriation from a committee not having jurisdiction to report an appropriation.

The waiver of all points of order against the conference report to accompany S. 1177 and its consideration includes a waiver of the following:

Clause 9 of rule XXI, which requires a list of all earmarks, limited tax benefits, or limited tariff benefits contained in the measure, or a certification that the measure does not contain any of those items. It is important to note that while the waiver is necessary the Chair of the Committee on Education and the Workforce has submitted a statement for the record stating that the conference report does not contain earmarks, limited tax benefits or limited tariff benefits;

Clause 9 of rule XXII, which prohibits the inclusion of matter in a conference report not committed to the conference by either House; and

Clause 11 of rule XXII, which prohibits consideration of a conference report that proposes to amend the Internal Revenue Code of 1986 unless the required the tax complexity analysis is included. It is important to note that while this waiver is necessary because the conference report did not include the required statement, the conference report makes only conforming changes (not substantive) to the Code.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 127

Motion by Mr. McGovern to give the House the opportunity to vote on whether to make the Rules Committee Print 114-36 the base text of the bill, without waiving points of order for that amendment. Defeated: 3-8

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter

Majority Members	Vote	Minority Members	Vote
Mr. Cole		Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 128

Motion by Mr. McGovern to report an open rule to H.R. 8. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	
Mr. Cole		Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

SUMMARY OF THE AMENDMENTS TO H.R. 8 MADE IN ORDER

1. Upton (MD): Strikes a number of provisions, some of which have already been enacted into law, and makes technical and conforming changes to the reported text of H.R. 8, H.R. 2295, and H.R. 2358. (10 minutes)

2. Tonko (NY): Strikes Section 1101. (10 minutes)

3. Peters, Scott (CA): Includes energy storage as a form of energy that DOE should consider to enhance emergency preparedness for energy supply disruptions during natural disasters (10 minutes)

4. Franks (AZ): Secures the most critical components of America's electrical infrastructure against the threat posed by a potentially catastrophic electromagnetic pulse. (10 minutes)

5. Poliquin (ME): Clarifies that electric plants can be considered reliable without having to enter into supply contracts that are greater than one year. (10 minutes)

6. Veasey (TX): Requires the Department of Energy to submit a report to Congress on the potential effects commercial utilization of Carbon Capture and Sequestration could have on the economy, energy infrastructure and greenhouse gas emission goals. (10 minutes)

7. McKinley (WV): Directs the Secretary of Energy and the Secretary of Commerce, in consultation with other relevant agencies and stakeholders, to conduct a study on the feasibility of establishing an ethane storage and distribution hub in the United States. (10 minutes)

8. Ellmers (NC), McNERNEY (CA): Makes a statement of policy on grid modernization. (10 minutes)

9. Jackson Lee (TX): Directs the Secretary of Energy to submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on methods to increase electric grid resilience with respect to all threats, includ-

ing cyber attacks, vandalism, terrorism, and severe weather, no later than 120 days after the date of enactment of the Act. (10 minutes)

10. Kildee (MI): Instructs the GAO to study ways to improve the National Response Center. (10 minutes)

11. Duffy (WI): Requires the Secretary of Energy to collaborate with the Secretariat of Energy in Mexico and the Ministry of Natural Resources in Canada when developing guidelines to develop skill for an energy and manufacturing industry workforce. (10 minutes)

12. Garamendi (CA): Includes energy transportation in the list of considerations for the Energy Security Valuation report in Sec. 3002. (10 minutes)

13. McKinley (WV), Zinke (MT): Ensures that no permit for the construction, operation, or maintenance of an export facility can be denied until all reviews required under the National Environmental Policy Act of 1969 are complete. (10 minutes)

14. Green, Gene (TX): Creates a permitting process through the Department of Energy, FERC, and Department of State for cross-border infrastructure projects. (10 minutes)

15. Norcross (NJ): Directs the Secretary of Energy to develop recommendations for the creation of an “Energy Tradesmen Corp”, a volunteer corp of professional tradesmen who respond to critical energy infrastructure problems during disasters/states of emergency. (10 minutes)

16. Takano (CA), Honda (CA), Collins, Chris (NY): Requires a GAO Report to be submitted to Congress on the potential of battery energy storage. (10 minutes)

17. Beyer (VA): Strikes the repeal of Section 433 of the Energy Independence and Security Act which establishes targets for reducing energy from fossil fuels in federal buildings. (10 minutes)

18. Peters, Scott (CA): Requires the Secretary of Energy to report on energy savings and greenhouse gas emissions reduction from conversion of captured methane to energy. (10 minutes)

19. Schakowsky (IL): Strips Section 4125 from the bill. Section 4125 eliminates an existing consumer right to recover costs due to manufacturer misrepresentation of EnergyStar products. (10 minutes)

20. Brooks, Susan (IN): Calls on the Department of Energy to review and update the data used for a 9 year old federal study on re-refined oil, and requires the development of a strategy to increase its collections and sustainability. (10 minutes)

21. Ellmers (NC), Pompeo (KS), DeGette (CO), Dent (PA): Makes a technical fix to DOE’s External Power Supply Rule. (10 minutes)

22. Tonko (NY): Reauthorizes the Weatherization Assistance Program and the State Energy Program through Fiscal Year 2020. (10 minutes)

23. Castor (FL): Strengthens energy infrastructure resiliency and improves energy efficiency by incentivizing local renewable thermal (heating and cooling) energy and waste heat such as combined heat and power and by providing technical assistance to eligible entities to establish distributed energy systems. (10 minutes)

24. Polis (CO): Requires the Secretary of Interior to notify landowners, and any adjacent landholders, when federally owned min-

erals beneath their land have been leased for oil and gas development. (10 minutes)

25. Barton (TX), Cuellar (TX), McCaul (TX), Flores (TX), Conaway (TX): Repeals restrictions on the export of crude oil and includes provisions of HR 702 as passed by the House. (10 minutes)

26. Cramer, Kevin (ND): Authorizes voluntary vegetation management within 150 feet of the exterior boundary of the right-of-way near structures. Prevents sale of vegetation and limits legal liability. (10 minutes)

27. Duffy (WI): Requires the EPA to satisfy regulatory planning and review requirements established by the Clinton and Obama Administrations. (10 minutes)

28. Gosar (AZ), Bridenstine (OK), Yoho (FL): Ensures timely review for legal challenges of energy projects on federal land and limits attorney fees in order to discourage frivolous lawsuits and foster energy production. (10 minutes)

29. Jenkins, Evan (WV): Requires the Department of Energy and Department of Commerce to conduct a study regarding the legal and regulatory barriers that delay, prohibit, or impede the export of natural energy resources. (10 minutes)

30. Rouzer (NC), Smith, Jason (MO): Repeals the March 2015 EPA final rule establishing federal standards for residential wood heaters. (10 minutes)

31. Castor (FL): Allows community solar projects to be connected to their power distribution system and allows the electricity produced by the community solar facility to be credited directly to each of the consumers that owns a share of the system. (10 minutes)

32. DeSaulnier (CA), Lowey (NY), Garamendi (CA): Requires the Department of Energy to study the maximum level of volatility that is consistent with the safest practicable shipment of crude oil. (10 minutes)

33. Deutch (FL), Takai (HI): Promotes the research, development, and demonstration of marine hydrokinetic energy technologies and improves the regulatory process for such programs. (10 minutes)

34. Grayson (FL): Establishes minimum privacy standards for “Smart Meters” and their use in the smart grid. (10 minutes)

35. Jackson Lee (TX): Directs the Secretaries of Energy and Commerce to jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science, technology, engineering, and math, especially as those fields relate to energy. (10 minutes)

36. Meng (NY), Royce (CA): Strikes terms such as “Oriental” and “Negro” from two sections of title 42 of the U.S. Code, and replaces them with culturally appropriate terms. (10 minutes)

37. Pallone (NJ): Prohibits the Act from taking effect until after the Energy Information Administration analyzed and published a report on the carbon impacts of the Act’s provisions. (10 minutes)

38. Norcross (NJ): Directs the Secretary of Energy to study weaknesses in the security architecture of certain smart meters currently available. (10 minutes)

TEXT OF AMENDMENTS TO H.R. 8 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE UPTON OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Amend the table of contents to read as follows:

Sec. 1. Short title; table of contents.

TITLE I—MODERNIZING AND PROTECTING INFRASTRUCTURE

Subtitle A—Energy Delivery, Reliability, and Security

- Sec. 1101. FERC process coordination.
- Sec. 1102. Resolving environmental and grid reliability conflicts.
- Sec. 1103. Emergency preparedness for energy supply disruptions.
- Sec. 1104. Critical electric infrastructure security.
- Sec. 1105. Strategic Transformer Reserve.
- Sec. 1106. Cyber Sense.
- Sec. 1107. State coverage and consideration of PURPA standards for electric utilities.
- Sec. 1108. Reliability analysis for certain rules that affect electric generating facilities.
- Sec. 1109. Increased accountability with respect to carbon capture, utilization, and sequestration projects.
- Sec. 1110. Reliability and performance assurance in Regional Transmission Organizations.
- Sec. 1111. Designation of National Energy Security Corridors on Federal lands.
- Sec. 1112. Vegetation management, facility inspection, and operation and maintenance on Federal lands containing electric transmission and distribution facilities.

Subtitle B—Hydropower Regulatory Modernization

- Sec. 1201. Protection of private property rights in hydropower licensing.
- Sec. 1202. Extension of time for FERC project involving W. Kerr Scott Dam.
- Sec. 1203. Hydropower licensing and process improvements.
- Sec. 1204. Judicial review of delayed Federal authorizations.
- Sec. 1205. Licensing study improvements.
- Sec. 1206. Closed-loop pumped storage projects.
- Sec. 1207. License amendment improvements.
- Sec. 1208. Promoting hydropower development at existing nonpowered dams.

TITLE II—ENERGY SECURITY AND DIPLOMACY

- Sec. 2001. Sense of Congress.
- Sec. 2002. Energy security valuation.
- Sec. 2003. North American energy security plan.
- Sec. 2004. Collective energy security.
- Sec. 2005. Authorization to export natural gas.

TITLE III—ENERGY EFFICIENCY AND ACCOUNTABILITY

Subtitle A—Energy Efficiency

CHAPTER 1—FEDERAL AGENCY ENERGY EFFICIENCY

- Sec. 3111. Energy-efficient and energy-saving information technologies.
- Sec. 3112. Energy efficient data centers.
- Sec. 3113. Report on energy and water savings potential from thermal insulation.
- Sec. 3114. Federal purchase requirement.
- Sec. 3115. Energy performance requirement for Federal buildings.
- Sec. 3116. Federal building energy efficiency performance standards; certification system and level for Federal buildings.
- Sec. 3117. Operation of battery recharging stations in parking areas used by Federal employees.

CHAPTER 2—ENERGY EFFICIENT TECHNOLOGY AND MANUFACTURING

- Sec. 3121. Inclusion of Smart Grid capability on Energy Guide labels.
- Sec. 3122. Voluntary verification programs for air conditioning, furnace, boiler, heat pump, and water heater products.
- Sec. 3123. Facilitating consensus furnace standards.

- Sec. 3124. No warranty for certain certified Energy Star products.
- Sec. 3125. Clarification to effective date for regional standards.
- Sec. 3126. Internet of Things report.

CHAPTER 3—SCHOOL BUILDINGS

- Sec. 3131. Coordination of energy retrofit assistance for schools.

CHAPTER 4—BUILDING ENERGY CODES

- Sec. 3141. Greater energy efficiency in building codes.
- Sec. 3142. Voluntary nature of building asset rating program.

CHAPTER 5—EPCA TECHNICAL CORRECTIONS AND CLARIFICATIONS

- Sec. 3151. Modifying product definitions.
- Sec. 3152. Clarifying rulemaking procedures.

CHAPTER 6—ENERGY AND WATER EFFICIENCY

- Sec. 3161. Smart energy and water efficiency pilot program.
- Sec. 3162. WaterSense.

Subtitle B—Accountability

CHAPTER 1—MARKET MANIPULATION, ENFORCEMENT, AND COMPLIANCE

- Sec. 3211. FERC Office of Compliance Assistance and Public Participation.

CHAPTER 2—MARKET REFORMS

- Sec. 3221. GAO study on wholesale electricity markets.
- Sec. 3222. Clarification of facility merger authorization.

CHAPTER 3—CODE MAINTENANCE

- Sec. 3231. Repeal of off-highway motor vehicles study.
- Sec. 3232. Repeal of methanol study.
- Sec. 3233. Repeal of residential energy efficiency standards study.
- Sec. 3234. Repeal of weatherization study.
- Sec. 3235. Repeal of report to Congress.
- Sec. 3236. Repeal of report by General Services Administration.
- Sec. 3237. Repeal of intergovernmental energy management planning and coordination workshops.
- Sec. 3238. Repeal of Inspector General audit survey and President's Council on Integrity and Efficiency report to Congress.
- Sec. 3239. Repeal of procurement and identification of energy efficient products program.
- Sec. 3240. Repeal of national action plan for demand response.
- Sec. 3241. Repeal of national coal policy study.
- Sec. 3242. Repeal of study on compliance problem of small electric utility systems.
- Sec. 3243. Repeal of study of socioeconomic impacts of increased coal production and other energy development.
- Sec. 3244. Repeal of study of the use of petroleum and natural gas in combustors.
- Sec. 3245. Repeal of submission of reports.
- Sec. 3246. Repeal of electric utility conservation plan.
- Sec. 3247. Technical amendment to Powerplant and Industrial Fuel Use Act of 1978.
- Sec. 3248. Emergency energy conservation repeals.
- Sec. 3249. Repeal of State utility regulatory assistance.
- Sec. 3250. Repeal of survey of energy saving potential.
- Sec. 3251. Repeal of photovoltaic energy program.
- Sec. 3252. Repeal of energy auditor training and certification.

CHAPTER 4—USE OF EXISTING FUNDS

- Sec. 3261. Use of existing funds.

Page 25, strike lines 1 through 11 and insert the following:

“(7) DISCLOSURE OF PROTECTED INFORMATION.—In implementing this section, the Commission shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and elec-

tronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

Beginning on page 36, strike line 21 and all that follows through page 37, line 3 and insert the following:

(e) **DISCLOSURE OF INFORMATION.**—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which the agency reasonably foresees would cause harm to critical electric infrastructure, shall be deemed to be critical electric infrastructure information for purposes of section 215A(d) of the Federal Power Act.

Beginning on page 38, strike line 20 and all that follows through page 39, line 2 and insert the following:

(c) **DISCLOSURE OF INFORMATION.**—Any vulnerability reported pursuant to regulations promulgated under subsection (b)(3), the disclosure of which the agency reasonably foresees would cause harm to critical electric infrastructure (as defined in section 215A of the Federal Power Act), shall be deemed to be critical electric infrastructure information for purposes of section 215A(d) of the Federal Power Act.

Amend section 1109 to read as follows:

SEC. 1109. INCREASED ACCOUNTABILITY WITH RESPECT TO CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.

(a) **DOE EVALUATION.**—

(1) **IN GENERAL.**—The Secretary of Energy (in this section referred to as the “Secretary”) shall, in accordance with this section, annually conduct an evaluation, and make recommendations, with respect to each project conducted by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies (also known as carbon capture and storage and utilization technologies).

(2) **SCOPE.**—For purposes of this section, a project includes any contract, lease, cooperative agreement, or other similar transaction with a public agency or private organization or person, entered into or performed, or any payment made, by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies.

(b) **REQUIREMENTS FOR EVALUATION.**—In conducting an evaluation of a project under this section, the Secretary shall—

(1) examine if the project has made advancements toward achieving any specific goal of the project with respect to a carbon capture, utilization, and sequestration technology; and

(2) evaluate and determine if the project has made significant progress in advancing a carbon capture, utilization, and sequestration technology.

(c) **RECOMMENDATIONS.**—For each evaluation of a project conducted under this section, if the Secretary determines that—

(1) significant progress in advancing a carbon capture, utilization, and sequestration technology has been made, the Secretary shall assess the funding of the project and make a rec-

ommendation as to whether increased funding is necessary to advance the project; or

(2) significant progress in advancing a carbon capture, utilization, and sequestration technology has not been made, the Secretary shall—

(A) assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project;

(B) assess and determine if the project has reached its full potential; and

(C) make a recommendation as to whether the project should continue.

(d) REPORTS.—

(1) REPORT ON EVALUATIONS AND RECOMMENDATIONS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall—

(A) issue a report on the evaluations conducted and recommendations made during the previous year pursuant to this section; and

(B) make each such report available on the Internet website of the Department of Energy.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 3 years thereafter, the Secretary shall submit to the Subcommittee on Energy and Power of the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(A) the evaluations conducted and recommendations made during the previous 3 years pursuant to this section; and

(B) the progress of the Department of Energy in advancing carbon capture, utilization, and sequestration technologies, including progress in achieving the Department of Energy’s goal of having an array of advanced carbon capture and sequestration technologies ready by 2020 for large-scale demonstration.

Insert after section 1110 the following:

SEC. 1111. DESIGNATION OF NATIONAL ENERGY SECURITY CORRIDORS ON FEDERAL LANDS.

(a) IN GENERAL.—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended as follows:

(1) In subsection (b)—

(A) by striking “(b)(1) For the purposes of this section ‘Federal lands’ means” and inserting the following:

“(b)(1) For the purposes of this section ‘Federal lands’—

“(A) except as provided in subparagraph (B), means”;

(B) by striking the period at the end of paragraph (1) and inserting “; and” and by adding at the end of paragraph (1) the following:

“(B) for purposes of granting an application for a natural gas pipeline right-of-way, means all lands owned by the United States except—

- “(i) such lands held in trust for an Indian or Indian tribe; and
- “(ii) lands on the Outer Continental Shelf.”
- (2) By redesignating subsection (b), as so amended, as subsection (z), and transferring such subsection to appear after subsection (y) of that section.
- (3) By inserting after subsection (a) the following:
- “(b) NATIONAL ENERGY SECURITY CORRIDORS.—
- “(1) DESIGNATION.—In addition to other authorities under this section, the Secretary shall—
- “(A) identify and designate suitable Federal lands as National Energy Security Corridors (in this subsection referred to as a ‘Corridor’), which shall be used for construction, operation, and maintenance of natural gas transmission facilities; and
- “(B) incorporate such Corridors upon designation into the relevant agency land use and resource management plans or equivalent plans.
- “(2) CONSIDERATIONS.—In evaluating Federal lands for designation as a National Energy Security Corridor, the Secretary shall—
- “(A) employ the principle of multiple use to ensure route decisions balance national energy security needs with existing land use principles;
- “(B) seek input from other Federal counterparts, State, local, and tribal governments, and affected utility and pipeline industries to determine the best suitable, most cost-effective, and commercially viable acreage for natural gas transmission facilities;
- “(C) focus on transmission routes that improve domestic energy security through increasing reliability, relieving congestion, reducing natural gas prices, and meeting growing demand for natural gas; and
- “(D) take into account technological innovations that reduce the need for surface disturbance.
- “(3) PROCEDURES.—The Secretary shall establish procedures to expedite and approve applications for rights-of-way for natural gas pipelines across National Energy Security Corridors, that—
- “(A) ensure a transparent process for review of applications for rights-of-way on such corridors;
- “(B) require an approval time of not more than 1 year after the date of receipt of an application for a right-of-way; and
- “(C) require, upon receipt of such an application, notice to the applicant of a predictable timeline for consideration of the application, that clearly delineates important milestones in the process of such consideration.
- “(4) STATE INPUT.—
- “(A) REQUESTS AUTHORIZED.—The Governor of a State may submit requests to the Secretary of the Interior to designate Corridors on Federal land in that State.
- “(B) CONSIDERATION OF REQUESTS.—After receiving such a request, the Secretary shall respond in writing, within 30 days—

“(i) acknowledging receipt of the request; and

“(ii) setting forth a timeline in which the Secretary shall grant, deny, or modify such request and state the reasons for doing so.

“(5) SPATIAL DISTRIBUTION OF CORRIDORS.—In implementing this subsection, the Secretary shall coordinate with other Federal Departments to—

“(A) minimize the proliferation of duplicative natural gas pipeline rights-of-way on Federal lands where feasible;

“(B) ensure Corridors can connect effectively across Federal lands; and

“(C) utilize input from utility and pipeline industries submitting applications for rights-of-way to site corridors in economically feasible areas that reduce impacts, to the extent practicable, on local communities.

“(6) NOT A MAJOR FEDERAL ACTION.—Designation of a Corridor under this subsection, and incorporation of Corridors into agency plans under paragraph (1)(B), shall not be treated as a major Federal action for purpose of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

“(7) NO LIMIT ON NUMBER OR LENGTH OF CORRIDORS.—Nothing in this subsection limits the number or physical dimensions of Corridors that the Secretary may designate under this subsection.

“(8) OTHER AUTHORITY NOT AFFECTED.—Nothing in this subsection affects the authority of the Secretary to issue rights-of-way on Federal land that is not located in a Corridor designated under this subsection.

“(9) NEPA CLARIFICATION.—All applications for rights-of-way for natural gas transmission facilities across Corridors designated under this subsection shall be subject to the environmental protections outlined in subsection (h).”.

(b) APPLICATIONS RECEIVED BEFORE DESIGNATION OF CORRIDORS.—Any application for a right-of-way under section 28 of the Mineral Leasing Act (30 U.S.C. 185) that is received by the Secretary of the Interior before designation of National Energy Security Corridors under the amendment made by subsection (a) of this section shall be reviewed and acted upon independently by the Secretary without regard to the process for such designation.

(c) DEADLINE.—Within 2 years after the date of the enactment of this Act, the Secretary of the Interior shall designate at least 10 National Energy Security Corridors under the amendment made by subsection (a) in States referred to in section 368(b) of the Energy Policy Act of 2005 (42 U.S.C. 15926(b)).

SEC. 1112. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE ON FEDERAL LANDS CONTAINING ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES.

(a) IN GENERAL.—Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.) is amended by adding at the end the following new section:

“SEC. 512. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE RELATING TO ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITY RIGHTS-OF-WAY.

“(a) GENERAL DIRECTION.—In order to enhance the reliability of the electric grid and reduce the threat of wildfires to and from electric transmission and distribution rights-of-way and related facilities and adjacent property, the Secretary, with respect to public lands and other lands under the jurisdiction of the Secretary, and the Secretary of Agriculture, with respect to National Forest System lands, shall provide direction to ensure that all existing and future rights-of-way, however established (including by grant, special use authorization, and easement), for electric transmission and distribution facilities on such lands include provisions for utility vegetation management, facility inspection, and operation and maintenance activities that, while consistent with applicable law—

“(1) are developed in consultation with the holder of the right-of-way;

“(2) enable the owner or operator of an electric transmission and distribution facility to operate and maintain the facility in good working order and to comply with Federal, State, and local electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation and plans to meet such reliability standards;

“(3) minimize the need for case-by-case or annual approvals for—

“(A) routine vegetation management, facility inspection, and operation and maintenance activities within existing electric transmission and distribution rights-of-way; and

“(B) utility vegetation management activities that are necessary to control hazard trees within or adjacent to electric transmission and distribution rights-of-way; and

“(4) when review is required, provide for expedited review and approval of utility vegetation management, facility inspection, and operation and maintenance activities, especially activities requiring prompt action to avoid an adverse impact on human safety or electric reliability to avoid fire hazards.

“(b) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—

“(1) DEVELOPMENT AND SUBMISSION.—Consistent with subsection (a), the Secretary and the Secretary of Agriculture shall provide owners and operators of electric transmission and distribution facilities located on lands described in such subsection with the option to develop and submit a vegetation management, facility inspection, and operation and maintenance plan, that at each owner or operator’s discretion may cover some or all of the owner or operator’s electric transmission and distribution rights-of-way on Federal lands, for approval to the Secretary with jurisdiction over the lands. A plan under this paragraph shall enable the owner or operator of an electric transmission and distribution facility, at a minimum, to comply with applicable Federal, State, and local electric system reliability and fire safety requirements, as provided in subsection (a)(2). The Secretaries shall not have the authority to modify those requirements.

“(2) REVIEW AND APPROVAL PROCESS.—The Secretary and the Secretary of Agriculture shall jointly develop a consolidated and coordinated process for review and approval of—

“(A) vegetation management, facility inspection, and operation and maintenance plans submitted under paragraph (1) that—

“(i) assures prompt review and approval not to exceed 90 days;

“(ii) includes timelines and benchmarks for agency comments on submitted plans and final approval of such plans;

“(iii) is consistent with applicable law; and

“(iv) minimizes the costs of the process to the reviewing agency and the entity submitting the plans; and

“(B) amendments to the plans in a prompt manner if changed conditions necessitate a modification to a plan.

“(3) NOTIFICATION.—The review and approval process under paragraph (2) shall—

“(A) include notification by the agency of any changed conditions that warrant a modification to a plan;

“(B) provide an opportunity for the owner or operator to submit a proposed plan amendment to address directly the changed condition; and

“(C) allow the owner or operator to continue to implement those elements of the approved plan that do not directly and adversely affect the condition precipitating the need for modification.

“(4) CATEGORICAL EXCLUSION PROCESS.—The Secretary and the Secretary of Agriculture shall apply his or her categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to plans developed under this subsection on existing electric transmission and distribution rights-of-way under this subsection.

“(5) IMPLEMENTATION.—A plan approved under this subsection shall become part of the authorization governing the covered right-of-way and hazard trees adjacent to the right-of-way. If a vegetation management plan is proposed for an existing electric transmission and distribution facility concurrent with the siting of a new electric transmission or distribution facility, necessary reviews shall be completed as part of the siting process or sooner. Once the plan is approved, the owner or operator shall provide the agency with only a notification of activities anticipated to be undertaken in the coming year, a description of those activities, and certification that the activities are in accordance with the plan.

“(c) RESPONSE TO EMERGENCY CONDITIONS.—If vegetation on Federal lands within, or hazard trees on Federal lands adjacent to, an electric transmission or distribution right-of-way granted by the Secretary or the Secretary of Agriculture has contacted or is in imminent danger of contacting one or more electric transmission or distribution lines, the owner or operator of the electric transmission or distribution lines—

“(1) may prune or remove the vegetation to avoid the disruption of electric service and risk of fire; and

“(2) shall notify the appropriate local agent of the relevant Secretary not later than 24 hours after such removal.

“(d) COMPLIANCE WITH APPLICABLE RELIABILITY AND SAFETY STANDARDS.—If vegetation on Federal lands within or adjacent to an electric transmission or distribution right-of-way under the jurisdiction of each Secretary does not meet clearance requirements under standards established by the North American Electric Reliability Corporation, or by State and local authorities, and the Secretary having jurisdiction over the lands has failed to act to allow an electric transmission or distribution facility owner or operator to conduct vegetation management activities within 3 business days after receiving a request to allow such activities, the owner or operator may, after notifying the Secretary, conduct such vegetation management activities to meet those clearance requirements.

“(e) REPORTING REQUIREMENT.—The Secretary or Secretary of Agriculture shall report requests and actions made under subsections (c) and (d) annually on each Secretary’s website.

“(f) LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildfire damage, loss, or injury, including the cost of fire suppression, if—

“(1) the Secretary or the Secretary of Agriculture fails to allow the owner or operator to operate consistently with an approved vegetation management, facility inspection, and operation and maintenance plan on Federal lands under the relevant Secretary’s jurisdiction within or adjacent to a right-of-way to comply with Federal, State, or local electric system reliability and fire safety standards, including standards established by the North American Electric Reliability Corporation; or

“(2) the Secretary or the Secretary of Agriculture fails to allow the owner or operator of the electric transmission or distribution facility to perform appropriate vegetation management activities in response to an identified hazard tree, or a tree in imminent danger of contacting the owner’s or operator’s electric transmission or distribution facility.

“(g) TRAINING AND GUIDANCE.—In consultation with the electric utility industry, the Secretary and the Secretary of Agriculture are encouraged to develop a program to train personnel of the Department of the Interior and the Forest Service involved in vegetation management decisions relating to electric transmission and distribution facilities to ensure that such personnel—

“(1) understand electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation;

“(2) assist owners and operators of electric transmission and distribution facilities to comply with applicable electric reliability and fire safety requirements; and

“(3) encourage and assist willing owners and operators of electric transmission and distribution facilities to incorporate on a voluntary basis vegetation management practices to enhance habitats and forage for pollinators and for other wildlife so long as the practices are compatible with the integrated vegetation management practices necessary for reliability and safety.

“(h) IMPLEMENTATION.—The Secretary and the Secretary of Agriculture shall—

“(1) not later than one year after the date of the enactment of this section, propose regulations, or amended existing regulations, to implement this section; and

“(2) not later than two years after the date of the enactment of this section, finalize regulations, or amended existing regulations, to implement this section.

“(i) EXISTING VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—Nothing in this section requires an owner or operator to develop and submit a vegetation management, facility inspection, and operation and maintenance plan if one has already been approved by the Secretary or Secretary of Agriculture before the date of the enactment of this section.

“(j) DEFINITIONS.—In this section:

“(1) HAZARD TREE.—The term ‘hazard tree’ means any tree inside the right-of-way or located outside the right-of-way that has been found by the either the owner or operator of an electric transmission or distribution facility, or the Secretary or the Secretary of Agriculture, to be likely to fail and cause a high risk of injury, damage, or disruption within 10 feet of an electric power line or related structure if it fell.

“(2) OWNER OR OPERATOR.—The terms ‘owner’ and ‘operator’ include contractors or other agents engaged by the owner or operator of an electric transmission and distribution facility.

“(3) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLAN.—The term ‘vegetation management, facility inspection, and operation and maintenance plan’ means a plan that—

“(A) is prepared by the owner or operator of one or more electric transmission or distribution facilities to cover one or more electric transmission and distribution rights-of-way; and

“(B) provides for the long-term, cost-effective, efficient, and timely management of facilities and vegetation within the width of the right-of-way and adjacent Federal lands to enhance electric reliability, promote public safety, and avoid fire hazards.”.

(b) CLERICAL AMENDMENT.—The table of sections for the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.), is amended by inserting after the item relating to section 511 the following new item:

“Sec. 512. Vegetation management, facility inspection, and operation and maintenance relating to electric transmission and distribution facility rights-of-way.”.

Strike subtitle B of title I and redesignate subtitle C of such title as subtitle B.

Strike section 1301.

Redesignate sections 1302 through 1309 as sections 1201 through 1208, respectively.

Page 88, line 3, strike “1304” and insert “1203”.

Page 90, line 5, strike “1306” and insert “1205”.

Page 92, line 3, strike “1307” and insert “1206”.

Page 100, line 6, strike “1308” and insert “1207”.

Strike title II and redesignate titles III and IV as titles II and III, respectively.

Redesignate sections 3001 through 3004 as sections 2001 through 2004, respectively.

Page 117, line 11, insert “, the Committee on Science, Space, and Technology,” after “Energy and Commerce”.

Page 117, line 13, insert “, the Committee on Commerce, Science, and Transportation,” after “Energy and Natural Resources”.

Strike section 3005.

Redesignate section 3006 as section 2005.

Redesignate sections 4111 through 4117 as sections 3111 through 3117, respectively.

Redesignate sections 4121 through 4123 as sections 3121 through 3123, respectively.

Page 157, beginning on line 15, strike “, to be exempted from disclosure under section 552(b)(4) of title 5, United States Code”.

Strike section 4124.

Redesignate sections 4125 through 4127 as sections 3124 through 3126, respectively.

Strike chapter 3 of subtitle A of title III, as redesignated by this amendment, and redesignate chapters 4 through 7 of such subtitle as chapters 3 through 6, respectively.

Redesignate section 4141 as section 3131.

Redesignate sections 4151 and 4152 as sections 3141 and 3142, respectively.

Page 174, line 22, strike “4116” and insert “3116”.

Redesignate sections 4161 and 4162 as sections 3151 and 3152, respectively.

Redesignate sections 4171 and 4172 as sections 3161 and 3162, respectively.

Beginning on page 218, strike line 12 and all that follows through page 219, line 2 and insert the following:

(c) FUNDING.—To carry out this section, the Secretary is authorized to use not more than \$15,000,000, to the extent provided in advance in appropriation Acts.

Redesignate section 4211 as section 3211.

Redesignate sections 4221 and 4222 as sections 3221 and 3222, respectively.

Redesignate sections 4231 through 4252 as sections 3231 through 3252, respectively.

Beginning on page 238, strike line 22 and all that follows through page 239, line 2 and insert the following:

CHAPTER 4—AUTHORIZATION

SEC. 3261 AUTHORIZATION.

There are authorized to be appropriated, out of funds authorized under previously enacted laws, amounts required for carrying out this Act and the amendments made by this Act.

Strike titles V and VI.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TONKO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 4, line 5, through page 10, line 3, strike section 1101.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PETERS OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 12, line 23, insert “and energy storage” after “infrastructure”.

Page 13, line 19, insert “the energy storage industry,” after “natural gas industry,”.

Page 14, line 1, insert “, the energy storage industry,” after “States”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANKS OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 17, after line 12, insert the following:

“(8) GRID SECURITY VULNERABILITY.—The term ‘grid security vulnerability’ means a weakness that, in the event of a malicious act using an electromagnetic pulse, would pose a substantial risk of disruption to the operation of those electrical or electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of the bulk-power system.

Page 26, after line 14, insert the following:

“(e) MEASURES TO ADDRESS GRID SECURITY VULNERABILITIES.—

“(1) COMMISSION AUTHORITY.—

“(A) RELIABILITY STANDARDS.—If the Commission, in consultation with appropriate Federal agencies, identifies a grid security vulnerability that the Commission determines has not adequately been addressed through a reliability standard developed and approved under section 215, the Commission shall, after notice and opportunity for comment and after consultation with the Secretary, other appropriate Federal agencies, and appropriate governmental authorities in Canada and Mexico, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 30 days after the issuance of such order, a reliability standard requiring implementation, by any owner, operator, or user of the bulk-power system in the United States, of measures to protect the bulk-power system against such vulnerability. Any such standard shall include a protection plan, including automated hardware-based solutions. The Commission shall approve a reliability standard submitted pursuant to this subparagraph, unless the Commission determines that such reliability standard does not adequately protect against such vulnerability or otherwise does not satisfy the requirements of section 215.

“(B) MEASURES TO ADDRESS GRID SECURITY VULNERABILITIES.—If the Commission, after notice and opportunity for comment and after consultation with the Secretary, other appropriate Federal agencies, and appropriate governmental authorities in Canada and Mexico, determines that the reliability standard submitted by the Electric Reliability Organization to address a grid security vulnerability identified under subparagraph (A) does not adequately protect the bulk-power system against such vulnerability, the Commission shall promulgate a rule or issue an order requiring implementation, by any owner, operator, or user of the bulk-power system in the United States, of measures to protect the bulk-power system against such vulnerability. Any such rule or order shall include a protection plan, including automated hardware-based solutions. Before promulgating a rule or issuing an order under this subparagraph, the Commission shall, to the extent practicable in light of the urgency of the need for action to address the grid security vulnerability, request and consider recommendations from the Electric Reliability Organization regarding such rule or order. The Commission may establish an appropriate deadline for the submission of such recommendations.

“(2) RESCISSION.—The Commission shall approve a reliability standard developed under section 215 that addresses a grid security vulnerability that is the subject of a rule or order under paragraph (1)(B), unless the Commission determines that such reliability standard does not adequately protect against such vulnerability or otherwise does not satisfy the requirements of section 215. Upon such approval, the Commission shall rescind the rule promulgated or order issued under paragraph (1)(B) addressing such vulnerability, effective upon the effective date of the newly approved reliability standard.

“(3) GEOMAGNETIC STORMS AND ELECTROMAGNETIC PULSE.—Not later than 6 months after the date of enactment of this section, the Commission shall, after notice and an opportunity for comment and after consultation with the Secretary and other appropriate Federal agencies, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 6 months after the issuance of such order, reliability standards adequate to protect the bulk-power system from any reasonably foreseeable geomagnetic storm or electromagnetic pulse event. The Commission’s order shall specify the nature and magnitude of the reasonably foreseeable events against which such standards must protect. Such standards shall appropriately balance the risks to the bulk-power system associated with such events, including any regional variation in such risks, the costs of mitigating such risks, and the priorities and timing associated with implementation. If the Commission determines that the reliability standards submitted by the Electric Reliability Organization pursuant to this paragraph are inadequate, the Commission shall promulgate a rule or issue an order adequate to protect the bulk-power system from geomagnetic

storms or electromagnetic pulse as required under paragraph (1)(B).

“(4) LARGE TRANSFORMER AVAILABILITY.—Not later than 1 year after the date of enactment of this section, the Commission shall, after notice and an opportunity for comment and after consultation with the Secretary and other appropriate Federal agencies, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 1 year after the issuance of such order, reliability standards addressing availability of large transformers. Such standards shall require entities that own or operate large transformers to ensure, individually or jointly, adequate availability of large transformers to promptly restore the reliable operation of the bulk-power system in the event that any such transformer is destroyed or disabled as a result of a geomagnetic storm event or electromagnetic pulse event. The Commission’s order shall specify the nature and magnitude of the reasonably foreseeable events that shall provide the basis for such standards. Such standards shall—

“(A) provide entities subject to the standards with the option of meeting such standards individually or jointly; and

“(B) appropriately balance the risks associated with a reasonably foreseeable event, including any regional variation in such risks, and the costs of ensuring adequate availability of spare transformers.

“(5) CERTAIN FEDERAL ENTITIES.—For the 11-year period commencing on the date of enactment of this section, the Tennessee Valley Authority and the Bonneville Power Administration shall be exempt from any requirement under this subsection.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POLIQUIN OF MAINE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 45, line 8, insert “(which may not be required to be for a period longer than one year)” after “contractual obligations”.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VEASEY OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 58, after line 22, insert the following new subparagraph:

(C) ADDITIONAL REPORT.—The Secretary of Energy shall transmit to Congress a report on the potential commercial use of carbon capture, utilization, and storage technologies (including enhanced oil recovery), its potential effects on the economy and gross domestic product (GDP), and its contributions to the United States greenhouse gas emission reduction goals if widely utilized at major carbon dioxide-emitting power plants.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In subtitle A of title I, add at the end the following new section:

SEC. 1111. ETHANE STORAGE STUDY.

(a) **IN GENERAL.**—The Secretary of Energy and the Secretary of Commerce, in consultation with other relevant agencies and stakeholders, shall conduct a study on the feasibility of establishing an ethane storage and distribution hub in the United States.

(b) **CONTENTS.**—The study conducted under subsection (a) shall include—

- (1) an examination of—
 - (A) potential locations;
 - (B) economic feasibility;
 - (C) economic benefits;
 - (D) geological storage capacity capabilities;
 - (E) above ground storage capabilities;
 - (F) infrastructure needs; and
 - (G) other markets and trading hubs, particularly related to ethane; and
- (2) identification of potential additional benefits to energy security.

(c) **PUBLICATION OF RESULTS.**—Not later than 2 years after the date of enactment of this Act, the Secretaries of Energy and Commerce shall publish the results of the study conducted under subsection (a) on the websites of the Departments of Energy and Commerce, respectively, and shall submit such results to the Committee on Energy and Commerce of the House of Representatives and the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ELLMERS OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle A of title I, add the following:

SEC. 11 ____. STATEMENT OF POLICY ON GRID MODERNIZATION.

It is the policy of the United States to promote and advance—

- (1) the modernization of the energy delivery infrastructure of the United States, and bolster the reliability, affordability, diversity, efficiency, security, and resiliency of domestic energy supplies, through advanced grid technologies;
- (2) the modernization of the electric grid to enable a robust multi-directional power flow that leverages centralized energy resources and distributed energy resources, enables robust retail transactions, and facilitates the alignment of business and regulatory models to achieve a grid that optimizes the entire electric delivery system;
- (3) relevant research and development in advanced grid technologies, including—
 - (A) energy storage;
 - (B) predictive tools and requisite real-time data to enable the dynamic optimization of grid operations;
 - (C) power electronics, including smart inverters, that ease the challenge of intermittent renewable resources and distributed generation;
 - (D) real-time data and situational awareness tools and systems; and

- (E) tools to increase data security, physical security, and cybersecurity awareness and protection;
- (4) the leadership of the United States in basic and applied sciences to develop a systems approach to innovation and development of cyber-secure advanced grid technologies, architectures, and control paradigms capable of managing diverse supplies and loads;
- (5) the safeguarding of the critical energy delivery infrastructure of the United States and the enhanced resilience of the infrastructure to all hazards, including—
 - (A) severe weather events;
 - (B) cyber and physical threats; and
 - (C) other factors that affect energy delivery;
- (6) the coordination of goals, investments to optimize the grid, and other measures for energy efficiency, advanced grid technologies, interoperability, and demand response-side management resources;
- (7) partnerships with States and the private sector—
 - (A) to facilitate advanced grid capabilities and strategies; and
 - (B) to provide technical assistance, tools, or other related information necessary to enhance grid integration, particularly in connection with the development at the State and local levels of strategic energy, energy surety and assurance, and emergency preparedness, response, and restoration planning;
- (8) the deployment of information and communications technologies at all levels of the electric system;
- (9) opportunities to provide consumers with timely information and advanced control options;
- (10) sophisticated or advanced control options to integrate distributed energy resources and associated ancillary services;
- (11) open-source communications, database architectures, and common information model standards, guidelines, and protocols that enable interoperability to maximize efficiency gains and associated benefits among—
 - (A) the grid;
 - (B) energy and building management systems; and
 - (C) residential, commercial, and industrial equipment;
- (12) private sector investment in the energy delivery infrastructure of the United States through targeted demonstration and validation of advanced grid technologies; and
- (13) establishment of common valuation methods and tools for cost-benefit analysis of grid integration paradigms.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle A of title I, add the following:

SEC. 11 . GRID RESILIENCE REPORT.

Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the

Senate a report on methods to increase electric grid resilience with respect to all threats, including cyber attacks, vandalism, terrorism, and severe weather.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KILDEE OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle A of title I, add the following:

SEC. 11 . GAO REPORT ON IMPROVING NATIONAL RESPONSE CENTER.

The Comptroller General of the United States shall conduct a study of ways in which the capabilities of the National Response Center could be improved.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DUFFY OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 113, line 18, insert “the Secretariat of Energy in Mexico, the Ministry of Natural Resources in Canada, and” after “the Secretary shall collaborate with”.

Page 113, line 22, insert “across North America” after “highest need in each sector”.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARAMENDI OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 118, line 2, insert “transportation,” after “distribution,”.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title III, add the following new section:

SEC. 3007. ENVIRONMENTAL REVIEW FOR ENERGY EXPORT FACILITIES.

Notwithstanding any other provision of law, including any other provision of this Act and any amendment made by this Act, to the extent that the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applies to the issuance of a permit for the construction, operation, or maintenance of a facility for the export of bulk commodities, no such permit may be denied until each applicable Federal agency has completed all reviews required for the facility under such Act.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GREEN OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title III, insert the following new section:

SEC. 3007. AUTHORIZATION OF CROSS-BORDER INFRASTRUCTURE PROJECTS.

(a) FINDING.—Congress finds that the United States should establish a more uniform, transparent, and modern process for the

construction, connection, operation, and maintenance of pipelines and electric transmission facilities for the import and export of liquid products, including water and petroleum, and natural gas and the transmission of electricity to and from Canada and Mexico.

(b) AUTHORIZATION OF CERTAIN INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.—

(1) REQUIREMENT.—No person may construct, connect, operate, or maintain a cross-border segment of a pipeline or electric transmission facility for the import or export of liquid products or natural gas, or the transmission of electricity, to or from Canada or Mexico without obtaining a certificate of crossing for such construction, connection, operation, or maintenance under this subsection.

(2) CERTIFICATE OF CROSSING.—

(A) ISSUANCE.—

(i) IN GENERAL.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment described in paragraph (1), the relevant official identified under subparagraph (B), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.

(ii) NATURAL GAS.—For the purposes of natural gas pipelines, a finding with respect to the public interest under section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) shall serve as a finding under clause (i) of this subparagraph.

(B) RELEVANT OFFICIAL.—The relevant official referred to in subparagraph (A) is—

(i) the Secretary of State with respect to liquid pipelines;

(ii) the Federal Energy Regulatory Commission with respect to natural gas pipelines; and

(iii) the Secretary of Energy with respect to electric transmission facilities.

(C) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—The Secretary of Energy shall require, as a condition of issuing a certificate of crossing for an electric transmission facility, that the cross-border segment be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(i) the Electric Reliability Organization and the applicable regional entity; and

(ii) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(3) MODIFICATIONS TO EXISTING PROJECTS.—No certificate of crossing shall be required under this subsection for a change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a re-

duction or increase in the number of pump or compressor stations) with respect to a liquid or natural gas pipeline or electric transmission facility unless such modification would result in a significant impact at the national boundary.

(4) EFFECT OF OTHER LAWS.—Nothing in this subsection shall affect the application of any other Federal statute (including the Natural Gas Act and the Energy Policy and Conservation Act) to a project for which a certificate of crossing is sought under this subsection.

(c) IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: “In the case of an application for the importation or exportation of natural gas to or from Canada or Mexico, the Commission shall grant the application not later than 30 days after the date of receipt of the complete application.”

(d) TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.—

(1) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking “insofar as such State regulation does not conflict with the exercise of the Commission’s powers under or relating to subsection 202(e)”.

(B) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–4(b)) is amended by striking “the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary”.

(e) EFFECTIVE DATE; RULEMAKING DEADLINES.—

(1) EFFECTIVE DATE.—Subsections (b) through (d), and the amendments made by such subsections, shall take effect on January 20, 2017.

(2) RULEMAKING DEADLINES.—Each relevant official described in subsection (b)(2)(B) shall—

(A) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of subsection (b); and

(B) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of subsection (b).

(f) DEFINITIONS.—In this section—

(1) the term “cross-border segment” means the portion of a liquid or natural gas pipeline or electric transmission facility

that is located at the national boundary of the United States with either Canada or Mexico;

(2) the terms “Electric Reliability Organization” and “regional entity” have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o);

(3) the terms “Independent System Operator” and “Regional Transmission Organization” have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796);

(4) the term “liquid” includes water, petroleum, petroleum product, and any other substance that flows through a pipeline other than natural gas; and

(5) the term “natural gas” has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a).

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NORCROSS OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title III, add the following new section:

SEC. 3007. ENERGY TRADESMEN CORPS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress a report containing recommendations for the creation of an Energy Tradesmen Corps, a volunteer corps of professional tradesmen who respond to critical energy infrastructure problems during disasters or states of emergency.

(b) RECOMMENDATIONS.—The recommendations described in subsection (a) shall include—

(1) identification of what skill sets and types of tradesmen should comprise the Corps;

(2) technical qualifications for participating tradesmen of each class;

(3) a training regimen to equip tradesmen to operate during a disaster or state of emergency;

(4) procedures for how a tradesmen should be notified and respond during various disasters and states of emergency; and

(5) Federal resources required in order for the Corps to function effectively.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TAKANO OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 133, after line 19, insert the following new section (and redesignate the subsequent sections accordingly):

SEC. 4114. BATTERY STORAGE REPORT.

Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the potential of battery energy storage that answers the following questions:

(1) How do existing Federal standards impact the development and deployment of battery storage systems?

(2) What are the benefits of using existing battery storage technology, and what challenges exist to their widespread use?

What are some examples of existing battery storage projects providing these benefits?

(3) What potential impact could large-scale battery storage and behind-the-meter battery storage have on renewable energy utilization?

(4) What is the potential of battery technology for grid-scale use nationwide? What is the potential impact of battery technology on the national grid capabilities?

(5) How much economic activity associated with large-scale and behind-the-meter battery storage technology is located in the United States? How many jobs do these industries account for?

(6) What policies other than the Renewable Energy Investment Tax Credit have research and available data shown to promote renewable energy use and storage technology deployment by State and local governments or private end-users?

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BEYER OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike page 147, line 9, through page 149, line 6.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PETERS OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of chapter 1 of subtitle A of title IV, add the following:

SEC. _____. **REPORT ON ENERGY SAVINGS AND GREENHOUSE GAS EMISSIONS REDUCTION FROM CONVERSION OF CAPTURED METHANE TO ENERGY.**

(a) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with appropriate Federal agencies and relevant stakeholders, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of captured methane converted for energy and power generation on Federal lands, Federal buildings, and relevant municipalities that use such generation, and the return on investment and reduction in greenhouse gas emissions of utilizing such power generation.

(b) **CONTENTS.**—The report shall include—

(1) a summary of energy performance and savings resulting from the utilization of such power generation, including short-term and long-term (20 years) projections of such savings; and

(2) an analysis of the reduction in greenhouse emissions resulting from the utilization of such power generation.

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCHAKOWSKY OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike section 4125.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROOKS OF INDIANA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of chapter 2 of subtitle A of title IV, insert the following:

SEC. 4128. ENERGY SAVINGS FROM LUBRICATING OIL.

Not later than one year after the date of enactment of this Act, the Secretary of Energy, in cooperation with the Administrator of the Environmental Protection Agency and the Director of Management and Budget, shall—

- (1) review and update the report prepared pursuant to section 1838 of the Energy Policy Act of 2005;
- (2) after consultation with relevant Federal, State, and local agencies and affected industry and stakeholder groups, update data that was used in preparing that report; and
- (3) prepare and submit to Congress a coordinated Federal strategy to increase the beneficial reuse of used lubricating oil, that—

(A) is consistent with national policy as established pursuant to section 2 of the Used Oil Recycling Act of 1980 (Public Law 96–463); and

(B) addresses measures needed to—

- (i) increase the responsible collection of used oil;
- (ii) disseminate public information concerning sustainable reuse options for used oil; and
- (iii) promote sustainable reuse of used oil by Federal agencies, recipients of Federal grant funds, entities contracting with the Federal Government, and the general public.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ELLMERS OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of chapter 2 of subtitle A of title IV, add the following:

SEC. _____ . DEFINITION OF EXTERNAL POWER SUPPLY.

Section 321(36)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(36)(A)) is amended—

- (1) by striking the subparagraph designation and all that follows through “The term” and inserting the following:

“(A) EXTERNAL POWER SUPPLY.—

“(i) IN GENERAL.—The term”; and

- (2) by adding at the end the following:

“(ii) EXCLUSION.—The term ‘external power supply’ does not include a power supply circuit, driver, or device that is designed exclusively to be connected to, and power—

“(I) light-emitting diodes providing illumination;
or

“(II) organic light-emitting diodes providing illumination.”.

SEC. _____ . STANDARDS FOR POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.

(a) IN GENERAL.—Section 325(u) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)) is amended by adding at the end the following:

“(6) POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.—Notwithstanding the exclusion described in section 321(36)(A)(ii), the Secretary may prescribe, in accordance with subsections (o) and (p) and section 322(b), an energy conservation standard for a power supply circuit, driver, or device that is designed primarily to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination.”.

(b) ENERGY CONSERVATION STANDARDS.—Section 346 of the Energy Policy and Conservation Act (42 U.S.C. 6317) is amended by adding at the end the following:

“(g) ENERGY CONSERVATION STANDARD FOR POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.—Not earlier than 1 year after applicable testing requirements are prescribed under section 343, the Secretary may prescribe an energy conservation standard for a power supply circuit, driver, or device that is designed primarily to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination.”.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TONKO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In chapter 2 of subtitle A of title IV, add at the end the following new section:

SEC. 4128. WEATHERIZATION ASSISTANCE AND STATE ENERGY PROGRAMS.

(a) REAUTHORIZATION OF WEATHERIZATION ASSISTANCE PROGRAM.—Section 422 of the Energy Conservation and Production Act (42 U.S.C. 6872) is amended by striking “appropriated—” and all that follows through the period at the end and inserting “appropriated \$450,000,000 for each of fiscal years 2016 through 2020.”.

(b) REAUTHORIZATION OF STATE ENERGY PROGRAMS.—Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended by striking “\$125,000,000 for each of fiscal years 2007 through 2012” and inserting “\$75,000,000 for each of fiscal years 2016 through 2020”.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CASTOR OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

In subtitle A of title IV, add at the end the following new chapter:

CHAPTER 8—LOCAL ENERGY SUPPLY AND RESILIENCY

SEC. 4181. DEFINITIONS.

In this chapter:

(1) COMBINED HEAT AND POWER SYSTEM.—The term “combined heat and power system” means generation of electric energy and heat in a single, integrated system that meets the ef-

efficiency criteria in clauses (ii) and (iii) of section 48(c)(3)(A) of the Internal Revenue Code of 1986, under which heat that is conventionally rejected is recovered and used to meet thermal energy requirements.

(2) DEMAND RESPONSE.—The term “demand response” means changes in electric usage by electric utility customers from the normal consumption patterns of the customers in response to—

(A) changes in the price of electricity over time; or

(B) incentive payments designed to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized.

(3) DISTRIBUTED ENERGY.—The term “distributed energy” means energy sources and systems that—

(A) produce electric or thermal energy close to the point of use using renewable energy resources or waste thermal energy;

(B) generate electricity using a combined heat and power system;

(C) distribute electricity in microgrids;

(D) store electric or thermal energy; or

(E) distribute thermal energy or transfer thermal energy to building heating and cooling systems through a district energy system.

(4) DISTRICT ENERGY SYSTEM.—The term “district energy system” means a system that provides thermal energy to buildings and other energy consumers from 1 or more plants to individual buildings to provide space heating, air conditioning, domestic hot water, industrial process energy, and other end uses.

(5) ISLANDING.—The term “islanding” means a distributed generator or energy storage device continuing to power a location in the absence of electric power from the primary source.

(6) LOAN.—The term “loan” has the meaning given the term “direct loan” in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(7) MICROGRID.—The term “microgrid” means an integrated energy system consisting of interconnected loads and distributed energy resources, including generators and energy storage devices, within clearly defined electrical boundaries that—

(A) acts as a single controllable entity with respect to the grid; and

(B) can connect and disconnect from the grid to operate in both grid-connected mode and island mode.

(8) RENEWABLE ENERGY SOURCE.—The term “renewable energy source” includes—

(A) biomass;

(B) geothermal energy;

(C) hydropower;

(D) landfill gas;

(E) municipal solid waste;

(F) ocean (including tidal, wave, current, and thermal) energy;

(G) organic waste;

(H) photosynthetic processes;

(I) photovoltaic energy;

(J) solar energy; and
 (K) wind.

(9) RENEWABLE THERMAL ENERGY.—The term “renewable thermal energy” means heating or cooling energy derived from a renewable energy resource.

(10) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(11) THERMAL ENERGY.—The term “thermal energy” means—

(A) heating energy in the form of hot water or steam that is used to provide space heating, domestic hot water, or process heat; or

(B) cooling energy in the form of chilled water, ice, or other media that is used to provide air conditioning, or process cooling.

(12) WASTE THERMAL ENERGY.—The term “waste thermal energy” means energy that—

(A) is contained in—

(i) exhaust gases, exhaust steam, condenser water, jacket cooling heat, or lubricating oil in power generation systems;

(ii) exhaust heat, hot liquids, or flared gas from any industrial process;

(iii) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

(iv) a pressure drop in any gas, excluding any pressure drop to a condenser that subsequently vents the resulting heat;

(v) condenser water from chilled water or refrigeration plants; or

(vi) any other form of waste energy, as determined by the Secretary; and

(B)(i) in the case of an existing facility, is not being used;
 or

(ii) in the case of a new facility, is not conventionally used in comparable systems.

SEC. 4182. DISTRIBUTED ENERGY LOAN PROGRAM.

(a) LOAN PROGRAM.—

(1) IN GENERAL.—Subject to the provisions of this subsection and subsections (b) and (c), the Secretary shall establish a program to provide to eligible entities—

(A) loans for the deployment of distributed energy systems in a specific project; and

(B) loans to provide funding for programs to finance the deployment of multiple distributed energy systems through a revolving loan fund, credit enhancement program, or other financial assistance program.

(2) ELIGIBILITY.—Entities eligible to receive a loan under paragraph (1) include—

(A) a State, territory, or possession of the United States;

(B) a State energy office;

(C) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b));

- (D) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and
 - (E) an electric utility, including—
 - (i) a rural electric cooperative;
 - (ii) a municipally owned electric utility; and
 - (iii) an investor-owned utility.
- (3) **SELECTION REQUIREMENTS.**—In selecting eligible entities to receive loans under this section, the Secretary shall, to the maximum extent practicable, ensure—
- (A) regional diversity among eligible entities to receive loans under this section, including participation by rural States and small States; and
 - (B) that specific projects selected for loans—
 - (i) expand on the existing technology deployment program of the Department of Energy; and
 - (ii) are designed to achieve 1 or more of the objectives described in paragraph (4).
- (4) **OBJECTIVES.**—Each deployment selected for a loan under paragraph (1) shall include 1 or more of the following objectives:
- (A) Improved security and resiliency of energy supply in the event of disruptions caused by extreme weather events, grid equipment or software failure, or terrorist acts.
 - (B) Implementation of distributed energy in order to increase use of local renewable energy resources and waste thermal energy sources.
 - (C) Enhanced feasibility of microgrids, demand response, or islanding;
 - (D) Enhanced management of peak loads for consumers and the grid.
 - (E) Enhanced reliability in rural areas, including high energy cost rural areas.
- (5) **RESTRICTION ON USE OF FUNDS.**—Any eligible entity that receives a loan under paragraph (1) may only use the loan to fund programs relating to the deployment of distributed energy systems.
- (b) **LOAN TERMS AND CONDITIONS.**—
- (1) **TERMS AND CONDITIONS.**—Notwithstanding any other provision of law, in providing a loan under this section, the Secretary shall provide the loan on such terms and conditions as the Secretary determines, after consultation with the Secretary of the Treasury, in accordance with this section.
 - (2) **SPECIFIC APPROPRIATION.**—No loan shall be made unless an appropriation for the full amount of the loan has been specifically provided for that purpose.
 - (3) **REPAYMENT.**—No loan shall be made unless the Secretary determines that there is reasonable prospect of repayment of the principal and interest by the borrower of the loan.
 - (4) **INTEREST RATE.**—A loan provided under this section shall bear interest at a fixed rate that is equal or approximately equal, in the determination of the Secretary, to the interest rate for Treasury securities of comparable maturity.

(5) **TERM.**—The term of the loan shall require full repayment over a period not to exceed the lesser of—

(A) 20 years; or

(B) 90 percent of the projected useful life of the physical asset to be financed by the loan (as determined by the Secretary).

(6) **USE OF PAYMENTS.**—Payments of principal and interest on the loan shall—

(A) be retained by the Secretary to support energy research and development activities; and

(B) remain available until expended, subject to such conditions as are contained in annual appropriations Acts.

(7) **NO PENALTY ON EARLY REPAYMENT.**—The Secretary may not assess any penalty for early repayment of a loan provided under this section.

(8) **RETURN OF UNUSED PORTION.**—In order to receive a loan under this section, an eligible entity shall agree to return to the general fund of the Treasury any portion of the loan amount that is unused by the eligible entity within a reasonable period of time after the date of the disbursement of the loan, as determined by the Secretary.

(9) **COMPARABLE WAGE RATES.**—Each laborer and mechanic employed by a contractor or subcontractor in performance of construction work financed, in whole or in part, by the loan shall be paid wages at rates not less than the rates prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

(c) **RULES AND PROCEDURES; DISBURSEMENT OF LOANS.**—

(1) **RULES AND PROCEDURES.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall adopt rules and procedures for carrying out the loan program under subsection (a).

(2) **DISBURSEMENT OF LOANS.**—Not later than 1 year after the date on which the rules and procedures under paragraph (1) are established, the Secretary shall disburse the initial loans provided under this section.

(d) **REPORTS.**—Not later than 2 years after the date of receipt of the loan, and annually thereafter for the term of the loan, an eligible entity that receives a loan under this section shall submit to the Secretary a report describing the performance of each program and activity carried out using the loan, including itemized loan performance data.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as are necessary.

SEC. 4183. TECHNICAL ASSISTANCE AND GRANT PROGRAM.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary shall establish a technical assistance and grant program (referred to in this section as the “program”)—

(A) to disseminate information and provide technical assistance directly to eligible entities so the eligible entities can identify, evaluate, plan, and design distributed energy systems; and

- (B) to make grants to eligible entities so that the eligible entities may contract to obtain technical assistance to identify, evaluate, plan, and design distributed energy systems.
- (2) TECHNICAL ASSISTANCE.—The technical assistance described in paragraph (1) shall include assistance with 1 or more of the following activities relating to distributed energy systems:
- (A) Identification of opportunities to use distributed energy systems.
 - (B) Assessment of technical and economic characteristics.
 - (C) Utility interconnection.
 - (D) Permitting and siting issues.
 - (E) Business planning and financial analysis.
 - (F) Engineering design.
- (3) INFORMATION DISSEMINATION.—The information disseminated under paragraph (1)(A) shall include—
- (A) information relating to the topics described in paragraph (2), including case studies of successful examples;
 - (B) computer software and databases for assessment, design, and operation and maintenance of distributed energy systems; and
 - (C) public databases that track the operation and deployment of existing and planned distributed energy systems.
- (b) ELIGIBILITY.—Any nonprofit or for-profit entity shall be eligible to receive technical assistance and grants under the program.
- (c) APPLICATIONS.—
- (1) IN GENERAL.—An eligible entity desiring technical assistance or grants under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.
 - (2) APPLICATION PROCESS.—The Secretary shall seek applications for technical assistance and grants under the program—
 - (A) on a competitive basis; and
 - (B) on a periodic basis, but not less frequently than once every 12 months.
 - (3) PRIORITIES.—In selecting eligible entities for technical assistance and grants under the program, the Secretary shall give priority to eligible entities with projects that have the greatest potential for—
 - (A) facilitating the use of renewable energy resources;
 - (B) strengthening the reliability and resiliency of energy infrastructure to the impact of extreme weather events, power grid failures, and interruptions in supply of fossil fuels;
 - (C) improving the feasibility of microgrids or islanding, particularly in rural areas, including high energy cost rural areas;
 - (D) minimizing environmental impact, including regulated air pollutants and greenhouse gas emissions; and
 - (E) maximizing local job creation.
- (d) GRANTS.—On application by an eligible entity, the Secretary may award grants to the eligible entity to provide funds to cover not more than—

- (1) 100 percent of the costs of the initial assessment to identify opportunities;
 - (2) 75 percent of the cost of feasibility studies to assess the potential for the implementation;
 - (3) 60 percent of the cost of guidance on overcoming barriers to implementation, including financial, contracting, siting, and permitting issues; and
 - (4) 45 percent of the cost of detailed engineering.
- (e) RULES AND PROCEDURES.—
- (1) RULES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall adopt rules and procedures for carrying out the program.
 - (2) GRANTS.—Not later than 120 days after the date of issuance of the rules and procedures for the program, the Secretary shall issue grants under this chapter.
- (f) REPORTS.—The Secretary shall submit to Congress and make available to the public—
- (1) not less frequently than once every 2 years, a report describing the performance of the program under this section, including a synthesis and analysis of the information provided in the reports submitted to the Secretary under section 4181(c); and
 - (2) on termination of the program under this section, an assessment of the success of, and education provided by, the measures carried out by eligible entities during the term of the program.
- (g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$250,000,000 for the period of fiscal years 2016 through 2020, to remain available until expended.

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POLIS OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In subtitle A of title IV, add at the end the following new chapter:

CHAPTER 8—SURFACE ESTATE OWNER NOTIFICATION

SEC. 4181. SURFACE ESTATE OWNER NOTIFICATION.

The Secretary of the Interior shall—

- (1) notify surface estate owners and all owners of land located within 1 mile of a proposed oil or gas lease tract in writing at least 45 days in advance of lease sales;
- (2) within 10 working days after a lease is issued, notify surface estate owners and all owners of land located within 1 mile of a lease tract, regarding the identity of the lessee;
- (3) notify surface estate owners and all owners of land located within 1 mile of a lease tract in writing within 10 working days concerning any subsequent decisions regarding the lease, such as modifying or waiving stipulations and approving rights-of-way; and

(4) notify surface estate owners and all owners of land located within 1 mile of a lease tract, within 5 business days after issuance of a drilling permit under a lease.

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BARTON OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

TITLE VII—CHANGING CRUDE OIL MARKET CONDITIONS

SEC. 7001. FINDINGS.

The Congress finds the following:

(1) The United States has enjoyed a renaissance in energy production, establishing the United States as the world's leading oil producer.

(2) By authorizing crude oil exports, the Congress can spur domestic energy production, create and preserve jobs, help maintain and strengthen our independent shipping fleet that is essential to national defense, and generate State and Federal revenues.

(3) An energy-secure United States that is a net exporter of energy has the potential to transform the security environment around the world, notably in Europe and the Middle East.

(4) For our European allies and Israel, the presence of more United States oil in the market will offer more secure supply options, which will strengthen United States strategic alliances and help curtail the use of energy as a political weapon.

(5) The 60-ship Maritime Security Fleet is a vital element of our military's strategic sealift and global response capability. It assures United States-flag ships and United States crews will be available to support the United States military when it needs to mobilize to protect our allies, and is the most prudent and economical solution to meet current and projected sealift requirements for the United States.

(6) The Maritime Security Fleet program provides a labor base of skilled American mariners who are available to crew the United States Government-owned strategic sealift fleet, as well as the United States commercial fleet, in both peace and war.

(7) The United States has reduced its oil consumption over the past decade, and increasing investment in clean energy technology and energy efficiency will lower energy prices, reduce greenhouse gas emissions, and increase national security.

SEC. 7002. REPEAL.

Section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212) and the item relating thereto in the table of contents of that Act are repealed.

SEC. 7003. NATIONAL POLICY ON OIL EXPORT RESTRICTIONS.

Notwithstanding any other provision of law, to promote the efficient exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including fossil fuels, no official

of the Federal Government shall impose or enforce any restriction on the export of crude oil.

SEC. 7004. STUDIES.

(a) **GREENHOUSE GAS EMISSIONS.**—Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall conduct, and transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of, a study on the net greenhouse gas emissions that will result from the repeal of the crude oil export ban under section 7002.

(b) **CRUDE OIL EXPORT STUDY.**—

(1) **IN GENERAL.**—The Department of Commerce, in consultation with the Department of Energy, and other departments as appropriate, shall conduct a study of the State and national implications of lifting the crude oil export ban with respect to consumers and the economy.

(2) **CONTENTS.**—The study conducted under paragraph (1) shall include an analysis of—

(A) the economic impact that exporting crude oil will have on the economy of the United States;

(B) the economic impact that exporting crude oil will have on consumers, taking into account impacts on energy prices;

(C) the economic impact that exporting crude oil will have on domestic manufacturing, taking into account impacts on employment; and

(D) the economic impact that exporting crude oil will have on the refining sector, taking into account impacts on employment.

(3) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Bureau of Industry and Security shall submit to Congress a report containing the results of the study conducted under paragraph (1).

SEC. 7005. SAVINGS CLAUSE.

Nothing in this title limits the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.), the Trading With the Enemy Act (50 U.S.C. App. 1 et seq.), or any other provision of law that imposes sanctions on a foreign person or foreign government (including any provision of law that prohibits or restricts United States persons from engaging in a transaction with a sanctioned person or government), including a foreign government that is designated as a state sponsor of terrorism, to prohibit exports.

SEC. 7006. PARTNERSHIPS WITH MINORITY SERVING INSTITUTIONS.

(a) **IN GENERAL.**—The Department of Energy shall continue to develop and broaden partnerships with minority serving institutions, including Hispanic Serving Institutions (HSI) and Historically Black Colleges and Universities (HBCUs) in the areas of oil and gas exploration, production, midstream, and refining.

(b) **PUBLIC-PRIVATE PARTNERSHIPS.**—The Department of Energy shall encourage public-private partnerships between the energy

sector and minority serving institutions, including Hispanic Serving Institutions and Historically Black Colleges and Universities.

SEC. 7007. REPORT.

Not later than 10 years after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report that reviews the impact of lifting the oil export ban under this title as it relates to promoting United States energy and national security.

SEC. 7008. REPORT TO CONGRESS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report analyzing how lifting the ban on crude oil exports will help create opportunities for veterans and women in the United States, while promoting energy and national security.

SEC. 7009. PROHIBITION ON EXPORTS OF CRUDE OIL, REFINED PETROLEUM PRODUCTS, AND PETROCHEMICAL PRODUCTS TO THE ISLAMIC REPUBLIC OF IRAN.

Nothing in this title shall be construed to authorize the export of crude oil, refined petroleum products, and petrochemical products by or through any entity or person, wherever located, subject to the jurisdiction of the United States to any entity or person located in, subject to the jurisdiction of, or sponsored by the Islamic Republic of Iran.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CRAMER OF NORTH DAKOTA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

TITLE _____—OTHER MATTERS

SEC. _____. VOLUNTARY VEGETATION MANAGEMENT OUTSIDE RIGHTS-OF-WAY.

(a) **AUTHORIZATION.**—The Secretary of the Interior or the Secretary of Agriculture may authorize an owner or operator of an electric transmission or distribution facility to manage vegetation selectively within 150 feet of the exterior boundary of the right-of-way near structures for selective thinning and fuel reduction.

(b) **STATUS OF REMOVED VEGETATION.**—Any vegetation removed pursuant to this section shall be the property of the United States and not available for sale by the owner or operator.

(c) **LIMITATION ON LIABILITY.**—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildlife damage, loss, or injury, including the cost of fire suppression, resulting from activities carried out pursuant to subsection (a) except in the case of harm resulting from the owner or operator's gross negligence or criminal misconduct.

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DUFFY OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new title:

TITLE VII—OTHER MATTERS

SEC. 7001. ASSESSMENT OF REGULATORY REQUIREMENTS.

(a) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall ensure that the requirements described in subsection (b) are satisfied.

(b) **REQUIREMENTS.**—The Administrator shall satisfy—

(1) section 4 of Executive Order 12866 (5 U.S.C. 601 note) (relating to regulatory planning and review) and Executive Order 13563 (5 U.S.C. 601 note) (relating to improving regulation and regulatory review) (or any successor Executive order establishing requirements applicable to the uniform reporting of regulatory and deregulatory agendas);

(2) section 602 of title 5, United States Code;

(3) section 8 of Executive Order 13132 (5 U.S.C. 601 note) (relating to federalism); and

(4) section 202(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532(a)).

28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOSAR OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new title:

TITLE VII—OTHER MATTERS

SEC. 7001. DEFINITIONS.

In this title:

(1) **COVERED CIVIL ACTION.**—The term “covered civil action” means a civil action containing a claim under section 702 of title 5, United States Code, regarding agency action (as defined for the purposes of that section) affecting a covered energy project on Federal land.

(2) **COVERED ENERGY PROJECT.**—

(A) **IN GENERAL.**—The term “covered energy project” means—

(i) the leasing of Federal land for the exploration, development, production, processing, or transmission of oil, natural gas, coal, geothermal, hydroelectric, biomass, solar, or any other source of energy; and

(ii) any action under the lease.

(B) **EXCLUSION.**—The term “covered energy project” does not include any dispute between the parties to a lease regarding the obligations under the lease, including any alleged breach of the lease.

SEC. 7002. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.

Venue for any covered civil action shall lie in the United States district court in which the covered energy project or lease exists or is proposed.

SEC. 7003. TIMELY FILING.

To ensure timely redress by the courts, a covered civil action shall be filed not later than the end of the 90-day period beginning on the date of the final Federal agency action to which the covered civil action relates.

SEC. 7004. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as practicable.

SEC. 7005. LIMITATION ON INJUNCTION AND PROSPECTIVE RELIEF.

(a) **IN GENERAL.**—In a covered civil action, a court shall not grant or approve any prospective relief unless the court finds that the relief—

- (1) is narrowly drawn;
- (2) extends no further than necessary to correct the violation of a legal requirement; and
- (3) is the least intrusive means necessary to correct the violation.

(b) DURATION.—

(1) **IN GENERAL.**—A court shall limit the duration of preliminary injunctions to halt covered energy projects to not more than 60 days, unless the court finds clear reasons to extend the injunction.

(2) **ADMINISTRATION.**—In the case of an extension, the extension shall—

(A) only be in 30-day increments; and

(B) require action by the court to renew the injunction.

(a) **IN GENERAL.**—Sections 504 of title 5 and 2412 of title 28, United States Code (commonly known as the “Equal Access to Justice Act”), shall not apply to a covered civil action.

(b) **COURT COSTS.**—A party to a covered civil action shall not receive payment from the Federal Government for the attorneys’ fees, expenses, or other court costs incurred by the party.

SEC. 7006. LEGAL STANDING.

A challenger that files an appeal with the Department of the Interior Board of Land Appeals shall meet the same standing requirements as a challenger before a United States district court.

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JENKINS OF WEST VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new title:

TITLE VII—OTHER MATTERS

SEC. 7001. STUDY TO IDENTIFY LEGAL AND REGULATORY BARRIERS THAT DELAY, PROHIBIT, OR IMPEDE THE EXPORT OF NATURAL ENERGY RESOURCES.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to the Committee on Energy and Commerce and the Committee on Natural Resources of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the

Committee on Energy and Natural Resources of the Senate, the results of a study to—

- (1) identify legal and regulatory barriers that delay, prohibit, or impede the export of natural energy resources, including government and technical (physical or market) barriers that hinder coal, natural gas, oil, and other energy exports; and
- (2) estimate the economic impacts of such barriers.

30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROUZER OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

TITLE ____—OTHER MATTERS

SEC. ____ . REPEAL OF RULE FOR NEW RESIDENTIAL WOOD HEATERS.

The final rule entitled “Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces” published at 80 Fed. Reg. 13672 (March 16, 2015) shall have no force or effect and shall be treated as if such rule had never been issued.

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CASTOR OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new title:

TITLE VII—OTHER MATTERS

SEC. 7001. SHORT TITLE.

This title may be cited as the “Promoting Renewable Energy with Shared Solar Act of 2015”.

SEC. 7002. PROVISION OF INTERCONNECTION SERVICE AND NET BILLING SERVICE FOR COMMUNITY SOLAR FACILITIES.

(a) IN GENERAL.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

“(20) COMMUNITY SOLAR FACILITIES.—

“(A) DEFINITIONS.—In this paragraph:

“(i) COMMUNITY SOLAR FACILITY.—The term ‘community solar facility’ means a solar photovoltaic system that—

“(I) allocates electricity to multiple individual electric consumers of an electric utility;

“(II) has a nameplate rating of 2 megawatts or less; and

“(III) is—

“(aa) owned by the electric utility, jointly owned, or third-party-owned;

“(bb) connected to a local distribution facility of the electric utility; and

“(cc) located on or off the property of a consumer of the electricity.

“(ii) INTERCONNECTION SERVICE.—The term ‘interconnection service’ means a service provided by an electric utility to an electric consumer, in accordance with the standards described in paragraph (15), through which a community solar facility is connected to an applicable local distribution facility.

“(iii) NET BILLING SERVICE.—The term ‘net billing service’ means a service provided by an electric utility to an electric consumer through which electric energy generated for that electric consumer from a community solar facility may be used to offset electric energy provided by the electric utility to the electric consumer during the applicable billing period.

“(B) REQUIREMENT.—On receipt of a request of an electric consumer served by the electric utility, each electric utility shall make available to the electric consumer interconnection service and net billing service for a community solar facility.”.

(b) COMPLIANCE.—

(1) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

“(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has ratemaking authority) and each nonregulated utility shall commence consideration under section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (20) of section 111(d).

“(B) Not later than 2 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has ratemaking authority), and each nonregulated electric utility shall complete the consideration and make the determination under section 111 with respect to the standard established by paragraph (20) of section 111(d).”.

(2) FAILURE TO COMPLY.—

(A) IN GENERAL.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended—

(i) by striking “such paragraph (14)” and all that follows through “paragraphs (16)” and inserting “such paragraph (14). In the case of the standard established by paragraph (15) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (15). In the case of the standards established by paragraphs (16)”; and

(ii) by adding at the end the following: “In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed

to be a reference to the date of enactment of that paragraph (20).”.

(B) TECHNICAL CORRECTION.—

(i) IN GENERAL.—Section 1254(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 971) is amended by striking paragraph (2).

(ii) TREATMENT.—The amendment made by paragraph (2) of section 1254(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 971) (as in effect on the day before the date of enactment of this Act) is void, and section 112(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(d)) shall be in effect as if those amendments had not been enacted.

(3) PRIOR STATE ACTIONS.—

(A) IN GENERAL.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following:

“(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) shall not apply to the standard established by paragraph (20) of section 111(d) in the case of any electric utility in a State if, before the date of enactment of this subsection—

“(1) the State has implemented for the electric utility the standard (or a comparable standard);

“(2) the State regulatory authority for the State or the relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard (or a comparable standard) for the electric utility; or

“(3) the State legislature has voted on the implementation of the standard (or a comparable standard) for the electric utility.”.

(B) CROSS-REFERENCE.—Section 124 of the Public Utility Regulatory Policy Act of 1978 (16 U.S.C. 2634) is amended by adding at the end the following: “In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).”.

32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DE SAULNIER OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new title:

TITLE VII—OTHER MATTERS

SEC. 7001. STUDY OF VOLATILITY OF CRUDE OIL.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress the results of a study to determine the maximum level of volatility that is consistent with the safest practicable shipment of crude oil by rail.

33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DEUTCH
OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new title:

TITLE VII—MARINE HYDROKINETIC

SEC. 7001. DEFINITION OF MARINE AND HYDROKINETIC RENEWABLE ENERGY.

Section 632 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17211) is amended in the matter preceding paragraph (1) by striking “electrical”.

SEC. 7002. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

Section 633 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17212) is amended to read as follows:

“SEC. 633. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

“The Secretary, in consultation with the Secretary of the Interior, the Secretary of Commerce, and the Federal Energy Regulatory Commission, shall carry out a program of research, development, demonstration, and commercial application to accelerate the introduction of marine and hydrokinetic renewable energy production into the United States energy supply, giving priority to fostering accelerated research, development, and commercialization of technology, including—

“(1) to assist technology development to improve the components, processes, and systems used for power generation from marine and hydrokinetic renewable energy resources;

“(2) to establish critical testing infrastructure necessary—

“(A) to cost effectively and efficiently test and prove the efficacy of marine and hydrokinetic renewable energy devices; and

“(B) to accelerate the technological readiness and commercialization of those devices;

“(3) to support efforts to increase the efficiency of energy conversion, lower the cost, increase the use, improve the reliability, and demonstrate the applicability of marine and hydrokinetic renewable energy technologies by participating in demonstration projects;

“(4) to investigate variability issues and the efficient and reliable integration of marine and hydrokinetic renewable energy with the utility grid;

“(5) to identify and study critical short- and long-term needs to create a sustainable marine and hydrokinetic renewable energy supply chain based in the United States;

“(6) to increase the reliability and survivability of marine and hydrokinetic renewable energy technologies;

“(7) to verify the performance, reliability, maintainability, and cost of new marine and hydrokinetic renewable energy device designs and system components in an operating environment;

“(8) to coordinate and avoid duplication of activities across programs of the Department and other applicable Federal

agencies, including National Laboratories, and to coordinate public-private collaboration in all programs under this section;

“(9) to identify opportunities for joint research and development programs and development of economies of scale between—

“(A) marine and hydrokinetic renewable energy technologies; and

“(B) other renewable energy and fossil energy programs, offshore oil and gas production activities, and activities of the Department of Defense; and

“(10) to support in-water technology development with international partners using existing cooperative procedures (including memoranda of understanding)—

“(A) to allow cooperative funding and other support of value to be exchanged and leveraged; and

“(B) to encourage international research centers and international companies to participate in the development of water technology in the United States and to encourage United States research centers and United States companies to participate in water technology projects abroad.”.

SEC. 7003. NATIONAL MARINE RENEWABLE ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION CENTERS.

Section 634(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17213(b)) is amended to read as follows:

“(b) PURPOSES.—A Center (in coordination with the Department and National Laboratories) shall—

“(1) advance research, development, demonstration, and commercial application of marine and hydrokinetic renewable energy technologies;

“(2) support in-water testing and demonstration of marine and hydrokinetic renewable energy technologies, including facilities capable of testing—

“(A) marine and hydrokinetic renewable energy systems of various technology readiness levels and scales;

“(B) a variety of technologies in multiple test berths at a single location; and

“(C) arrays of technology devices; and

“(3) serve as information clearinghouses for the marine and hydrokinetic renewable energy industry by collecting and disseminating information on best practices in all areas relating to developing and managing marine and hydrokinetic renewable energy resources and energy systems.”.

SEC. 7004. AUTHORIZATION OF APPROPRIATIONS.

Section 636 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17215) is amended by striking “2008 through 2012” and inserting “2016 through 2019”.

34. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRAYSON OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

TITLE _____ —OTHER MATTERS

SEC. ____ . SMART METER PRIVACY RIGHTS.

(a) ELECTRICAL CORPORATION OR GAS CORPORATIONS.—

(1) For purposes of this section, “electrical or gas consumption data” means data about a customer’s electrical or natural gas usage that is made available as part of an advanced metering infrastructure, and includes the name, account number, or residence of the customer.

(2)(A) An electrical corporation or gas corporation shall not share, disclose, or otherwise make accessible to any third party a customer’s electrical or gas consumption data, except as provided in subsection (a) (5) or upon the consent of the customer.

(B) An electrical corporation or gas corporation shall not sell a customer’s electrical or gas consumption data or any other personally identifiable information for any purpose.

(C) The electrical corporation or gas corporation or its contractors shall not provide an incentive or discount to the customer for accessing the customer’s electrical or gas consumption data without the prior consent of the customer.

(D) An electrical or gas corporation that utilizes an advanced metering infrastructure that allows a customer to access the customer’s electrical and gas consumption data shall ensure that the customer has an option to access that data without being required to agree to the sharing of his or her personally identifiable information, including electrical or gas consumption data, with a third party.

(3) If an electrical corporation or gas corporation contracts with a third party for a service that allows a customer to monitor his or her electricity or gas usage, and that third party uses the data for a secondary commercial purpose, the contract between the electrical corporation or gas corporation and the third party shall provide that the third party prominently discloses that secondary commercial purpose to the customer.

(4) An electrical corporation or gas corporation shall use reasonable security procedures and practices to protect a customer’s unencrypted electrical or gas consumption data from unauthorized access, destruction, use, modification, or disclosure.

(5)(A) Nothing in this section shall preclude an electrical corporation or gas corporation from using customer aggregate electrical or gas consumption data for analysis, reporting, or program management if all information has been removed regarding the individual identity of a customer.

(B) Nothing in this section shall preclude an electrical corporation or gas corporation from disclosing a customer’s electrical or gas consumption data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided that, for contracts entered into after January 1, 2016, the utility has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruc-

tion, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the customer's consent.

(C) Nothing in this section shall preclude an electrical corporation or gas corporation from disclosing electrical or gas consumption data as required or permitted under State or Federal law or by an order of a State public utility commission.

(6) If a customer chooses to disclose his or her electrical or gas consumption data to a third party that is unaffiliated with, and has no other business relationship with, the electrical or gas corporation, the electrical or gas corporation shall not be responsible for the security of that data, or its use or misuse.

(b) LOCAL PUBLICLY OWNED ELECTRIC UTILITIES.—

(1) For purposes of this section, "electrical consumption data" means data about a customer's electrical usage that is made available as part of an advanced metering infrastructure, and includes the name, account number, or residence of the customer.

(2)(A) A local publicly owned electric utility shall not share, disclose, or otherwise make accessible to any third party a customer's electrical consumption data, except as provided in subsection (b) (5) or upon the consent of the customer.

(B) A local publicly owned electric utility shall not sell a customer's electrical consumption data or any other personally identifiable information for any purpose.

(C) The local publicly owned electric utility or its contractors shall not provide an incentive or discount to the customer for accessing the customer's electrical consumption data without the prior consent of the customer.

(D) A local publicly owned electric utility that utilizes an advanced metering infrastructure that allows a customer to access the customer's electrical consumption data shall ensure that the customer has an option to access that data without being required to agree to the sharing of his or her personally identifiable information, including electrical consumption data, with a third party.

(3) If a local publicly owned electric utility contracts with a third party for a service that allows a customer to monitor his or her electricity usage, and that third party uses the data for a secondary commercial purpose, the contract between the local publicly owned electric utility and the third party shall provide that the third party prominently discloses that secondary commercial purpose to the customer.

(4) A local publicly owned electric utility shall use reasonable security procedures and practices to protect a customer's unencrypted electrical consumption data from unauthorized access, destruction, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the customer's consent.

(5)(A) Nothing in this section shall preclude a local publicly owned electric utility from using customer aggregate electrical consumption data for analysis, reporting, or program manage-

ment if all information has been removed regarding the individual identity of a customer.

(B) Nothing in this section shall preclude a local publicly owned electric utility from disclosing a customer's electrical consumption data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided, for contracts entered into after January 1, 2016, that the utility has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure.

(C) Nothing in this section shall preclude a local publicly owned electric utility from disclosing electrical consumption data as required under State or Federal law.

(6) If a customer chooses to disclose his or her electrical consumption data to a third party that is unaffiliated with, and has no other business relationship with, the local publicly owned electric utility, the utility shall not be responsible for the security of that data, or its use or misuse.

35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

TITLE _____—OTHER MATTERS

SEC. _____. YOUTH ENERGY ENTERPRISE COMPETITION.

The Secretaries of Energy and Commerce shall jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science, technology, engineering, and math, especially as those fields relate to energy.

36. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

TITLE _____—OTHER MATTERS

SEC. _____. MODERNIZATION OF TERMS RELATING TO MINORITIES.

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking “a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent” and inserting “Asian American, African American, Hispanic, Puerto Rican, Native American, or an Alaska Native”.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of

1976 (42 U.S.C. 6705(f)(2)) is amended by striking “Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts” and inserting “Asian American, African American, Hispanic, Native American, or Alaska Natives”.

37. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PALLONE JR. OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new title:

TITLE VII—EFFECTIVE DATE

SEC. 7001. EFFECTIVE DATE.

This Act shall not take effect until the Energy Information Administration has analyzed and published a report on the carbon impacts of the provisions of this Act.

38. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NORCROSS OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title III, add the following new section:

SEC. 3007. REPORT ON SMART METER SECURITY CONCERNS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress a report on the weaknesses in currently available smart meters’ security architecture and features, including an absence of event logging, as described in the Government Accountability Office testimony entitled “Critical Infrastructure Protection: Cybersecurity of the Nation’s Electricity Grid Requires Continued Attention” on October 21, 2015.