

119TH CONGRESS
2D SESSION

H. R. 7977

To provide relief from high energy bills, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2026

Mr. CASTEN (for himself, Mr. LEVIN, Ms. ANSARI, Ms. BALINT, Ms. BARRAGÁN, Mr. BELL, Mr. BEYER, Ms. BONAMICI, Ms. BROWNLEY, Ms. BUDZINSKI, Ms. BYNUM, Mr. CARBAJAL, Mr. CARSON, Mr. CASE, Ms. CASTOR of Florida, Mrs. CHERFILUS-McCORMICK, Ms. CHU, Mr. CISNEROS, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Ms. CRAIG, Ms. DEAN of Pennsylvania, Ms. DELBENE, Mr. DESAULNIER, Ms. DEXTER, Mrs. DINGELL, Mr. DOGGETT, Ms. ELFRETH, Mr. ESPAILLAT, Mr. EVANS of Pennsylvania, Mrs. FOUSHEE, Mr. FROST, Mr. GARCÍA of Illinois, Mr. GOLDMAN of New York, Mrs. GRIJALVA, Mr. HERNÁNDEZ, Mr. HORSFORD, Ms. HOYLE of Oregon, Mr. HUFFMAN, Ms. JACOBS, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Ms. KAMLAGER-DOVE, Ms. KELLY of Illinois, Mr. KRISHNAMOORTHY, Mr. LANDSMAN, Mr. LATIMER, Ms. LEE of Pennsylvania, Ms. LEE of Nevada, Ms. LEGER FERNANDEZ, Mr. LIEU, Ms. LOFGREN, Mr. LYNCH, Mr. MAGAZINER, Mr. MANNION, Ms. MATSUI, Ms. MCBRIDE, Mrs. MCCLAIN DELANEY, Ms. MCCLELLAN, Ms. MCCOLLUM, Ms. McDONALD RIVET, Mr. MCGARVEY, Mr. MCGOVERN, Mr. MENEFEY, Ms. MENG, Mr. MFUME, Mr. MIN, Mr. MORELLE, Ms. MORRISON, Mr. MOULTON, Mr. MRVAN, Mr. MULLIN, Mr. NADLER, Mr. NEGUSE, Ms. NORTON, Ms. OCASIO-CORTEZ, Mr. OLSZEWSKI, Ms. OMAR, Ms. PETTERSEN, Ms. PINGREE, Mr. POCAN, Mr. QUIGLEY, Mrs. RAMIREZ, Ms. RIVAS, Ms. ROSS, Mr. RUIZ, Ms. SALINAS, Ms. SCANLON, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Ms. SCHOLTEN, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Ms. SIMON, Mr. SMITH of Washington, Mr. SORENSEN, Ms. STANSBURY, Mr. STANTON, Ms. STEVENS, Mr. SUBRAMANYAM, Mr. SUOZZI, Mr. TAKANO, Mr. THANEDAR, Mr. THOMPSON of Mississippi, Ms. TITUS, Ms. TLAIB, Ms. TOKUDA, Mr. TONKO, Mr. TORRES of New York, Mrs. TRAHAN, Mr. TRAN, Ms. UNDERWOOD, Mr. VARGAS, Mr. VASQUEZ, Mr. VINDMAN, Mr. WALKINSHAW, Ms. WATERS, Mrs. WATSON COLEMAN, Mr. WHITESIDES, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Ways and Means, Natural Resources, Financial Services, Transportation and Infrastructure, Education and Workforce, Oversight and Government Reform,

and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide relief from high energy bills, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Energy Bills Relief Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
 7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REVERSING ATTACKS ON LOW-COST, CLEAN ENERGY

Subtitle A—Restoring Tax Credits for Low-Cost, Clean Energy

Sec. 101. Repealing H.R. 1 rollbacks of low-cost, clean energy tax credits.

Subtitle B—Stopping Administration Overreach Against Low-Cost, Clean
Energy

Sec. 111. Reversing grant terminations for low-cost, clean energy.

Sec. 112. Prevention of administrative abuse of Federal permitting of low-cost,
clean energy.

Sec. 113. Ratepayer protection against uneconomic power generation.

TITLE II—CUTTING ENERGY BILLS FOR AMERICAN FAMILIES

Sec. 201. Lowering household heating and cooling bills.

Sec. 202. Home weatherization.

Sec. 203. Reflective roofing.

Sec. 204. Domestic natural gas price protection.

Sec. 205. Rural energy savings.

TITLE III—UNCLOGGING THE LOW-COST, CLEAN ENERGY
BOTTLENECK

- Sec. 301. Expedited generator interconnection.
- Sec. 302. Advanced transmission technologies.
- Sec. 303. Electricity transformers.
- Sec. 304. Streamlining permitting of distributed energy.
- Sec. 305. Community solar.
- Sec. 306. Low-cost, clean energy in United States territories.

TITLE IV—BUILDING OUT A 21ST CENTURY ELECTRICITY GRID

Subtitle A—Amendments to the Federal Power Act

- Sec. 401. Definitions.
- Sec. 402. Interregional electric transmission planning.
- Sec. 403. Allocation of costs of electric transmission facilities of national significance.
- Sec. 404. Minimum interregional transfer capability.
- Sec. 405. Increased FERC transmission siting authority.
- Sec. 406. Prohibiting expensive, unjust queue jumping.

Subtitle B—Tax and Grants

- Sec. 411. Transmission investment tax credit.
- Sec. 412. Reduced wildfire risks to the grid.

Subtitle C—Transmission Governance Reform

- Sec. 421. FERC staffing.
- Sec. 422. FERC fee assessments.
- Sec. 423. State public utility commission capacity grants.
- Sec. 424. Independent transmission monitors.
- Sec. 425. Aggregator bidding into organized wholesale electric markets.
- Sec. 426. RTO and ISO governance and participation.
- Sec. 427. Modernized grid data and analytics.

TITLE V—DEPLOYING LOW-COST, CLEAN ENERGY RESPONSIBLY ON PUBLIC LANDS AND WATERS

Subtitle A—Public Land Renewable Energy Development

- Sec. 501. Public land renewable energy development.
- Sec. 502. Geothermal cost recovery.
- Sec. 503. Geothermal Gold Book development.

Subtitle B—Offshore Renewable Deployment

- Sec. 511. Responsible development of offshore renewable energy.
- Sec. 512. Compensation for offshore renewable energy projects.
- Sec. 513. Interoperability of offshore electric transmission infrastructure.

TITLE VI—PROTECTING CONSUMERS IN ELECTRICITY REGULATION

- Sec. 601. Utility earnings tied to ratepayer benefits.
- Sec. 602. Consumer protection from energy market manipulation.
- Sec. 603. Avoiding cost shifts onto families.
- Sec. 604. True costs and value of energy for economic and public benefit.
- Sec. 605. Grid performance disclosure.

TITLE VII—COLLABORATING WITH COMMUNITIES FOR
SUCCESSFUL DEPLOYMENT

- Sec. 701. Federal permitting capacity.
- Sec. 702. Interagency environmental data system.
- Sec. 703. Timely public release of NEPA documentation.
- Sec. 704. Community benefits agreements.
- Sec. 705. Intervenor funding at FERC Office of Public Participation.
- Sec. 706. Senior community engagement officers and Tribal community engagement officers.
- Sec. 707. Capacity grants for permitting and community engagement.

1 **TITLE I—REVERSING ATTACKS**
 2 **ON LOW-COST, CLEAN ENERGY**
 3 **Subtitle A—Restoring Tax Credits**
 4 **for Low-cost, Clean Energy**

5 **SEC. 101. REPEALING H.R. 1 ROLLBACKS OF LOW-COST,**
 6 **CLEAN ENERGY TAX CREDITS.**

7 (a) REPEAL.—Subchapter A of chapter 5 of subtitle
 8 A of title VII of Public Law 119–21 is hereby repealed.

9 (b) AMENDMENTS.—Each provision of law amended
 10 by such subchapter is amended to read as such provision
 11 would read if such subchapter had never been enacted.

12 (c) EFFECTS.—Each amendment made by subsection
 13 (b) shall take effect as if included in the provision of such
 14 subchapter to which such amendment relates.

1 **Subtitle B—Stopping Administra-**
2 **tion Overreach Against Low-**
3 **Cost, Clean Energy**

4 **SEC. 111. REVERSING GRANT TERMINATIONS FOR LOW-**
5 **COST, CLEAN ENERGY.**

6 (a) The Department of Energy, the Environmental
7 Protection Agency, and the Department of Transportation
8 may not terminate a Federal award in part or its entirety,
9 require a renegotiation or rescoping of the Federal award,
10 or decide not to fund a future budget period of a Federal
11 award on the basis that the Federal award no longer effec-
12 tuates the program goals or agency priorities, including
13 pursuant to section 200.340(a)(4) of title 2, Code of Fed-
14 eral Regulations.

15 (b) Any Federal award that was terminated, renegoti-
16 ated, rescoped, or not progressed to future budget periods
17 by the Department of Energy, the Environmental Protec-
18 tion Agency, or the Department of Transportation after
19 January 19, 2025, for no longer effectuating the program
20 goals or agency priorities, including pursuant to section
21 200.340(a)(4) of title 2, Code of Federal Regulations,
22 shall be reinstated by such agency or entity under its pre-
23 vious terms and conditions.

1 **SEC. 112. PREVENTION OF ADMINISTRATIVE ABUSE OF**
2 **FEDERAL PERMITTING OF LOW-COST, CLEAN**
3 **ENERGY.**

4 (a) REQUIREMENT FOR PARITY.—The Council on
5 Environmental Quality, in consultation with all applicable
6 Federal agencies, shall ensure, via subsection (b), that the
7 processing of applications, authorizations, or related ap-
8 provals as well as denials and the activities referenced in
9 subsection (g) for wind, solar, storage, or related electric
10 transmission projects on Federal and non-Federal land
11 and waters is not subject to more restrictive or burden-
12 some procedural requirements than those applied to appli-
13 cations for oil, gas, or coal projects on Federal and non-
14 Federal land and waters and does not bias Federal deci-
15 sion making in favor of oil, gas, or coal projects, includ-
16 ing—

17 (1) requirements for elevated or discretionary
18 review by the Secretary, Deputy Secretary, other po-
19 litical appointees, or career employees;

20 (2) additional documentation or review not re-
21 quired for oil, gas, or coal projects;

22 (3) withholding, delaying, or reversing decisions
23 by local or regional entities for wind, solar, storage,
24 or related electric transmission projects for reasons
25 not applied to oil, gas or coal projects; and

1 (4) denial of routine administrative approvals,
2 such as testing permits or cost recovery agreements,
3 or notices to proceed once all criteria have been met
4 for approval, based on underlying technology.

5 (b) POLICY REVIEW.—

6 (1) REVIEW.—Not later than 90 days after the
7 date of enactment of this section, the Council on En-
8 vironmental Quality, in consultation with all applica-
9 ble Federal agencies, shall—

10 (A) review all applicable regulations, guid-
11 ance documents, policy manuals, departmental
12 directives, Secretarial orders, and other proce-
13 dures regarding energy development; and

14 (B) identify any provision of such regula-
15 tions, documents, manuals, directives, orders,
16 and procedures not otherwise required in stat-
17 ute that do not comply with the requirements in
18 subsection (a).

19 (2) RESCISSION.—Not later than 120 days
20 after the date of enactment of this section, the appli-
21 cable Secretary or Administrator shall rescind or
22 amend as necessary any provision identified under
23 subsection (a).

24 (c) ACCOUNTABILITY IN PERMITTING.—Not later
25 than 180 days after the date of enactment of this section

1 and annually thereafter, the Comptroller General of the
2 United States shall submit to Congress a report on actions
3 taken by all applicable Federal agencies related to permit-
4 ting for energy projects, which shall include—

5 (1) an analysis of the procedures used by all
6 applicable Federal agencies for processing applica-
7 tions, authorizations, or approvals for wind, solar,
8 storage, or related electric transmission projects on
9 Federal and non-Federal land and waters and how
10 those procedures compare to those used for oil, gas,
11 or coal projects;

12 (2) an analysis of the number of days applicable
13 Federal agencies took during the previous calendar
14 year to process applications, authorizations or ap-
15 provals for wind, solar, storage, or related electric
16 transmission projects on Federal and non-Federal
17 land and waters compared to the number of days to
18 process applications, authorizations or approvals for
19 oil, gas, or coal projects; and

20 (3) an assessment of whether applicable Fed-
21 eral agencies treated wind, solar, storage, or related
22 electric transmission projects the same as oil, gas, or
23 coal projects during the previous calendar year.

24 (d) ENSURING ENERGY SECURITY.—

1 (1) LIMITATION ON ISSUANCE OF CERTAIN AP-
2 PROVALS.—Beginning on the date of enactment of
3 this Act—

4 (A) the Secretary of the Interior may not
5 approve a permit to extract coal or to drill on
6 an onshore oil or gas lease on Federal land un-
7 less an approval for onshore wind or solar de-
8 velopment has been issued during the 120-day
9 period ending on the date of the issuance of the
10 approval for oil or gas development; and

11 (B) the Secretary of the Interior may not
12 approve a permit to drill on an offshore oil or
13 gas lease on the Outer Continental Shelf under
14 section 2(a) of the Outer Continental Shelf
15 Lands Act (43 U.S.C. 1331(a)) unless an ap-
16 proval for offshore wind development on the
17 Outer Continental Shelf of similar scope has
18 been issued during the 120-day period ending
19 on the date of the issuance of the approval for
20 oil or gas development.

21 (2) RULES OF CONSTRUCTION.—Nothing in
22 this section shall be construed to require the Sec-
23 retary to approve applications for a permit to drill
24 for onshore or offshore oil or gas development or a
25 permit to extract coal.

1 (e) TIMELY FEDERAL REVIEW.—

2 (1) DEADLINES TO COMPLETE ENVIRON-
3 MENTAL REVIEWS UNDER NEPA.—With respect to
4 any proposed wind, solar, storage, or related electric
5 transmission development on Federal land or waters,
6 including the Outer Continental Shelf, requiring an
7 environmental impact statement or environmental
8 assessment pursuant to the National Environmental
9 Policy Act of 1969 (42 U.S.C. 4321 et seq.), the
10 Secretary shall complete such environmental impact
11 statement or environmental assessment within the
12 deadlines established under section 107(g) of the
13 National Environmental Policy Act of 1969 (42
14 U.S.C. 4336a(g)).

15 (2) DEADLINE FOR DETERMINATION OF RIGHT-
16 OF-WAY.—Not later than 180 days after completion
17 of the environmental impact statement or environ-
18 mental assessment, as applicable, for wind, solar,
19 storage, or related electric transmission development
20 on Federal land or waters, including the Outer Con-
21 tinental Shelf, the Secretary shall issue a right-of-
22 way, except in the event that a no action alternative
23 is selected.

24 (f) JUDICIAL REVIEW.—

25 (1) REVIEWABILITY.—

1 (A) IN GENERAL.—If a Federal agency
2 suspends construction or operations of a wind,
3 solar, storage, or related electric transmission
4 project, or otherwise prevents a wind, solar,
5 storage, or related electric transmission project
6 from commencing and completing construction,
7 operation, or related ancillary activities, includ-
8 ing by revoking, rescinding, withdrawing, termi-
9 nating, suspending, amending, altering, or oth-
10 erwise rendering ineffective any authorization
11 for a project or the final environmental docu-
12 ment the authorization relies on, shall be con-
13 sidered final agency action subject to judicial
14 review under chapter 7 of title 5, United States
15 Code.

16 (B) VENUE.—A person seeking judicial re-
17 view for an action described in subparagraph
18 (A) shall obtain review of such action in the
19 United States Court of Appeals for any circuit
20 wherein the project is located.

21 (2) TIMING.—For any claim brought regarding
22 an action in paragraph (A), the court of competent
23 jurisdiction shall issue a decision for such chal-
24 lenge—

25 (A) as expeditiously as practicable; and

1 (B) not later than the date that is 30 days
2 after the date on which the civil action is filed,
3 unless the court determines that additional time
4 is required in the interests of justice.

5 (3) APPLICABILITY.—This section shall apply
6 to any actions in paragraph (1) that occurred after
7 January 19, 2025.

8 (g) ENSURING FAIRNESS ON FEDERAL LANDS AND
9 WATERS.—

10 (1) FLPMA AMENDMENTS.—The Federal Land
11 Policy and Management Act of 1976 is amended—

12 (A) in section 103(c) (43 U.S.C. 1702(c)),
13 by striking “historical values;” and inserting
14 “historical values, including the generation,
15 transmission, and storage of renewable energy
16 sources such as wind, solar, and geothermal en-
17 ergy;”; and

18 (B) in section 302 (43 U.S.C. 1732), by
19 inserting at the end “(e) The Secretary shall
20 manage the public lands to facilitate the gen-
21 eration, transmission, and storage of renewable
22 energy resources, consistent with the principles
23 of multiple use and sustained yield under this
24 Act. For the purposes of this Act, such activi-

1 ties are deemed to be consistent with multiple-
2 use management.”.

3 (2) OCSLA AMENDMENTS.—Section 8(p) of the
4 Outer Continental Shelf Lands Act (43 U.S.C.
5 1337(p)) is amended by striking paragraph (4) and
6 inserting the following:

7 “(4) REQUIREMENTS.—The Secretary shall en-
8 sure that any activity under this subsection is car-
9 ried out in a manner that provides for a balance
10 of—

11 “(A) safety;

12 “(B) the protection of the environment;

13 “(C) the prevention of waste;

14 “(D) the conservation of the natural re-
15 sources of the outer Continental Shelf;

16 “(E) coordination with relevant Federal
17 agencies and Tribal, State, and local govern-
18 ments;

19 “(F) the protection of the national security
20 interests of the United States, including energy
21 security;

22 “(G) the protection of correlative rights in
23 the outer Continental Shelf, including the en-
24 ergy generation potential of other offshore re-
25 newable energy leases;

1 “(H) a fair return to the United States for
2 any lease, easement, or right-of-way under this
3 subsection;

4 “(I) prevention of unreasonable inter-
5 ference with other uses of the exclusive eco-
6 nomic zone, the high seas, and the territorial
7 seas, as determined by the Secretary;

8 “(J) consideration of—

9 “(i) the location of, and any schedule
10 relating to, a lease, easement, or right-of-
11 way for an area of the outer Continental
12 Shelf; and

13 “(ii) any other use of the sea or sea-
14 bed, including use for a fishery or fishery
15 survey, a sealane, a regional coastal ob-
16 serving system or other scientific observa-
17 tion platform such as a buoy, a potential
18 site of a deepwater port, or navigation;

19 “(K) public notice and comment on any
20 proposal submitted for a lease, easement, or
21 right-of-way under this subsection;

22 “(L) the oversight, inspection, research,
23 monitoring, and enforcement relating to a lease,
24 easement, or right-of-way under this subsection;
25 and

1 “(M) the consideration of any applicable
2 Federal, Tribal, and State renewable energy
3 mandates, targets, and goals.”.

4 **SEC. 113. RATEPAYER PROTECTION AGAINST UNECONOMIC**
5 **POWER GENERATION.**

6 Section 202(c) of the Federal Power Act (16 U.S.C.
7 824a) is amended—

8 (1) in paragraph (1)—

9 (A) by striking “Commission” after “Dur-
10 ing the continuance of any war in which the
11 United States is engaged, or whenever the” and
12 inserting “Secretary of Energy (referred to in
13 this subsection as the ‘Secretary’)”;

14 (B) by striking “exists” after “determines
15 that an emergency” and inserting “currently
16 exists or will occur within 6 months”;

17 (C) by striking “Commission” after “or
18 other causes, the” and inserting “Secretary”;

19 (D) by inserting “As part of the order, the
20 Secretary shall explain why such order best
21 meets the emergency and serves the public in-
22 terest.” after “serve the public interest.”; and

23 (E) by striking “Commission” after “car-
24 rying out such order, the” and inserting “Fed-

1 eral Energy Regulatory Commission (referred
2 to in this subsection as the ‘Commission’);

3 (2) in paragraph (2)—

4 (A) by striking “Commission” after “law
5 or regulation, the” and inserting “Secretary”;
6 and

7 (B) by adding at the end the following:
8 “The Secretary shall state in such orders—

9 “(A) that are in effect for 96 or fewer
10 hours, the specific hours that are necessary to
11 meet the emergency and serve the public inter-
12 est; or

13 “(B) that are in effect for more than 96
14 hours, the specific methodology by which such
15 hours that are necessary to meet the emergency
16 and serve the public interest were determined.”.

17 (3) in paragraph (4)—

18 (A) by striking “Commission” wherever it
19 appears and inserting “Secretary”;

20 (B) in subparagraph (A), by striking “that
21 may result in a conflict with a requirement of
22 any Federal, State, or local environmental law
23 or regulation”;

24 (C) in subparagraph (B)—

1 (i) by inserting “that may result in a
2 conflict with a requirement of any Federal,
3 State, or local environmental law or regula-
4 tion” after “In renewing or reissuing an
5 order under subparagraph (A)”; and

6 (ii) by inserting “The Secretary shall
7 make available to the public the primary
8 Federal agency consulted.” after “prac-
9 ticable.”; and

10 (D) by adding at the end—

11 “(C) Before renewing or reissuing an order
12 under subparagraph (A), the Secretary shall
13 undertake a robust study of available alter-
14 natives that would reduce the net costs as com-
15 pared to renewing or reissuing the order.

16 “(D) In the event the Secretary issues a
17 renewed or reissued order under this para-
18 graph, a petition for judicial review of such re-
19 newed or reissued order may be filed under sec-
20 tion 313(b) without filing a request for rehear-
21 ing or otherwise complying with any require-
22 ments of section 313(a).”; and

23 (4) by adding at the end the following:

1 “(6)(A) Not later than 30 days after the date
2 on which the Secretary issues an order under para-
3 graph (1), the Commission shall publish—

4 “(i) estimates of the costs that are ex-
5 pected to be incurred by any electric utility
6 and customers of such electric utility as a
7 result of the order; and

8 “(ii) other expected impacts of the
9 order.

10 “(B) Not later than 60 days after the date
11 on which the Secretary issues an order under
12 paragraph (1), an electric utility that has been,
13 or is expected to be, affected as a result of the
14 order, including any electric utility described in
15 subparagraph (A)(i), shall provide in writing to
16 customers of the electric utility a description of
17 the costs incurred due to the order, or costs ex-
18 pected to be incurred as a result of the order,
19 including any information relevant to the elec-
20 tric utility and the customers of the electric
21 utility published under subparagraph (A).”.

1 **TITLE II—CUTTING ENERGY**
2 **BILLS FOR AMERICAN FAMILIES**

3 **SEC. 201. LOWERING HOUSEHOLD HEATING AND COOLING**
4 **BILLS.**

5 (a) FUNDING.—Section 2602 of the Low-Income
6 Home Energy Assistance Act of 1981 (42 U.S.C. 8621)
7 is amended—

8 (1) in subsection (b)—

9 (A) by striking “section 2607A)” and in-
10 serting “section 2604(e), 2605(u), 2607A,
11 2607B, or 2607C)””; and

12 (B) by striking “\$2,000,000,000” and all
13 that follows and inserting “such sums as may
14 be necessary, including such sums as may be
15 necessary to enable the States to assist all
16 households that meet the eligibility require-
17 ments established under this title and to enable
18 States to implement home energy affordability
19 measures described in section 2605(b)(3).”;

20 (2) in subsection (e), in the first sentence—

21 (A) by striking “in each fiscal year”;

22 (B) by striking “\$600,000,000” and in-
23 serting “\$2,000,000,000 for fiscal year 2026,
24 and \$2,000,000,000 plus such additional sums

1 as may be necessary for each fiscal year there-
2 after,”; and

3 (C) by inserting “, or arising from a major
4 disaster, as defined in section 2604(e)(1)” be-
5 fore the period at the end; and

6 (3) by adding at the end the following:

7 “(f) There is authorized to be appropriated to carry
8 out section 2607C, including making grants under that
9 section, \$1,000,000,000 for fiscal year 2026, and
10 \$1,000,000,000 plus such additional sums as may be nec-
11 essary for each fiscal year thereafter.”.

12 (b) DEFINITIONS.—Section 2603 of the Low-Income
13 Home Energy Assistance Act of 1981 (42 U.S.C. 8622)
14 is amended—

15 (1) by redesignating paragraphs (4) through
16 (6), (7) through (10), and (11), as paragraphs (6)
17 through (8), (10) through (13), and (15), respec-
18 tively;

19 (2) by inserting after paragraph (3) the fol-
20 lowing:

21 “(4) The terms ‘extreme heat’ and ‘extreme
22 cold’, used with respect to a period, means a period
23 in which there is an increased risk of—

24 “(A) heat-related or cold-related, respec-
25 tively, illness, hospitalization, or death; or

1 “(B) failures or energy shutoffs of home
2 cooling or heating, respectively.

3 “(5) The term ‘HEAP coordinator’ means an
4 employee—

5 “(A) who administers a program funded
6 under section 2602(b); and

7 “(B) whose salary is paid, partly or wholly,
8 with funds made available under that section.”;

9 (3) by inserting after paragraph (8), as so re-
10 designated, the following:

11 “(9) The term ‘local coordinating agency’
12 means any local organization or local office that re-
13 ceives funds under section 2602(b) to perform cus-
14 tomer intake, or approval of benefits, on behalf of
15 the State agency.”; and

16 (4) by inserting after paragraph (13), as so re-
17 designated, the following:

18 “(14) The term ‘State agency’ means any State
19 agency that administers the program funded under
20 section 2602(b).”.

21 (c) ASSISTANCE FOR EMERGENCIES AND MAJOR DIS-
22 ASTERS, INCLUDING EXTREME HEAT AND COLD.—Sec-
23 tion 2604 of the Low-Income Home Energy Assistance
24 Act of 1981 (42 U.S.C. 8623) is amended—

1 (1) in subsection (a)(1)(B), by striking “section
2 2605(b)(9)(B)” and inserting “section
3 2605(b)(10)(B)”; and

4 (2) in subsection (e)—

5 (A) by striking “(e)” and inserting the fol-
6 lowing:

7 “(e)(1) In this subsection:

8 “(A) The term ‘covered household’ means an el-
9 igible household in an area where the President, or
10 the Secretary, as the case may be, has declared or
11 determined the occurrence of a natural disaster,
12 emergency, or major disaster.

13 “(B) The term ‘major disaster’ means—

14 “(i) a major disaster or emergency de-
15 clared under section 401 or 501, respectively, of
16 the Robert T. Stafford Disaster Relief and
17 Emergency Assistance Act (42 U.S.C. 5170,
18 5191);

19 “(ii) a public health emergency determined
20 under section 319 of the Public Health Service
21 Act (42 U.S.C. 247d); or

22 “(iii) a period of extreme heat or extreme
23 cold, as determined by the Secretary.

24 “(2)”;

(B) in paragraph (2), as so designated, by striking “natural disaster or other emergency involved” and inserting “natural disaster, emergency, or major disaster involved”; and

(C) by adding at the end the following:

“(3) Upon a declaration or a determination of a natural disaster, emergency, or major disaster, for an area, the Secretary and the Administrator of the Federal Emergency Management Agency shall, to the extent practicable, provide heating or cooling assistance through such an allotment to a State for covered households in that area.

“(4) To receive assistance under this subsection, the State that has jurisdiction over the covered households shall provide assurances to the Secretary that the State—

“(A) will not preclude a household that receives heating assistance or cooling assistance under this title during a calendar year, on the basis of obtaining that assistance, from receiving cooling assistance or heating assistance, respectively, under this title during that year;

“(B) will not require a household to indicate that a household member has a medical

1 need for assistance under this title, to be eligi-
2 ble for that assistance; and

3 “(C) will allow use of such assistance for
4 purposes for which heating or cooling assistance
5 is available under the program funded under
6 section 2602(b), including for providing energy-
7 efficient air conditioners, and other equipment
8 needed for home cooling, to eligible house-
9 holds.”.

10 (d) ELIGIBLE HOUSEHOLDS.—Section 2605 of the
11 Low-Income Home Energy Assistance Act of 1981 (42
12 U.S.C. 8624) is amended—

13 (1) in subsection (b)—

14 (A) in paragraph (1)(A), by striking
15 “paragraph (5)” and inserting “paragraph
16 (6)”;

17 (B) in paragraph (2)—

18 (i) in the matter preceding subpara-
19 graph (A), by inserting “, subject to sub-
20 section (c)(1)(A),” after “only”;

21 (ii) in subparagraph (B), by striking
22 “(B)” and all that follows through clause
23 (ii) and inserting the following:

24 “(B) households with incomes which do not
25 exceed the greater of—

1 “(i) an amount equal to 250 percent
2 of the poverty level; or

3 “(ii) an amount equal to 80 percent of
4 the State median income,”; and

5 (iii) in the matter following subpara-
6 graph (B)—

7 (I) by striking “may give” and
8 inserting “shall give”; and

9 (II) by inserting before the semi-
10 colon the following: “, and the State
11 may not exclude a household from eli-
12 gibility on the basis of citizenship of 1
13 or more of the household members”;

14 (C) by redesignating paragraphs (3)
15 through (16) as paragraphs (4) through (17),
16 respectively;

17 (D) by inserting after paragraph (2) the
18 following:

19 “(3) ENERGY BURDEN LIMITS.—To the extent
20 practicable, the Secretary shall work with States
21 using funding under section 2602(b) (supplemented
22 by funding available through State-level energy pro-
23 grams, utility affordability initiatives, or other mech-
24 anisms as determined by the State in consultation

1 with the Secretary) to implement home energy af-
2 fordability measures—

3 “(A) to ensure that no household eligible
4 under paragraph (2) experiences an energy bur-
5 den for which the expenditures of the household
6 for home energy exceed 3 percent of household
7 income; and

8 “(B) to prioritize the further reduction of
9 energy burdens for such eligible households
10 with the lowest incomes.”; and

11 (E) in subparagraph (B) of paragraph
12 (10), as so redesignated, by striking “para-
13 graph (16)” and inserting “paragraph (17)”;
14 (2) in subsection (c)(1)—

15 (A) in subparagraph (A), by striking “as-
16 sistance to be provided under this title, includ-
17 ing criteria” and inserting “assistance to be
18 provided under this title, including—

19 “(i) certifying that the State and local
20 coordinating agencies in the State—

21 “(I) shall, to the greatest extent
22 possible, use data sharing agreements
23 with Federal and State low-income as-
24 sistance programs, including the sup-
25 plemental nutrition assistance pro-

1 gram established under the Food and
2 Nutrition Act of 2008 (7 U.S.C. 2011
3 et seq.), the Medicaid program estab-
4 lished under title XIX of the Social
5 Security Act (42 U.S.C. 1396 et seq.),
6 and the supplemental security income
7 program established under title XVI
8 of the Social Security Act (42 U.S.C.
9 1381 et seq.), to verify eligibility;

10 “(II) shall implement simplified
11 re-enrollment procedures for house-
12 holds with fixed incomes or house-
13 holds already determined to be eligible
14 under other Federal and State low-in-
15 come assistance programs, to reduce
16 administrative burdens on applicants
17 and agencies;

18 “(III) shall not require applicants
19 to submit proof of citizenship to es-
20 tablish status as an eligible household;
21 and

22 “(IV) if neither the verification
23 process described in subclause (I) nor
24 the re-enrollment process described in
25 subclause (II) apply to a household,

1 shall allow applicants to self-attest
2 that the applicants meet the criteria
3 established under this title for an eli-
4 gible household, to the extent nec-
5 essary to facilitate access to assist-
6 ance and prevent undue hardship for
7 applicants; and

8 “(ii) describing criteria.”;

9 (B) in subparagraph (E), by striking
10 “paragraph (5)” and inserting “paragraph
11 (6)”; and

12 (C) in subparagraph (F), by striking
13 “clauses (3), (4), (5), (6), (7), (8), (10), (12),
14 (13), and (15) of subsection (b)” and inserting
15 “paragraphs (4), (5), (6), (7), (8), (9), (11),
16 (13), (14), and (16) of subsection (b)”;

17 (3) in subsection (e), by striking “subsection
18 (b)(10)” and inserting “subsection (b)(11)”;

19 (4) in subsection (f), by adding at the end the
20 following:

21 “(3) For purposes of section 401(c), and the re-
22 mainder of title IV, of the Personal Responsibility
23 and Work Opportunity Reconciliation Act of 1996 (8
24 U.S.C. 1611(a), 1601 et seq.), assistance under this

1 title shall not be considered to be a Federal public
2 benefit.”; and

3 (5) in subsection (j), by striking “the State may
4 apply” and inserting “the State may, subject to sub-
5 section (c)(1)(A)(i), apply”.

6 (e) CONDITIONS FOR FUNDING.—Section 2605 of the
7 Low-Income Home Energy Assistance Act of 1981 (42
8 U.S.C. 8624) is amended—

9 (1) in subsection (b)—

10 (A) in paragraph (1)(C), by inserting be-
11 fore the semicolon the following: “, using toxics-
12 free materials that do not contain asthmagens
13 or respiratory sensitizers, giving priority in the
14 use of those funds under this subparagraph, to
15 the greatest extent practicable, to supporting
16 emergency home repairs that foster energy effi-
17 ciency, decarbonization, and household resil-
18 ience, including through beneficial electrifica-
19 tion of heating and cooling”;

20 (B) in paragraph (8), as so redesignated—

21 (i) in subparagraph (C), by striking
22 “and” at the end; and

23 (ii) by adding at the end the fol-
24 lowing:

25 “(E) ensure that—

1 “(i) the home energy supplier will not
2 charge late fees for any payment, by a
3 household receiving assistance through the
4 program funded under section 2602(b),
5 during the period beginning 6 months be-
6 fore and ending 6 months after a date on
7 which the supplier receives funds through
8 the program for the household; and

9 “(ii) if the supplier receives funds
10 through the program for such a household
11 and charged such late fees during that pe-
12 riod, the supplier shall refund the fees to
13 the household not later than 7 days after
14 the date the supplier receives the funds;

15 “(F) ensure that the home energy supplier
16 will not shut off home energy from a household
17 that received assistance through the program
18 funded under section 2602(b), within the 2-year
19 period beginning on the date the household re-
20 ceived the assistance;

21 “(G) ensure that the home energy supplier,
22 in return for receiving funds through the pro-
23 gram funded under section 2602(b)—

24 “(i) will provide to the State data on
25 households that have not paid their home

1 energy bills, to enable the State and the
2 supplier to carry out coordinated outreach
3 concerning assistance available through the
4 program funded under section 2602(b);
5 and

6 “(ii) will, when sending a notice of
7 late payments to such households, include
8 information on such assistance, on how to
9 access such assistance through the pro-
10 gram, and on eligibility criteria for the
11 program; and

12 “(H) ensure that the home energy supplier
13 will, not later than 2 years after the date of en-
14 actment of the Energy Bills Relief Act, in re-
15 turn for receiving assistance under the program
16 funded under section 2602(b) and through a
17 partnership with the State, offer a low-income
18 energy affordability payment program;” and

19 (C) in paragraph (10), as so redesign-
20 nated—

21 (i) in subparagraph (A)—

22 (I) by striking “10 percent” and
23 inserting “15 percent”; and

24 (II) by striking “and” at the end;

25 and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(C) in planning and administering that
4 program, the State shall use the portion of the
5 amount described in subparagraph (A), that ex-
6 ceeds 10 percent of the funds described in sub-
7 paragraph (A), to expand the State program
8 funded under section 2602(b) so that the State
9 operates the program on a year-round basis;
10 and

11 “(D) in planning and administering that
12 program, the State—

13 “(i) shall make technological changes
14 to allow, not later than 5 years after the
15 date of enactment of the Energy Bills Re-
16 lief Act, for online submission of applica-
17 tions for assistance through that program;
18 and

19 “(ii) shall, to the extent practicable—

20 “(I) conduct outreach activities,
21 including activities to increase enroll-
22 ment as described in subsection (p);

23 “(II) ensure that all HEAP coor-
24 dinators in the State receive wages,
25 for administration funded under sec-

tion 2602(b), at not less than the greater of \$15 per hour or the applicable Federal, State, or local minimum wage rate;

“(III) conduct training for HEAP coordinators, State agency staff, and community partners on best practices for outreach, application processing, and assisting eligible households;

“(IV) as needed, conduct outreach relating to the program funded under section 2602(b) to rural electric cooperatives, home energy suppliers owned by a political subdivision of a State, such as a municipally owned electric utility, and home energy suppliers owned by any agency, authority, corporation, or instrumentality of a political subdivision of a State; and

“(V) ensure autoenrollment of eligible households into the program funded under section 2602(b), and in the process document any potential barriers to autoenrollment that need

1 to be clarified or otherwise addressed
2 at the Federal level;”;

3 (2) in subsection (c)(1)—

4 (A) in subparagraph (G), by striking
5 “and” at the end;

6 (B) by redesignating subparagraph (H) as
7 subparagraph (I); and

8 (C) by inserting after subparagraph (G)
9 the following:

10 “(H) describes how the State will expand the
11 State program funded under section 2602(b) so that
12 the State operates the program on a year-round
13 basis in accordance with subsection (b)(10)(C) and
14 the measures the State has taken so far to carry out
15 that expansion; and”; and

16 (3) by adding at the end the following:

17 “(m) The Secretary shall allow, to the greatest extent
18 possible, eligible households to obtain assistance with
19 minimal administrative burden, by carrying out subsection
20 (c)(1)(A)(i).

21 “(n) The Secretary shall, by grant or contract, pro-
22 vide for a study that examines the rates of home energy
23 shutoffs and assessments of late fees among eligible house-
24 holds, relative to those rates for households that are not
25 eligible households, over a period of several years.

1 “(o) The Secretary shall provide technical assistance
2 to States to support partnerships described in subsection
3 (b)(8)(H).

4 “(p)(1) The Secretary, in consultation with the Sec-
5 retary of Education, shall issue guidance for use of funds
6 for administrative activities described in subsection
7 (b)(10) to increase, through partnerships with elementary
8 schools, secondary schools, and local educational agencies,
9 enrollment in the program funded under section 2602(b)
10 among eligible households that include children and that
11 have high energy burdens.

12 “(2) The Secretary shall issue guidance for use by
13 States on outreach relating to assistance through the pro-
14 gram funded under section 2602(b) to high-risk individ-
15 uals, with relevant medical conditions, that benefit from
16 the use of medical equipment that requires electricity, in-
17 cluding a ventilator, an oxygen concentrator, or another
18 medical device that requires electricity.

19 “(3) The Secretary shall issue guidance for use by
20 States on how to ensure that eligible households are aware
21 of additional grants, tax credits, and rebates, made avail-
22 able under Public Law 117–169, or an amendment made
23 by such law.

24 “(q) Not later than 1 year after the date of enact-
25 ment of the Energy Bills Relief Act, the Secretary shall

1 require each State receiving funds under this title, includ-
2 ing allotments under subsection (a) or (e) of section 2604,
3 to develop and update as necessary, an action plan for a
4 period of extreme heat, which shall describe how the State
5 will use its allotments under this title to assist eligible
6 households in covering cooling costs and mitigating heat-
7 related health risks.

8 “(r) Not later than 1 year after the date of enactment
9 of the Energy Bills Relief Act, the Secretary shall conduct
10 a review of eligibility criteria for assistance under this title
11 and identify additional vulnerable populations to include
12 under such criteria, such as pregnant women, children,
13 and individuals with medical conditions exacerbated by a
14 period of extreme heat.

15 “(s) The Secretary, in consultation with the Sec-
16 retary of Energy, shall require State energy offices receiv-
17 ing Federal funds under this title to develop plans—

18 “(1) to retrofit low-income housing stock to
19 adapt to rising temperatures and address environ-
20 mental hazards, including—

21 “(A) deploying highly efficient cooling sys-
22 tems, including heat pumps;

23 “(B) expanding weatherization and passive
24 cooling strategies;

1 “(C) addressing structural and health haz-
2 ards, including mold, lead, asbestos, and pest
3 infections; and

4 “(D) ensuring that necessary electrical
5 panel and wiring upgrades are completed to
6 support the installation of cooling systems and
7 energy efficiency improvements; and

8 “(2) to assess and adapt existing (as of the
9 date of development of the plan) shutoff policies to
10 protect all households while considering the impact
11 on energy affordability and energy grid reliability.

12 “(t)(1) Not later than 1 year after the date of enact-
13 ment of the Energy Bills Relief Act, the Secretary, in con-
14 sultation with the Secretary of Housing and Urban Devel-
15 opment, shall submit a report to Congress that—

16 “(A) identifies safe residential temperature
17 standards for federally assisted dwelling units, con-
18 sidering risks of periods of extreme heat and ex-
19 treme cold and regional climate variations; and

20 “(B) proposes strategies to ensure compliance
21 with the standards, including permitting covered
22 utility allowances to be used for cooling assistance
23 where feasible, taking into account regional climate
24 variations and housing stock differences.

1 “(2) In this subsection, the term ‘covered utility al-
2 lowance’ means a utility allowance—

3 “(A) applicable to public housing dwelling units
4 under section 3 of the United States Housing Act of
5 1937 (42 U.S.C. 1437a); or

6 “(B) under the housing choice voucher program
7 under section 8(o)(2)(D) of the United States Hous-
8 ing Act of 1937 (42 U.S.C. 1437f(o)(2)(D)).”.

9 (f) WEATHERIZATION.—Section 2605(k) of the Low-
10 Income Home Energy Assistance Act of 1981 (42 U.S.C.
11 8624(k)) is amended—

12 (1) in paragraph (1), by striking “15 percent”
13 and inserting “25 percent”; and

14 (2) in paragraph (2)—

15 (A) in subparagraph (A), in the matter
16 preceding clause (i)—

17 (i) by striking “subparagraph (B)”
18 and inserting “subparagraph (C)”; and

19 (ii) by striking “the greater of 25 per-
20 cent” and inserting “a portion equal to the
21 greater of 35 percent”;

22 (B) by redesignating subparagraph (B) as
23 subparagraph (C); and

24 (C) by inserting after subparagraph (A)
25 the following:

1 “(B) The State—

2 “(i) shall, to the extent practicable—

3 “(I) use the portion described in subpara-
 4 graph (A) for energy-related home repair that
 5 reduces dependence on fossil fuel energy
 6 sources; and

7 “(II) use the portion to facilitate the use
 8 of funds made available under section 2602(b)
 9 to increase the participation of eligible house-
 10 holds in community solar programs, or to other-
 11 wise increase access to and ownership of dis-
 12 tributed renewable energy infrastructure among
 13 eligible households; and

14 “(ii) shall if possible give the highest priority to
 15 using the portion for home repair that replaces ap-
 16 pliances that rely on fossil fuels with appliances that
 17 use electric heating or cooling technology, powered
 18 by renewable energy.”.

19 (g) HOME ENERGY PAYMENT ARREARS DATA COL-
 20 LECTION.—Section 2605 of the Low-Income Home En-
 21 ergy Assistance Act of 1981 (42 U.S.C. 8624), as amend-
 22 ed by subsection (e), is further amended by adding at the
 23 end the following:

24 “(u)(1)(A) The Secretary, in consultation with the
 25 Secretary of Energy, shall develop a standardized template

1 for States and home energy suppliers to use to track and
2 report data on eligible households in arrears in home en-
3 ergy payments, including data on the related fees and dis-
4 connections for such households.

5 “(B) The template developed under subparagraph
6 (A) shall—

7 “(i) include a definition of an eligible household
8 in arrears, with respect to home energy payments, as
9 an eligible household that has not made payment on
10 a home energy bill for more than 60 to 90 days, as
11 determined by the State agency or local coordinating
12 agency, unless otherwise specified by State law;

13 “(ii) include metrics on related disconnections,
14 late fees, reconnections, and arrearage balances for
15 eligible households; and

16 “(iii) align with existing (as of the date of the
17 development) Federal and State reporting mecha-
18 nisms where applicable.

19 “(2) Not later than 1 year after the date of enact-
20 ment of the Energy Bills Relief Act, the Secretary shall,
21 in consultation with the Secretary of Energy, issue guid-
22 ance on best practices for States (including through part-
23 nerships with home energy suppliers) to pay for home en-
24 ergy payment arrearages with assistance provided through
25 the program funded under section 2602(b), including by

1 paying for such arrearages at the time of dissemination
2 of assistance through that program. Such guidance shall
3 prohibit any home energy supplier receiving funds through
4 the program from recovering arrearage assistance costs
5 through rate increases or other charges to customers, in-
6 cluding cost recovery mechanisms that disproportionately
7 impact low-income households.

8 “(3) To the extent practicable, the Secretary and the
9 Secretary of Energy shall jointly—

10 “(A) implement a data tracking system, aligned
11 with the standardized reporting template developed
12 under paragraph (1), to collect aggregate data re-
13 garding the number of eligible households in arrears
14 and their respective energy burdens and develop rec-
15 ommendations to HEAP coordinators on how to
16 minimize energy burdens for the households; and

17 “(B) issue guidance to home energy suppliers
18 with recommendations for working with State agen-
19 cies to address home energy payment arrearages of
20 eligible households.

21 “(4) The Secretary, in consultation with the Sec-
22 retary of Energy, may make grants to States to assist the
23 States in implementing data tracking and reporting re-
24 quirements under this subsection.

1 “(5) There are authorized to be appropriated to carry
2 out this subsection such sums as may be necessary.”.

3 (h) PROGRAM NAME CHANGE.—

4 (1) LIHEAP.—The Low-Income Home Energy
5 Assistance Act of 1981 is amended—

6 (A) in section 2607A(b) (42 U.S.C.
7 8626a(b)), in the matter preceding paragraph
8 (1), by striking “low-income” the first place it
9 appears; and

10 (B) in section 2607B(e)(2)(B)(ii) (42
11 U.S.C. 8626b(e)(2)(B)(ii)), by striking “Low-
12 Income”.

13 (2) OTHER LAW.—A reference in any other
14 Federal law (other than that Act), Executive order,
15 rule, regulation, or delegation of authority, or any
16 document, of or relating to the Low-Income Home
17 Energy Assistance Program, shall be deemed to
18 refer to the Home Energy Assistance Program.

19 (i) JUST TRANSITION GRANTS.—The Low-Income
20 Home Energy Assistance Act of 1981 is amended by in-
21 serting after section 2607B (42 U.S.C. 8626b) the fol-
22 lowing:

1 **“SEC. 2607C. HEAP ENERGY AFFORDABILITY AND RESIL-**
2 **IENCE GRANTS.**

3 “(a) GRANT PROGRAM.—The Secretary and the Sec-
4 retary of Energy shall jointly carry out a grant program
5 under this section. In carrying out the program, the Secre-
6 taries shall make grants for a period of 3 years to States,
7 Tribes, and local governments to support the development
8 and implementation of interagency plans to reduce energy
9 burdens for eligible households with high home energy use.
10 The plans shall promote the reduction of those burdens
11 in a manner that supports sustained reductions in house-
12 hold energy costs through improved energy efficiency, reli-
13 ability, and access to cost-saving technologies. The Secre-
14 taries shall make the grants for a period of 3 years.

15 “(b) PREFERENCES.—In making the grants, the Sec-
16 retary shall give a preference to States, Tribes, and local
17 governments, who set up coordination systems—

18 “(1) to identify eligible households, that are re-
19 cipients of assistance through the program funded
20 under section 2602(b), with high home energy use;

21 “(2) to prioritize eligible households with the
22 highest energy burdens and lowest incomes, in align-
23 ment with the priority provisions in paragraphs (2)
24 and (3) of section 2605(b), to receive emergency re-
25 pair, weatherization, and retrofit assistance that re-

1 sults in decarbonization and reductions in energy
2 use; and

3 “(3) to partner with entities carrying out work-
4 force development initiatives, unions, or business en-
5 terprises owned by individuals that are socially dis-
6 advantaged to provide emergency repairs, weather-
7 ization, and retrofit assistance.

8 “(c) REPORT TO CONGRESS.—At the conclusion of
9 the 3-year grant period, the Secretaries shall—

10 “(1) conduct an evaluation of the program’s
11 outcomes; and

12 “(2) prepare and submit to Congress a report
13 containing the results of the evaluation and policy
14 recommendations.”.

15 (j) CONFORMING AMENDMENTS.—The Low-Income
16 Home Energy Assistance Act of 1981 (42 U.S.C. 8621
17 et seq.) is amended—

18 (1) in section 2607B(e)(2)(K) (42 U.S.C.
19 8626b(e)(2)(K)) by striking “paragraphs (2), (3),
20 (4), (5), (7), (9), (10), (11), (12), (13), and (14) of
21 section 2605(b)” and inserting “paragraphs (2), (4),
22 (5), (6), (8), (10), (11), (12), (13), (14), and (15)
23 of section 2605(b)”;

24 (2) in section 2610(b)(1) (42 U.S.C. 8629) by
25 striking “clauses (2), (5), (8), and (15) of section

1 2605(b)” and inserting “paragraphs (2), (6), (9),
2 and (16) of section 2605(b)”.

3 **SEC. 202. HOME WEATHERIZATION.**

4 (a) **ENHANCEMENT AND INNOVATION.**—Section
5 414D of the Energy Conservation and Production Act (42
6 U.S.C. 6864d) is amended by striking subsection (k).

7 (b) **AVERAGE COST PER DWELLING UNIT.**—Section
8 415(c)(1) of the Energy Conservation and Production Act
9 (42 U.S.C. 6865(c)(1)) is amended by striking “\$6,500”
10 and inserting “\$12,000”.

11 (c) **CLARIFICATION OF REWEATHERIZATION LIMITA-**
12 **TION.**—Section 415(c)(2) of the Energy Conservation and
13 Production Act (42 U.S.C. 6865(c)(2)) is amended—

14 (1) by striking “, or under other Federal pro-
15 grams”;

16 (2) by striking “, may” and inserting “may”;
17 and

18 (3) by striking “or under other Federal pro-
19 grams, or from receiving non-Federal assistance for
20 weatherization”.

21 (d) **RENEWABLE ENERGY SYSTEMS.**—Section 415(c)
22 of the Energy Conservation and Production Act (42
23 U.S.C. 6865(c)) is amended by striking paragraph (4).

24 (e) **WEATHERIZATION READINESS PROGRAM.**—

1 (1) IN GENERAL.—The Energy Conservation
2 and Production Act is amended by adding after sec-
3 tion 414E (42 U.S.C. 6864e) the following section:

4 **“SEC. 414F. WEATHERIZATION READINESS PROGRAM.**

5 “(a) IN GENERAL.—Not later than 1 year after the
6 date of enactment of this section, the Secretary shall es-
7 tablish a weatherization readiness program to provide
8 grants to States, Indian tribes, and tribal organizations
9 to implement measures to make dwelling units occupied
10 by low-income persons ready to receive weatherization
11 measures pursuant to the weatherization program con-
12 ducted under this part by addressing structural, plumbing,
13 roofing, and electrical issues and environmental hazards,
14 and implementing other measures that the Secretary de-
15 termines to be appropriate, to reduce the frequency of de-
16 ferrals of such weatherization measures when the condi-
17 tion of a dwelling unit renders delivery of weatherization
18 measures unsafe or ineffective.

19 “(b) ALIGNMENT OF REQUIREMENTS.—Except as
20 otherwise provided in this section, to the extent possible,
21 the Secretary shall, in establishing the weatherization
22 readiness program under this section—

23 “(1) align the requirements of such weatheriza-
24 tion readiness program with the requirements of the

1 weatherization program conducted under this part;
2 and

3 “(2) seek to reduce barriers to leveraging other
4 sources of funding for weatherization readiness
5 measures.

6 “(c) SAVINGS-TO-INVESTMENT RATIO.—The weath-
7 erization readiness program established under this section
8 shall not include a savings-to-investment ratio require-
9 ment.

10 “(d) PREVIOUS WEATHERIZATION.—Weatherization
11 readiness measures implemented pursuant to the weather-
12 ization readiness program established under this section
13 shall not be considered previous weatherization for pur-
14 poses of section 415(c)(2).

15 “(e) AVERAGE COST PER DWELLING UNIT.—The
16 Secretary shall establish, or require a State grantee to es-
17 tablish, a limit for expenditures for weatherization readi-
18 ness measures, including labor, materials, and related
19 matters, to be implemented with respect to a dwelling unit,
20 on an average cost per unit basis, pursuant to the weath-
21 erization readiness program established under this section.

22 “(f) ALLOCATION OF FUNDS.—

23 “(1) IN GENERAL.—The Secretary shall allo-
24 cate funding made available under this section to
25 States and tribal organizations in a manner con-

1 sistent with the allocation of financial assistance for
2 weatherization assistance under the weatherization
3 program conducted under this part.

4 “(2) UPDATED ALLOCATION.—Not sooner than
5 October 1, 2029, the Secretary, in consultation with
6 States and tribal organizations, may, by rule, update
7 the method to allocate funding to States and tribal
8 organizations under this section to more accurately
9 reflect the relative need for funding for weatheriza-
10 tion readiness measures among low-income persons
11 throughout the States and Indian tribes.

12 “(g) ADMINISTRATIVE EXPENSES.—Not more than
13 an amount equal to 15 percent of any grant made by the
14 Secretary under this section may be used for administra-
15 tive purposes, except that not more than one-half of such
16 amount may be used by any State for such purposes.

17 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
18 is authorized to be appropriated \$50,000,000 for each of
19 fiscal years 2026 through 2030 to carry out this section.”.

20 (2) TABLE OF CONTENTS AMENDMENT.—The
21 table of contents for the Energy Conservation and
22 Production Act is amended by adding after the item
23 relating to section 414E the following:

“Sec. 414F. Weatherization readiness program.”.

24 “(f) REAUTHORIZATION OF WEATHERIZATION ASSIST-
25 ANCE PROGRAM.—Paragraph (2) of section 422 of the

1 Energy Conservation and Production Act (42 U.S.C.
2 6872) is amended by striking “2025” and inserting
3 “2030”.

4 **SEC. 203. REFLECTIVE ROOFING.**

5 (a) ESTABLISHMENT.—The Secretary shall establish
6 and carry out a program to provide rebates to eligible
7 households for the purchase and installation of eligible
8 cool roof products.

9 (b) REBATE AMOUNT.—The amount of a rebate pro-
10 vided under the program established under subsection (a)
11 shall be—

12 (1) with respect to an eligible cool roof product
13 installed on a low-sloped roof—

14 (A) \$0.25 per square foot if such eligible
15 cool roof product has—

16 (i) a minimum 3-year aged solar re-
17 flectance of 0.65 and a minimum 3-year-
18 aged thermal emittance of 0.75; or

19 (ii) a minimum 3-year aged Solar Re-
20 flectance Index of 78; and

21 (B) \$0.75 per square foot if such eligible
22 cool roof product has—

23 (i) a minimum 3-year aged solar re-
24 flectance of 0.75 and a minimum 3-year-
25 aged thermal emittance of 0.75; or

1 (ii) a minimum 3-year aged Solar Re-
2 flectance Index of 92; and

3 (2) with respect to an eligible cool roof product
4 installed on a steep-sloped roof—

5 (A) \$0.25 per square foot if such eligible
6 cool roof product has—

7 (i) a minimum 3-year aged solar re-
8 flectance of 0.25 and a minimum 3-year-
9 aged thermal emittance of 0.75; or

10 (ii) a minimum 3-year aged Solar Re-
11 flectance Index of 23; and

12 (B) \$0.75 per square foot if such eligible
13 cool roof product has—

14 (i) a minimum 3-year aged solar re-
15 flectance of 0.40 and a minimum 3-year-
16 aged thermal emittance of 0.75; or

17 (ii) a minimum 3-year aged Solar Re-
18 flectance Index of 43.

19 (c) COMBINING REBATES.—Nothing in this section
20 shall be construed to prohibit an eligible household from
21 receiving any other grant, rebate, or other financial assist-
22 ance with respect to the same eligible cool roof product
23 for which a rebate is provided under the program estab-
24 lished under subsection (a).

1 (d) LOW-INCOME AND HIGH ENERGY BURDEN
2 HOUSEHOLDS.—In implementing this section, the Sec-
3 retary shall ensure that not less than 40 percent of total
4 incremental energy savings achieved under this program
5 in a given year shall accrue to households that in the de-
6 termination of the Secretary are low-income or experience
7 a disproportionately high energy burden.

8 (e) PARTICIPATION STATEMENTS.—Each State and
9 each retail electricity supplier shall publish on an annual
10 basis an impact statement that disaggregates participation
11 under this section by income and demographic characteris-
12 tics, savings, and health outcomes.

13 (f) TERMINATION DATE.—The program established
14 under subsection (a) shall terminate on September 30,
15 2030.

16 (g) REPORTING REQUIREMENT.—Not later than 6
17 months after the program established under subsection (a)
18 terminates, the Secretary shall submit to Congress a re-
19 port describing, for each program participant—

20 (1) whether the participant used the rebate to
21 help retrofit an old roof or install a new roof;

22 (2) if the participant retrofitted an old roof,
23 which older roof product the new eligible cool roof
24 product replaced or covered; and

1 (3) what eligible cool roof product the partici-
2 pant purchased using the rebate.

3 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$25,000,000 for each of fiscal years 2026 through 2030.

6 (i) DEFINITIONS.—In this Act:

7 (1) 3-YEAR AGED.—The term “3-year aged”
8 means, with respect to solar reflectance or thermal
9 emittance of an eligible cool roof product, the solar
10 reflectance or thermal emittance is tested after com-
11 pleting 3 years of field exposure, or tested after lab-
12 oratory exposure that has replicated the effects of 3
13 years of natural exposure if the eligible cool roof
14 product has begun but not yet completed field expo-
15 sure, in accordance with the most recent standard
16 issued by the American National Standard Institute
17 and Cool Roof Rating Council, S100–2021.

18 (2) ELIGIBLE COOL ROOF PRODUCT.—The term
19 “eligible cool roof product” means a product that
20 has a rating from the Cool Roof Rating Council.

21 (3) ELIGIBLE HOUSEHOLD.—

22 (A) IN GENERAL.—Except as provided in
23 subparagraph (B), the term “eligible house-
24 hold” means an individual or family—

1 (i) residing in a single-family or multi-
2 family building;

3 (ii) the total annual income of which
4 is less than 200 percent of the median in-
5 come of the ZIP Code in which the indi-
6 vidual or family resides (as reported by the
7 Department of Housing and Urban Devel-
8 opment); and

9 (iii) residing in a ZIP Code Tabula-
10 tion Area that is in the 75th percentile or
11 higher of the Heat and Health Index of
12 the Centers for Disease Control and Pre-
13 vention.

14 (B) ALASKA, HAWAII, AND TERRITORIES.—
15 With respect to an individual or family residing
16 in Alaska, Hawaii, or a territory of the United
17 States, until the date that their respective State
18 or territory is added to the Heat and Health
19 Index of the Centers for Disease Control and
20 Prevention, the term “eligible household”
21 means that such individual or family—

22 (i) resides in a single-family or multi-
23 family building; and

24 (ii) has a total annual income that is
25 less than 200 percent of the median in-

1 come of the ZIP Code in which the indi-
2 vidual or family resides (as reported by the
3 Department of Housing and Urban Devel-
4 opment).

5 (4) INCIDENT SOLAR FLUX.—The term “inci-
6 dent solar flux” means the solar power per unit area
7 that strikes a surface.

8 (5) LOW-SLOPED ROOF.—The term “low-sloped
9 roof” means a roof with a slope (ratio of rise to run)
10 of 2:12 or less.

11 (6) RADIANT HEAT FLUX.—The term “radiant
12 heat flux” means the radiant power per unit area.

13 (7) REFLECTED SOLAR FLUX.—The term “re-
14 flected solar flux” means the solar power per unit
15 area reflected from a surface.

16 (8) SECRETARY.—The term “Secretary” means
17 the Secretary of Energy.

18 (9) SOLAR REFLECTANCE.—The term “solar re-
19 flectance” means the ratio of reflected solar flux to
20 the incident solar flux.

21 (10) SOLAR REFLECTANCE INDEX.—The term
22 “Solar Reflectance Index” means a calculated value
23 that combines solar reflectance with thermal
24 emittance into a single metric, in accordance with

1 section 2.2.9. of the Cool Roof Rating Council's
2 Roof Product Rating Program Manual.

3 (11) STEEP-SLOPED ROOF.—The term “steep-
4 sloped roof” means a roof with a slope (ratio of rise
5 to run) greater than 2:12.

6 (12) THERMAL EMITTANCE.—The term “ther-
7 mal emittance” means the ratio of the radiant heat
8 flux emitted by a material tested at a temperature
9 near 300 kelvin.

10 **SEC. 204. DOMESTIC NATURAL GAS PRICE PROTECTION.**

11 (a) EXPORTATION OF NATURAL GAS.—

12 (1) EXPORTATION OF NATURAL GAS.—Section
13 3 of the Natural Gas Act (15 U.S.C. 717b) is
14 amended by adding at the end the following:

15 “(g) EXPORTATION OF NATURAL GAS.—

16 “(1) ORDER REQUIRED.—No person shall ex-
17 port any natural gas from the United States to a
18 foreign country without first having secured an
19 order of the Secretary of Energy authorizing it to do
20 so. The Secretary of Energy may issue such order
21 upon application only if, after opportunity for hear-
22 ing, the Secretary of Energy finds that the proposed
23 exportation will be consistent with the public inter-
24 est. The Secretary of Energy may by its order grant
25 such application, in whole or in part, with such

1 modification and upon such terms and conditions as
2 the Secretary of Energy may find necessary or ap-
3 propriate, and may from time to time, after oppor-
4 tunity for hearing, and for good cause shown, issue
5 such supplemental order for such exportation as it
6 may find necessary or appropriate.

7 “(2) DEADLINE.—The Secretary of Energy
8 shall find whether proposed exportation of natural
9 gas will be consistent with the public interest under
10 paragraph (1) by not later than the date that is 1
11 year after the later of—

12 “(A) the date on which the Secretary of
13 Energy receives the final environmental impact
14 statement for such proposed exportation from
15 the Federal Energy Regulatory Commission;
16 and

17 “(B) the date on which the Secretary com-
18 pletes each assessment required by paragraph
19 (4).

20 “(3) PUBLIC INTEREST FINDING.—The Sec-
21 retary of Energy may find that proposed exportation
22 of natural gas for which an application is submitted
23 under paragraph (1) will be consistent with the pub-
24 lic interest under such paragraph only if the Sec-
25 retary of Energy determines, based on the applicable

1 assessment under paragraph (4), that the proposed
2 exportation of natural gas will not be likely to—

3 “(A) significantly contribute to climate
4 change, including by slowing the global energy
5 transition needed to achieve deep reductions of
6 global greenhouse gas emissions within the next
7 decade and net-zero global greenhouse gas
8 emissions not later than 2050;

9 “(B) materially increase energy prices or
10 energy price volatility for any segment of
11 United States consumers; or

12 “(C) create a disproportionate cumulative
13 burden of adverse human or environmental im-
14 pacts on Tribes and communities with environ-
15 mental justice concerns, including in rural and
16 urban low-income areas.

17 “(4) ASSESSMENTS.—

18 “(A) CLIMATE CHANGE ASSESSMENT.—A
19 determination under paragraph (3)(A) shall be
20 based on an assessment of the expected impact
21 of the proposed exportation of natural gas on
22 climate change. Such assessment shall be based
23 on the latest scientific information and use the
24 20-year global warming potential of methane,
25 and shall include—

1 “(i) quantified estimates of the green-
2 house gas emissions associated with the
3 full lifecycle of the natural gas proposed
4 for exportation, including emissions associ-
5 ated with the extraction, transportation,
6 liquefaction, storage, regasification, and
7 consumption of such natural gas;

8 “(ii) a comparison of the estimated
9 greenhouse gas emissions in clause (i) to a
10 baseline that is consistent with the need to
11 achieve deep reductions of global green-
12 house gas emissions within the next decade
13 and deep decarbonization pathways toward
14 net-zero global greenhouse gas emissions
15 not later than 2050;

16 “(iii) an assessment of the potential
17 effects of the proposed exportation of nat-
18 ural gas on clean energy alternatives, in-
19 cluding—

20 “(I) any decrease in global in-
21 vestment in and deployment of renew-
22 able energy, electrification, and energy
23 efficiency and conservation tech-
24 nologies; and

1 “(II) any decrease in United
2 States exports of clean energy tech-
3 nologies;

4 “(iv) quantified estimates of the social
5 cost of the estimated greenhouse gas emis-
6 sions in clause (i); and

7 “(v) an identification of the extent to
8 which climate change is accelerating the
9 loss of economic value in the United States
10 and, separately, in other countries, due to
11 rising sea levels, more intense storms,
12 eroding coasts, increased risk and severity
13 of wildfires, and other impacts associated
14 with climate change.

15 “(B) ECONOMIC ASSESSMENT.—A deter-
16 mination under paragraph (3)(B) shall be based
17 on an assessment of the expected economic im-
18 pact of the proposed exportation of natural gas,
19 including an assessment of the impact of the
20 proposed exportation on all United States con-
21 sumers, with specific estimates regarding each
22 of the following consumer subgroups:

23 “(i) Low-income consumers.

24 “(ii) Working families.

25 “(iii) Small businesses.

1 “(iv) Manufacturers.

2 “(v) State, Tribal, and local govern-
3 ments.

4 “(vi) Producers and users of fertilizer.

5 “(vii) Facilities with high electricity
6 demand, including data centers.

7 “(C) ENVIRONMENTAL JUSTICE ASSESS-
8 MENT.—A determination under paragraph
9 (3)(C) shall be based on an assessment of the
10 expected impact of the proposed exportation of
11 natural gas on environmental justice (which
12 shall be consistent with Executive Order 14096
13 (42 U.S.C. 4321 note; relating to revitalizing
14 our Nation’s commitment to environmental jus-
15 tice for all), as published April 21, 2023), in-
16 cluding assessments of impacts on—

17 “(i) the preexisting cumulative envi-
18 ronmental burdens and social and health
19 risks posed to Tribes and communities
20 with environmental justice concerns, in-
21 cluding in rural and urban low-income
22 areas;

23 “(ii) local fisheries and the economic
24 livelihood of the people employed by local
25 fisheries;

1 “(iii) racial and socioeconomic dispari-
2 ties in impacted communities; and

3 “(iv) compliance with civil rights laws.

4 “(5) PUBLIC PARTICIPATION.—The Secretary
5 of Energy shall—

6 “(A) provide to the public an opportunity
7 to meaningfully participate, including by pro-
8 viding comments, in—

9 “(i) the finding of the Secretary of
10 Energy on whether proposed exportation
11 will be consistent with the public interest
12 under paragraph (1); and

13 “(ii) any study by the Department of
14 Energy intended to inform such finding;
15 and

16 “(B) ensure that opportunities to meaning-
17 fully participate under subparagraph (A) ad-
18 dress barriers that affect members of commu-
19 nities with environmental justice concerns, in-
20 cluding those related to disability, language ac-
21 cess, and lack of resources.

22 “(6) MAJOR FEDERAL ACTION.—Issuing an
23 order authorizing the exportation of natural gas
24 under this subsection shall be considered a major
25 Federal action under section 102(2)(C) of the Na-

1 tional Environmental Policy Act of 1969 (42 U.S.C.
2 4332(2)(C)).”.

3 (2) CONFORMING AMENDMENTS.—Section 3 of
4 the Natural Gas Act (15 U.S.C. 717b) is amended—

5 (A) in subsection (a)—

6 (i) by striking “export any natural gas
7 from the United States to a foreign coun-
8 try or”;

9 (ii) by inserting “to the United
10 States” after “from a foreign country”;
11 and

12 (iii) by striking “exportation or”; and

13 (B) in subsection (c)—

14 (i) by striking “, or the exportation of
15 natural gas to a nation with which there is
16 in effect a free trade agreement requiring
17 national treatment for trade in natural
18 gas,”; and

19 (ii) by striking “or exportation”.

20 (b) PROCESS COORDINATION; HEARINGS; RULES OF
21 PROCEDURE.—Section 15(b)(1) of the Natural Gas Act
22 (15 U.S.C. 717n(b)(1)) is amended by striking “Commis-
23 sion” and inserting “Federal Energy Regulatory Commis-
24 sion”.

1 (c) TERMINATION OF CATEGORICAL EXCLUSION FOR
 2 APPROVAL OR DISAPPROVAL OF THE EXPORTATION OF
 3 NATURAL GAS.—The categorical exclusion under B5.7 of
 4 appendix B to subpart D of part 1021 of title 10, Code
 5 of Federal Regulations (relating to export of natural gas
 6 and associated transportation by marine vessel), shall have
 7 no force or effect.

8 (d) RULEMAKING.—Not later than 1 year after the
 9 date of enactment of this Act, the Secretary of Energy
 10 shall, after public notice and comment, issue a rule to
 11 carry out this Act and the amendments made by this Act.

12 **SEC. 205. RURAL ENERGY SAVINGS.**

13 Section 6407 of the Farm Security and Rural Invest-
 14 ment Act of 2002 (7 U.S.C. 8107a) is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (1)—

17 (i) in subparagraph (B), by striking
 18 “or” at the end;

19 (ii) by redesignating subparagraph
 20 (C) as subparagraph (D); and

21 (iii) by inserting after subparagraph
 22 (B) the following:

23 “(C) any Indian Tribe (as defined in sec-
 24 tion 4 of the Indian Self-Determination and
 25 Education Assistance Act (25 U.S.C. 5304));”;

1 (2) in subsection (c)—

2 (A) in the subsection heading, by inserting
3 “AND GRANTS” after “LOANS”;

4 (B) by striking paragraph (1) and insert-
5 ing the following:

6 “(1) IN GENERAL.—Subject to the require-
7 ments of this subsection, the Secretary shall pro-
8 vide—

9 “(A) loans to eligible entities that agree to
10 use the loan funds to make loans under sub-
11 section (d) to qualified consumers for the pur-
12 pose of implementing energy efficiency meas-
13 ures; and

14 “(B) at the election of any eligible entity
15 that receives a loan under subparagraph (A), a
16 grant in accordance with paragraph (10).”;

17 (C) in paragraph (2)—

18 (i) in the paragraph heading, by in-
19 serting “FOR LOANS” after “REQUIRE-
20 MENTS”; and

21 (ii) in subparagraph (A)(i), by strik-
22 ing “that is”;

23 (D) in paragraph (5)—

24 (i) by redesignating subparagraphs
25 (A) and (B) as clauses (i) and (ii), respec-

1 tively, and indenting the clauses appro-
2 priately;

3 (ii) in the matter preceding clause (i)
4 (as so redesignated), by striking “With re-
5 spect to a loan under paragraph (1)” and
6 inserting the following:

7 “(A) IN GENERAL.—Subject to subpara-
8 graph (B), with respect to a loan under para-
9 graph (1)(A)”; and

10 (iii) by adding at the end the fol-
11 lowing:

12 “(B) EXTENSIONS.—The Secretary may
13 extend the term of a loan under subparagraph
14 (A)(i), or the deadline for the repayment of an
15 advance under subparagraph (A)(ii), as the Sec-
16 retary determines to be appropriate.”;

17 (E) in paragraph (7)—

18 (i) in subparagraph (B), by striking
19 “paragraph (1)” and inserting “paragraph
20 (1)(A)”; and

21 (ii) in subparagraph (C), in the mat-
22 ter preceding clause (i), by striking “Re-
23 payment of the special advance” and in-
24 serting “Subject to an applicable extension

1 under paragraph (5)(B), repayment of a
2 special advance under this paragraph”;

3 (F) in paragraph (8), by striking “para-
4 graph (1)” and inserting “paragraph (1)(A)”;
5 and

6 (G) by adding at the end the following:

7 “(10) GRANTS.—

8 “(A) IN GENERAL.—At the election of an
9 eligible entity that receives a loan under this
10 subsection, the Secretary shall provide to the el-
11 igible entity a grant to pay for a portion of the
12 costs incurred in—

13 “(i) applying for the loan;

14 “(ii) making a loan to a qualified con-
15 sumer under subsection (d);

16 “(iii) making repairs to the property
17 of a qualified consumer that facilitate the
18 energy efficiency measures for the property
19 financed through a loan provided to the
20 qualified consumer under subsection (d);

21 “(iv) entering into a contract under
22 subsection (e); or

23 “(v) carrying out any other duties of
24 the eligible entity under this section.

25 “(B) AMOUNT.—

1 “(i) IN GENERAL.—Except as pro-
 2 vided in clause (ii), the amount of a grant
 3 provided to an eligible entity under this
 4 paragraph shall be equal to not more than
 5 5 percent of the amount of the loan pro-
 6 vided to the eligible entity under this sub-
 7 section.

8 “(ii) PERSISTENT POVERTY COUN-
 9 TIES.—The amount of a grant provided
 10 under this paragraph to an eligible entity
 11 that will use the grant to make loans
 12 under subsection (d) to qualified con-
 13 sumers located in a persistent poverty
 14 county (as determined by the Secretary)
 15 shall be equal to 10 percent of the amount
 16 of the loan provided to the eligible entity
 17 under this subsection.”;

18 (3) in subsection (d)—

19 (A) in paragraph (1)—

20 (i) in the matter preceding subpara-
 21 graph (A), by inserting “or grant” before
 22 “funds”; and

23 (ii) in subparagraph (B)—

24 (I) by striking “(B) shall fi-
 25 nance” and inserting the following:

1 “(B)(i) may have a term and amortization
 2 schedule the length of which is the useful life
 3 of the energy efficiency measures implemented
 4 using the loan, provided that the loan to the
 5 qualified consumer does not exceed 20 years;
 6 and

7 “(ii) shall finance”; and

8 (II) in clause (ii) (as so des-
 9 ignated), by striking “a loan term of
 10 not more than 10 years” and insert-
 11 ing “the applicable loan term de-
 12 scribed in clause (i)”;

13 (4) in subsection (e)—

14 (A) in the subsection heading, by inserting
 15 “OUTREACH,” after “TRAINING,”;

16 (B) in paragraph (1)—

17 (i) in subparagraph (A), by striking
 18 “and technical assistance of the program”
 19 and inserting “outreach, and technical as-
 20 sistance relating to the program under this
 21 section”; and

22 (ii) in subparagraph (B)(ii), by insert-
 23 ing “, outreach,” after “technical assist-
 24 ance”; and

25 (C) by adding at the end the following:

1 “(3) FUNDING.—Of the amounts made avail-
 2 able under subsection (i), the Secretary may use
 3 such sums as are necessary to provide outreach,
 4 training, and technical assistance under this sub-
 5 section.”; and

6 (5) in subsection (i), by striking “2023” and in-
 7 serting “2030”.

8 **TITLE III—UNCLOGGING THE**
 9 **LOW-COST, CLEAN ENERGY**
 10 **BOTTLENECK**

11 **SEC. 301. EXPEDITED GENERATOR INTERCONNECTION.**

12 (a) DEFINITIONS.—In this section:

13 (1) ADVANCED TRANSMISSION TECHNOLOGY.—

14 The term “advanced transmission technology”
 15 means any hardware or software that—

16 (A) increases the capacity, efficiency, reli-
 17 ability, resilience, or safety of transmission fa-
 18 cilities and transmission technologies;

19 (B) is installed in addition to new or exist-
 20 ing transmission facilities and transmission
 21 technologies—

22 (i) to give operators of the trans-
 23 mission facilities and transmission tech-
 24 nologies more situational awareness and
 25 control over the electric grid;

1 (ii) to make the transmission facilities
2 and transmission technologies more effi-
3 cient; or

4 (iii) to increase the transfer capacity
5 of the transmission facilities and trans-
6 mission technologies; and

7 (C) includes, but is not limited to, dynamic
8 line ratings, advanced conductors, topology opti-
9 mization, advanced power-flow controls, and
10 other digital or physical systems that increase
11 the usable transfer capability of the grid.

12 (2) COMMISSION.—The term “Commission”
13 means the Federal Energy Regulatory Commission.

14 (3) ENERGY STORAGE PROJECT.—The term
15 “energy storage project” means—

16 (A) any equipment that receives, stores,
17 and delivers energy-using batteries, compressed
18 air, pumped hydropower, hydrogen storage (in-
19 cluding hydrolysis), thermal energy storage, re-
20 generative fuel cells, flywheels, capacitors,
21 superconducting magnets, or other technologies
22 identified by the Commission; and

23 (B) any project for the construction or
24 modification of equipment described in subpara-

1 graph (A) as part of an effort to build-out
2 transmission interconnection opportunities.

3 (4) GENERATION PROJECT.—The term “gen-
4 eration project” means—

5 (A) any facility—

6 (i) that generates or injects electricity;

7 and

8 (ii) for which an interconnection re-
9 quest is subject to the jurisdiction of the
10 Commission; and

11 (B) any project for the construction or
12 modification of a facility described in subpara-
13 graph (A).

14 (5) INTERCONNECTION CUSTOMER.—The term
15 “interconnection customer” means a person or entity
16 that has submitted an interconnection request.

17 (6) INTERCONNECTION REQUEST.—The term
18 “interconnection request” means a request sub-
19 mitted to a public utility to interconnect a new gen-
20 eration project or energy storage project to the elec-
21 tric system of a public utility for the purposes of
22 transmission of electric energy in interstate com-
23 merce or the sale of electric energy at wholesale.

1 (7) PUBLIC UTILITY.—The term “public util-
2 ity” has the meaning given the term in section
3 201(e) of the Federal Power Act (16 U.S.C. 824(e)).

4 (8) TRANSMISSION FACILITY.—The term
5 “transmission facility” means a facility that is used
6 for the transmission of electric energy in interstate
7 commerce.

8 (9) TRANSMISSION PROVIDER.—The term
9 “transmission provider” means a public utility that
10 owns, operates, or controls 1 or more transmission
11 facilities.

12 (10) TRANSMISSION SYSTEM.—The term
13 “transmission system” means a network of trans-
14 mission facilities used for the transmission of elec-
15 tric energy in interstate commerce.

16 (b) RULEMAKING TO EXPEDITE GENERATOR INTER-
17 CONNECTION PROCEDURES.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of enactment of this Act, the Commis-
20 sion shall initiate a rulemaking—

21 (A) to address the inefficiencies and ineef-
22 fectiveness of existing procedures for processing
23 interconnection requests to ensure that new
24 generation projects and energy storage projects

1 can interconnect quickly, cost-effectively, and
2 reliably;

3 (B) to invalidate expedited interconnection
4 processes, using its section 206 authority, that
5 have been adopted in 2025 or 2026 and which
6 are not in the pro forma interconnection agree-
7 ment and which use eligibility criteria that have
8 disproportionately selected natural gas and coal
9 projects in comparison to other projects such
10 as, wind, solar and electric battery storage
11 projects; and

12 (C) to revise the pro forma Large Gener-
13 ator Interconnection Procedures and, as appro-
14 priate, the pro forma Large Generator Inter-
15 connection Agreement, promulgated pursuant to
16 section 35.28(f) of title 18, Code of Federal
17 Regulations (or successor regulations), to re-
18 quire transmission providers—

19 (i) to develop and employ modeling as-
20 sumptions for each resource type based on
21 actual operating abilities and practices, for
22 the purposes of studying an interconnec-
23 tion request, provided that the Commission
24 shall not rely on such modeling assump-

1 tions to study projects out of queue pri-
2 ority;

3 (ii) to study interconnection requests
4 in a manner consistent with the risk toler-
5 ance of the interconnection customer;

6 (iii) to establish simplified and stand-
7 ardized study pathways for small-scale or
8 community-based generation projects, in-
9 cluding distributed energy resources and
10 projects serving low-income communities;

11 (iv) to select, as appropriate, 1 or
12 more cost-effective solutions to address
13 network reliability needs that may be iden-
14 tified while studying an interconnection re-
15 quest;

16 (v) to provide sufficient information to
17 interconnection customers for the inter-
18 connection customers to understand how a
19 transmission provider has implemented the
20 assumptions and solutions described in
21 clauses (i) and (iv);

22 (vi) to share and employ, as appro-
23 priate, queue management best practices,
24 including with respect to the use of com-
25 puting technologies, such as artificial intel-

1 ligence, machine learning, and automation,
2 as well as standardized study criteria, in
3 evaluating and processing interconnection
4 requests, in order to expedite study results
5 with respect to those requests; and

6 (vii) to implement transparency and
7 performance-enhancing measures and re-
8 quirements that transmission providers
9 consider advanced transmission tech-
10 nologies to ensure timely and cost-con-
11 scious construction of necessary network
12 upgrades once an interconnection agree-
13 ment has been executed.

14 (2) DEADLINE FOR FINAL RULE.—Not later
15 than 12 months after the date of enactment of this
16 Act, the Commission shall promulgate a final rule to
17 complete the rulemaking initiated under paragraph
18 (1).

19 (3) DEADLINE FOR COMPLIANCE FILINGS.—
20 The Commission shall require each applicable Trans-
21 mission Provider subject to the final rule issued pur-
22 suant to this rulemaking to submit their compliance
23 filings within 60 days of the issuance of the final
24 order, and the Commission shall have 60 days there-
25 after to approve or reject the compliance filing. Any

1 subsequent compliance filing thereafter shall be sub-
 2 ject to these same timing requirements.

3 (4) SAVINGS CLAUSE.—Nothing in this section
 4 alters, or may be construed to alter, the allocation
 5 of costs of the transmission system pursuant to the
 6 ratemaking authority of the Commission under sec-
 7 tion 205 of the Federal Power Act (16 U.S.C.
 8 824d).

9 **SEC. 302. ADVANCED TRANSMISSION TECHNOLOGIES.**

10 (a) DEFINITIONS.—In this section:

11 (1) COMMISSION.—The term “Commission”
 12 means the Federal Energy Regulatory Commission.

13 (2) ADVANCED TRANSMISSION TECHNOLOGY.—
 14 The term “advanced transmission technology”
 15 means any hardware or software that—

16 (A) increases the capacity, efficiency, reli-
 17 ability, resilience, or safety of transmission fa-
 18 cilities and transmission technologies;

19 (B) is installed in addition to new or exist-
 20 ing transmission facilities and transmission
 21 technologies—

22 (i) to give operators of the trans-
 23 mission facilities and transmission tech-
 24 nologies more situational awareness and
 25 control over the electric grid;

1 (ii) to make the transmission facilities
2 and transmission technologies more effi-
3 cient; or

4 (iii) to increase the transfer capacity
5 of the transmission facilities and trans-
6 mission technologies; and

7 (C) includes, but is not limited to, dynamic
8 line ratings, advanced conductors, topology opti-
9 mization, advanced power-flow controls, and
10 other digital or physical systems that increase
11 the usable transfer capability of the grid.

12 (3) SECRETARY.—The term “Secretary” means
13 the Secretary of Energy.

14 (b) SHARED SAVINGS INCENTIVE FOR ADVANCED
15 TRANSMISSION TECHNOLOGIES.—

16 (1) DEFINITION OF DEVELOPER.—In this sub-
17 section, the term “developer”, with respect to ad-
18 vanced transmission technology, means the entity
19 that pays to install the advanced transmission tech-
20 nology.

21 (2) ESTABLISHMENT OF SHARED SAVINGS IN-
22 CENTIVE.—Not later than 18 months after the date
23 of enactment of this Act, the Commission shall pro-
24 mulgate a final rule to implement section 219(b)(3)
25 of the Federal Power Act (16 U.S.C. 824s(b)(3)) by

1 providing a shared savings incentive that returns a
2 portion of the savings attributable to an investment
3 in advanced transmission technology to the developer
4 of that advanced transmission technology, in accord-
5 ance with this subsection. The Commission may also
6 establish alternative incentive mechanisms, including
7 performance-based rate adjustments, accelerated de-
8 preciation, or return-on-equity adders, for utilities or
9 transmission owners for which a shared-savings ap-
10 proach is impracticable.

11 (3) REQUIREMENTS.—

12 (A) IN GENERAL.—The Commission shall
13 determine the percentage of savings attributable
14 to an investment in advanced transmission tech-
15 nology that can be returned to the developer of
16 that advanced transmission technology pursuant
17 to the shared savings incentive established
18 under paragraph (2), subject to the conditions
19 that the percentage—

20 (i) is not less than 10 percent and not
21 more than 25 percent;

22 (ii) is not determined on a per-project,
23 per-investment, or case-by-case basis; and

24 (iii) is applied consistently to all in-
25 vestments in advanced transmission tech-

1 nology eligible for the shared savings in-
2 centive, regardless of the type of advanced
3 transmission technology installed.

4 (B) TIME PERIOD FOR RECOVERY.—The
5 shared savings incentive established under para-
6 graph (2) shall return a percentage, determined
7 in accordance with subparagraph (A), of the ap-
8 plicable savings to the developer of the applica-
9 ble advanced transmission technology over a pe-
10 riod of 10 years.

11 (4) ELIGIBILITY.—Subject to paragraph (5),
12 the shared savings incentive established under para-
13 graph (2) shall apply with respect to—

14 (A) any developer, with respect to the in-
15 vestment of that developer in advanced trans-
16 mission technology that is installed as described
17 in subsection (a)(2)(B); and

18 (B) any advanced transmission technology,
19 including—

20 (i) advanced transmission technology
21 that relates to new transmission facilities
22 or transmission technologies; and

23 (ii) advanced transmission technology
24 that relates to existing transmission facili-
25 ties or transmission technologies.

1 (5) LIMITATIONS.—

2 (A) MINIMUM SAVINGS.—

3 (i) IN GENERAL.—The shared savings
4 incentive established under paragraph (2)
5 shall apply with respect to an investment
6 in advanced transmission technology only
7 if the expected savings attributable to the
8 investment over the 3-year period de-
9 scribed in paragraph (3)(B), as determined
10 by the Commission and appropriately ad-
11 justed to reflect net present value of the
12 expected savings, are at least 2 times the
13 cost of the investment.

14 (ii) DETERMINATION.—

15 (I) IN GENERAL.—The Commis-
16 sion shall determine how to quantify
17 the cost of an investment and the ex-
18 pected savings attributable to an in-
19 vestment for purposes of clause (i).

20 (II) COSTS.—For purposes of
21 clause (i), the cost of an investment
22 may include any costs associated with
23 the permitting, installation, or pur-
24 chase of the applicable advanced
25 transmission technology.

1 (B) ALREADY INSTALLED ADVANCED
2 TRANSMISSION TECHNOLOGIES.—The shared
3 savings incentive established under paragraph
4 (2) may not be applied with respect to advanced
5 transmission technology that is already installed
6 as of the date of enactment of this Act.

7 (C) CONSUMER PROTECTION.—The Com-
8 mission shall determine appropriate consumer
9 protections for the shared savings incentive es-
10 tablished under paragraph (2).

11 (6) EVALUATION AND SUNSET OF SHARED SAV-
12 INGS INCENTIVE.—

13 (A) EVALUATION.—Not earlier than 7
14 years, and not later than 10 years, after the
15 shared savings incentive is established under
16 paragraph (2), the Commission shall—

17 (i) evaluate the necessity and efficacy
18 of the shared savings incentive; and

19 (ii) determine whether to maintain,
20 revise, or suspend the shared savings in-
21 centive.

22 (B) CONSIDERATION OF ORDER NO.
23 1920.—In conducting the evaluation under sub-
24 paragraph (A)(i), the Commission shall con-
25 sider—

(i) how the shared savings incentive aligns with the requirement that advanced transmission technologies be considered in long-term regional transmission planning under Order No. 1920 of the Commission, entitled “Building for the Future Through Electric Regional Transmission Planning and Cost Allocation” (89 Fed. Reg. 49280 (June 11, 2024)) (or a successor order);

(ii) whether and how the shared savings incentive should be revised to further align with that requirement; and

(iii) whether, in light of that requirement, the shared savings incentive should be maintained or suspended.

(C) PUBLIC COMMENT.—In conducting the evaluation under subparagraph (A)(i), the Commission shall provide an opportunity for public comment, including by stakeholders.

(c) CONGESTION REPORTING.—

(1) ANNUAL REPORTS.—

(A) IN GENERAL.—Beginning on the date that is 1 year after the effective date of the rule promulgated under paragraph (2), all operators of transmission facilities or transmission tech-

1 nologies shall submit to the Commission annual
2 reports containing data on the costs associated
3 with congestion management with respect to the
4 transmission facilities or transmission tech-
5 nologies, including all relevant constraints.

6 (B) REQUIREMENT.—Each annual report
7 submitted under subparagraph (A) shall iden-
8 tify—

9 (i) with respect to each reported con-
10 straint that caused more than \$500,000 in
11 associated costs—

12 (I) the cause of the constraint,
13 including physical infrastructure and
14 transient disruptions; and

15 (II) the next limiting element
16 type and its identified rating limit;
17 and

18 (ii) each constraint that will be ad-
19 dressed by planned future upgrades to in-
20 frastructure and facilities.

21 (2) RULEMAKING.—Not later than 18 months
22 after the date of enactment of this Act, the Commis-
23 sion shall promulgate a final rule establishing a uni-
24 versal metric and protocol for the measuring and re-
25 porting of data under paragraph (1).

1 (3) USES OF DATA.—

2 (A) ANALYSES.—

3 (i) IN GENERAL.—The Commission
4 and the Secretary shall each use the data
5 submitted under paragraph (1) to conduct
6 analyses, as the Commission or the Sec-
7 retary, as applicable, determines to be ap-
8 propriate.

9 (ii) COORDINATION.—The Commis-
10 sion and the Secretary may coordinate
11 with respect to any analyses conducted
12 using the data submitted under paragraph
13 (1).

14 (B) MAP.—The Commission and the Sec-
15 retary, acting jointly, shall—

16 (i) use the data submitted under para-
17 graph (1) to create a map of costs associ-
18 ated with congestion management in the
19 transmission system; and

20 (ii) update that map not less fre-
21 quently than once each year.

22 (4) PUBLICATION OF DATA AND MAP.—The
23 Commission and the Secretary shall make the data
24 submitted under paragraph (1) and the map de-

1 scribed in paragraph (3)(B) publicly available on the
2 websites of—

3 (A) the Commission; and

4 (B) the Department of Energy.

5 (d) ADVANCED TRANSMISSION TECHNOLOGY APPLI-
6 CATION GUIDE.—

7 (1) DEFINITION OF DEVELOPER.—In this sec-
8 tion, the term “developer” means a developer of
9 transmission facilities or transmission technologies,
10 including a developer of transmission facilities or
11 transmission technologies that pays to install ad-
12 vanced transmission technology with respect to those
13 transmission facilities or transmission technologies.

14 (2) ESTABLISHMENT OF APPLICATION
15 GUIDE.—Not later than 18 months after the date of
16 enactment of this Act, the Secretary shall establish
17 an application guide for utilities and developers
18 seeking to implement advanced transmission tech-
19 nologies.

20 (3) UPDATES.—The guide established under
21 paragraph (2) shall be reviewed and updated annu-
22 ally.

23 (4) TECHNICAL ASSISTANCE.—

24 (A) IN GENERAL.—On request of a utility
25 or developer using the guide established under

paragraph (2), the Secretary shall provide technical assistance to that utility or developer with respect to the use of advanced transmission technologies for particular applications.

(B) CLEARINGHOUSE.—In carrying out subparagraph (A), the Secretary shall establish a clearinghouse of previously completed advanced transmission technology projects that the Secretary, utilities, and developers may use to identify issues and solutions relating to the use of advanced transmission technologies for particular applications.

(5) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to carry out this Act, to remain available until expended—

(A) \$5,000,000 for fiscal year 2026; and

(B) \$1,000,000 for each of fiscal years 2027 through 2037.

SEC. 303. ELECTRICITY TRANSFORMERS.

(a) DEFENSE PRODUCTION ACT.—There is authorized to be appropriated \$2,100,000,000 for the President, acting through the Secretary of Energy, under the authority of title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.), to expand domestic manufacturing of transformers and grid components, including amor-

1 phous steel, grain-oriented electrical steel, flexible trans-
 2 formers, circuit breakers, switchgear and substations to
 3 serve load and interconnect generation, and inverters and
 4 optimizers to integrate the influx of distributed genera-
 5 tors.

6 (b) STRATEGIC TRANSFORMER RESILIENCE PRO-
 7 GRAM.—

8 (1) DEFINITIONS.—In this section:

9 (A) BULK-POWER SYSTEM; ELECTRIC RE-
 10 LIABILITY ORGANIZATION.—The terms “bulk-
 11 power system” and “Electric Reliability Organi-
 12 zation” have the meanings given those terms in
 13 section 215(a) of the Federal Power Act (16
 14 U.S.C. 824o(a)).

15 (B) INDEPENDENT SYSTEM OPERATOR;
 16 REGIONAL TRANSMISSION ORGANIZATION;
 17 STATE REGULATORY AUTHORITY.—The terms
 18 “Independent System Operator”, “Regional
 19 Transmission Organization”, and “State regu-
 20 latory authority” have the meanings given those
 21 terms in section 3 of the Federal Power Act (16
 22 U.S.C. 796).

23 (C) SECRETARY.—The term “Secretary”
 24 means the Secretary of Energy.

25 (2) STRATEGY AND REPORT.—

1 (A) IN GENERAL.—Not later than 18
2 months after the date of enactment of this Act,
3 the Secretary shall develop a strategy, and sub-
4 mit to the Committee on Energy and Natural
5 Resources of the Senate and the Committee on
6 Energy and Commerce of the House of Rep-
7 resentatives a report identifying methods—

8 (i) to ensure that large power trans-
9 formers, generator step-up transformers,
10 power conversion equipment, grain-oriented
11 electrical steel, and other critical electric
12 grid equipment is strategically located to
13 ensure timely replacement of that equip-
14 ment as necessary to rapidly restore oper-
15 ation and proper functioning of the electric
16 grid in the event of severe damage to the
17 electric grid due to physical attack, cyber
18 attack, electromagnetic pulses, geo-
19 magnetic disturbances, severe weather, cli-
20 mate change, or seismic events; and

21 (ii) to facilitate the transportation of
22 large power transformers, generator step-
23 up transformers, power conversion equip-
24 ment, grain-oriented electrical steel, and
25 other critical electric grid equipment.

1 (B) CONSIDERATIONS.—

2 (i) IN GENERAL.—In developing the
3 strategy under paragraph (1), the Sec-
4 retary shall consider the need for, and the
5 feasibility of establishing, 1 or more feder-
6 ally owned strategic equipment reserves, as
7 appropriate, to ensure nationwide access to
8 large power transformers, generator step-
9 up transformers, power conversion equip-
10 ment, grain-oriented electrical steel, and
11 other critical electric grid equipment.

12 (ii) EXISTING PROGRAMS.—In car-
13 rying out subparagraph (A), the Secretary
14 may consider existing spare transformer
15 and equipment programs and requirements
16 established by the private sector, Regional
17 Transmission Organizations, Independent
18 System Operators, and State regulatory
19 authorities.

20 (C) CONSULTATION REQUIRED.—In car-
21 rying out this subsection, the Secretary shall
22 consult with—

23 (i) the Federal Energy Regulatory
24 Commission;

1 (ii) the Electricity Subsector Coordinating Council;

2
3 (iii) the Electric Reliability Organization;

4
5 (iv) manufacturers of large power
6 transformers, generator step-up trans-
7 formers, power conversion equipment,
8 grain-oriented electrical steel, and other
9 critical electric grid equipment;

10 (v) owners and operators of critical
11 electric infrastructure (as defined in sec-
12 tion 215A(a) of the Federal Power Act (16
13 U.S.C. 824o–1(a))); and

14 (vi) owners and operators of military
15 installations (as defined in section 2801(c)
16 of title 10, United States Code) and de-
17 fense sites (as defined in section 2710(e)
18 of that title), including facilities designated
19 as critical defense facilities under section
20 215A(c) of the Federal Power Act (16
21 U.S.C. 824o–1(c));

22 (3) TRANSFORMER RESILIENCE PROGRAM.—In
23 addition to the strategy developed under subsection
24 (b), the Secretary shall establish a program—

1 (A) to improve large power transformers,
2 generator step-up transformers, power conver-
3 sion equipment, grain-oriented electrical steel,
4 and other critical electric grid equipment by re-
5 ducing vulnerabilities identified with respect to
6 that equipment;

7 (B) to develop, test, and deploy innovative
8 equipment designs, including modular designs,
9 that are more flexible and offer greater resil-
10 iency with respect to the operation and func-
11 tioning of the electric grid;

12 (C) to coordinate with industry and manu-
13 facturers to standardize large power trans-
14 formers, generator step-up transformers, power
15 conversion equipment, and other critical electric
16 grid equipment;

17 (D) to monitor and test large power trans-
18 formers, generator step-up transformers, power
19 conversion equipment, and other critical electric
20 grid equipment that the Secretary determines
21 may pose a risk to the bulk-power system or
22 national security; and

23 (E) to facilitate the domestic manufac-
24 turing of large power transformers, generator
25 step-up transformers, power conversion equip-

1 ment, grain-oriented electrical steel, and other
2 critical electric grid equipment through—

3 (i) the issuance of grants and loans;

4 and

5 (ii) the provision of technical support.

6 (4) REQUIREMENT.—

7 (A) IN GENERAL.—All laborers and me-
8 chanics employed by contractors or subcontractors
9 in the performance of construction, alteration,
10 or repair work carried out, in whole or in
11 part, with financial assistance made available
12 under this section shall be paid wages at rates
13 not less than those prevailing on projects of a
14 character similar in the locality as determined
15 by the Secretary of Labor in accordance with
16 subchapter IV of chapter 31 of title 40, United
17 States Code.

18 (B) AUTHORITY.—With respect to the
19 labor standards specified in this subsection, the
20 Secretary of Labor shall have the authority and
21 functions set forth in Reorganization Plan
22 Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C.
23 App.) and section 3145 of title 40, United
24 States Code.

1 (5) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated to carry out
 3 this subsection \$75,000,000 for each of fiscal years
 4 2026 through 2030, to remain available until ex-
 5 pended.

6 **SEC. 304. STREAMLINING PERMITTING OF DISTRIBUTED**
 7 **ENERGY.**

8 (a) DEFINITIONS.—In this section:

9 (1) AUTHORITY HAVING JURISDICTION.—The
 10 term “authority having jurisdiction” means any
 11 State, county, local, or Tribal office or official with
 12 jurisdiction—

13 (A) to issue permits relating to qualifying
 14 distributed energy systems;

15 (B) to conduct inspections to enforce the
 16 requirements of a relevant code or standard re-
 17 lating to qualifying distributed energy systems;
 18 or

19 (C) to approve the installation of, or the
 20 equipment and materials used in the installa-
 21 tion of, qualifying distributed energy systems.

22 (2) QUALIFYING DISTRIBUTED ENERGY SYS-
 23 TEM.—The term “qualifying distributed energy sys-
 24 tem” means any equipment or materials installed in,

1 on, or near a residential building to support onsite
2 or local energy use, including—

3 (A) to generate electricity from distributed
4 renewable energy sources, including from—

5 (i) solar photovoltaic systems or simi-
6 lar solar energy technologies; and

7 (ii) wind power systems;

8 (B) to store and discharge electricity from
9 batteries with a capacity of at least 2 kilowatt
10 hours;

11 (C) to charge a plug-in electric drive vehi-
12 cle at a power rate of at least 2 kilowatts; or

13 (D) to refuel a hydrogen fuel cell electric
14 vehicle.

15 (3) SECRETARY.—The term “Secretary” means
16 the Secretary of Energy.

17 (b) PROGRAM.—Not later than 180 days after the
18 date of enactment of this Act, the Secretary, in consulta-
19 tion with trade associations and other entities representing
20 distributed energy system installers and organizations rep-
21 resenting State, local, and Tribal governments engaged in
22 permitting, shall carry out a program to further develop,
23 expand, and support the adoption of a voluntary stream-
24 lined permitting and inspection process for authorities

1 having jurisdiction to use for the permitting of qualifying
2 distributed energy systems.

3 (c) ACTIVITIES OF THE PROGRAM.—In carrying out
4 the program established under subsection (b), the Sec-
5 retary shall—

6 (1) further develop and expand an exemplary
7 streamlined permitting process that includes an on-
8 line permitting platform—

9 (A) for expediting, standardizing, and
10 streamlining permitting; and

11 (B) that authorities having jurisdiction
12 may voluntarily use to receive, review, and ap-
13 prove permit applications relating to qualifying
14 distributed energy systems;

15 (2) establish targets for the adoption of a
16 streamlined, expedited permitting process by au-
17 thorities having jurisdiction;

18 (3) provide technical assistance and training di-
19 rectly or indirectly to authorities having jurisdiction
20 on using and adopting the exemplary streamlined
21 permitting process described in paragraph (1), in-
22 cluding the adoption of any necessary building codes;

23 (4) develop a voluntary inspection protocol and
24 related tools to expedite, standardize, and streamline

1 the inspection of qualifying distributed energy sys-
2 tems, including—

3 (A) by investigating the potential for using
4 remote inspections;

5 (B) by investigating the potential for sam-
6 ple-based inspection for distributed energy sys-
7 tem installers with a demonstrated track record
8 of high-quality work; and

9 (C) by investigating opportunities to inte-
10 grate the voluntary inspection protocol into the
11 online permitting platform described in para-
12 graph (1) and the platforms of government
13 software providers; and

14 (5) take any other action to expedite, stand-
15 ardize, streamline, or improve the process for per-
16 mitting, inspecting, or interconnecting qualifying
17 distributed energy systems.

18 (d) SUPPORT SERVICES.—The Secretary shall—

19 (1) support the provision of technical assistance
20 to authorities having jurisdiction, any administrator
21 of the online permitting platform described in sub-
22 section (c)(1), government software providers, and
23 any other entity determined appropriate by the Sec-
24 retary in carrying out the activities described in sub-
25 section (c); and

1 (2) provide such financial assistance as the Sec-
2 retary determines appropriate from any funds appro-
3 priated to carry out this section.

4 (e) AUTHORITY HAVING JURISDICTION CERTIFI-
5 CATION PROGRAM.—

6 (1) IN GENERAL.—The Secretary may certify
7 authorities having jurisdiction that implement the
8 exemplary streamlined permitting process described
9 in subsection (c)(1).

10 (2) PROCESS.—The Secretary may confer a cer-
11 tification under paragraph (1) through existing pro-
12 grams within the Department of Energy.

13 (3) PRIZES.—The Secretary may award prizes
14 to authorities having jurisdiction, using funds appro-
15 priated to the Secretary to carry out this section, to
16 encourage authorities having jurisdiction to adopt
17 the exemplary streamlined permitting process or the
18 voluntary inspection protocol established under para-
19 graphs (1) and (4) of subsection (c), respectively.

20 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to the Secretary to carry
22 out this section \$20,000,000 for each of fiscal years 2027
23 through 2030.

1 **SEC. 305. COMMUNITY SOLAR.**

2 (a) ESTABLISHMENT OF COMMUNITY SOLAR CON-
3 SUMER CHOICE PROGRAM.—

4 (1) IN GENERAL.—Not later than 12 months
5 after the date of enactment of this Act, the Sec-
6 retary shall establish a program to increase the op-
7 portunities for participation in community solar pro-
8 grams by—

9 (A) individuals, prioritizing individuals
10 that do not have regular access to onsite solar,
11 including low- and moderate-income individuals
12 and individuals living in energy communities;

13 (B) businesses;

14 (C) nonprofit organizations; and

15 (D) States and local and Tribal govern-
16 ments.

17 (2) ALIGNMENT WITH EXISTING FEDERAL PRO-
18 GRAMS.—The Secretary shall align the program es-
19 tablished under paragraph (1) with existing Federal
20 programs that serve low-income communities.

21 (3) ASSISTANCE TO STATE, TRIBAL, AND LOCAL
22 GOVERNMENTS.—In carrying out the program estab-
23 lished under paragraph (1), the Secretary shall—

24 (A) provide technical assistance to eligible
25 entities for projects to increase the number of
26 community solar facilities;

1 (B) assist eligible entities in the develop-
2 ment of new and innovative financial and busi-
3 ness models that leverage competitive processes
4 in order to serve community solar subscribers;
5 and

6 (C) use National Laboratories to collect
7 and disseminate data to assist private entities
8 in the financing of, subscription to, and oper-
9 ation of community solar programs.

10 (b) FEDERAL GOVERNMENT PARTICIPATION IN COM-
11 MUNITY SOLAR PROGRAMS.—The Secretary shall, as the
12 Secretary determines appropriate, expand the existing
13 grant, loan, and financing programs of the Department
14 of Energy to include community solar programs.

15 (c) ESTABLISHMENT OF COMMUNITY SOLAR PRO-
16 GRAMS.—

17 (1) IN GENERAL.—Section 111(d) of the Public
18 Utility Regulatory Policies Act of 1978 (16 U.S.C.
19 2621(d)) is amended by adding at the end the fol-
20 lowing:

21 “(22) COMMUNITY SOLAR PROGRAMS.—

22 “(A) IN GENERAL.—Each electric utility
23 shall offer a community solar program that pro-
24 vides all ratepayers, including low-income rate-
25 payers, equitable and demonstrable access to

1 such community solar program. Such programs
2 may include community solar facilities owned or
3 operated by non-utility entities and shall not re-
4 strict participation to utility-owned facilities.

5 “(B) DEFINITIONS.—For the purposes of
6 this paragraph:

7 “(i) COMMUNITY SOLAR PROGRAM.—
8 The term ‘community solar program’
9 means a service provided to any electric
10 consumer that the electric utility serves
11 through which the value of electricity gen-
12 erated by a community solar facility may
13 be used to reduce total charges billed to
14 the electric consumer.

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

18 “(I) allocates electricity to mul-
19 tiple electric consumers of an electric
20 utility;

21 “(II) is interconnected with the
22 electric grid; and

23 “(III) is located either on or off
24 the property of the electric consumers
25 described in subclause (I).”.

1 (2) COMPLIANCE.—

2 (A) TIME LIMITATIONS.—Section 112(b)
3 of the Public Utility Regulatory Policies Act of
4 1978 (16 U.S.C. 2622(b)) is amended by add-
5 ing at the end the following:

6 “(9)(A) Not later than 12 months after the
7 date of enactment of this paragraph, each State reg-
8 ulatory authority (with respect to each electric utility
9 for which the State has ratemaking authority) and
10 each nonregulated electric utility shall commence
11 consideration under section 111, or set a hearing
12 date for consideration, with respect to the standard
13 established by paragraph (22) of section 111(d).

14 “(B) Not later than 24 months after the date
15 of enactment of this paragraph, each State regu-
16 latory authority (with respect to each electric utility
17 for which the State has ratemaking authority), and
18 each nonregulated electric utility shall complete the
19 consideration and make the determination under sec-
20 tion 111 with respect to the standard established by
21 paragraph (22) of section 111(d).”.

22 (B) FAILURE TO COMPLY.—Section 112(c)
23 of the Public Utility Regulatory Policies Act of
24 1978 (16 U.S.C. 2622(c)) is amended—

1 (i) by striking “subsection (b)(2)” and
 2 inserting “subsection (b)”; and

3 (ii) by adding at the end the fol-
 4 lowing: “In the case of the standard estab-
 5 lished by paragraph (22) of section 111(d),
 6 the reference contained in this subsection
 7 to the date of enactment of this Act shall
 8 be deemed to be a reference to the date of
 9 enactment of that paragraph (22).”.

10 (C) PRIOR STATE ACTIONS.—

11 (i) IN GENERAL.—Section 112 of the
 12 Public Utility Regulatory Policies Act of
 13 1978 (16 U.S.C. 2622) is amended by add-
 14 ing at the end the following:

15 “(i) PRIOR STATE ACTIONS.—Subsections (b) and
 16 (c) shall not apply to the standard established by para-
 17 graph (22) of section 111(d) in the case of any electric
 18 utility in a State if, before the date of enactment of this
 19 subsection—

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

22 “(2) the State regulatory authority for the
 23 State or the relevant nonregulated electric utility has
 24 conducted a proceeding to consider implementation

1 of the standard (or a comparable standard) for the
 2 electric utility; or

3 “(3) the State legislature has voted on the im-
 4 plementation of the standard (or a comparable
 5 standard) for the electric utility.”.

6 (ii) CROSS-REFERENCE.—Section 124
 7 of the Public Utility Regulatory Policies
 8 Act of 1978 (16 U.S.C. 2634) is amended
 9 by adding at the end the following: “In the
 10 case of the standard established by para-
 11 graph (22) of section 111(d), the reference
 12 contained in this subsection to the date of
 13 enactment of this Act shall be deemed to
 14 be a reference to the date of enactment of
 15 that paragraph (22).”.

16 (d) FEDERAL CONTRACTS FOR PUBLIC UTILITY
 17 SERVICES.—Section 501(b)(1) of title 40, United States
 18 Code, is amended by amending subparagraph (B) to read
 19 as follows:

20 “(B) PUBLIC UTILITY CONTRACTS.—A
 21 contract under this paragraph for public utility
 22 services may be for a period of not more than
 23 30 years.”.

24 (e) DEFINITIONS.—In this section:

1 (1) COMMUNITY SOLAR FACILITY; COMMUNITY
2 SOLAR PROGRAM.—The terms “community solar fa-
3 cility” and “community solar program” have the
4 meaning given such terms in paragraph (22) of sec-
5 tion 111(d) of the Public Utility Regulatory Policies
6 Act of 1978 (16 U.S.C. 2621(d)), as added by sub-
7 section (c) of this section.

8 (2) COMMUNITY SOLAR SUBSCRIBER.—The
9 term “community solar subscriber” means an elec-
10 tricity customer that receives or purchases a propor-
11 tional share of the output of a community solar fa-
12 cility under an ownership, subscription, or power
13 purchase arrangement approved by the applicable
14 regulatory authority.

15 (3) ELIGIBLE ENTITY.—The term “eligible enti-
16 ty” means—

17 (A) a State or political subdivision of a
18 State;

19 (B) a unit of local government;

20 (C) an Indian Tribe (as defined in section
21 4 of the Indian Self-Determination and Edu-
22 cation Assistance Act (25 U.S.C. 5304));

23 (D) a territory of the United States; or

24 (E) an authority, agency, or instrumen-
25 tality of, or an entity owned by, 1 or more enti-

1 ties described in subparagraphs (A) through
2 (D).

3 (4) ENERGY COMMUNITY.—The term “energy
4 community” has the meaning given such term in
5 section 45(b)(11) of the Internal Revenue Code of
6 1986 (26 U.S.C. 45(b)(11)).

7 (5) NATIONAL LABORATORIES.—The term “Na-
8 tional Laboratories” has the meaning given the term
9 in section 2 of the Energy Policy Act of 2005 (42
10 U.S.C. 15801).

11 (6) SECRETARY.—The term “Secretary” means
12 the Secretary of Energy.

13 **SEC. 306. LOW-COST, CLEAN ENERGY IN UNITED STATES**
14 **TERRITORIES.**

15 (a) CLEAN ENERGY GRANT PROGRAM.—

16 (1) ESTABLISHMENT.—Not later than 180 days
17 after the date of enactment of this Act, the Sec-
18 retary of Agriculture shall establish a renewable en-
19 ergy program (in this section referred to as the
20 “program”) under which the Secretary may award
21 grants to covered entities to facilitate projects, in
22 territories of the United States, described in para-
23 graph (3).

24 (2) APPLICATIONS.—To be eligible for a grant
25 under the program, a covered entity shall submit to

1 the Secretary an application at such time, in such
2 form, and containing such information as the Sec-
3 retary may require.

4 (3) GRANT USES.—

5 (A) IN GENERAL.—A covered entity receiv-
6 ing a grant under the program may use grant
7 funds for a project, in a territory of the United
8 States—

9 (i) to develop or construct a renewable
10 energy system;

11 (ii) to carry out an activity to increase
12 energy efficiency or demand flexibility;

13 (iii) to develop or construct an energy
14 storage system or device for—

15 (I) a system developed or con-
16 structed under clause (i); or

17 (II) an activity carried out under
18 clause (ii);

19 (iv) to develop or construct—

20 (I) a smart grid; or

21 (II) a microgrid; or

22 (v) to train residents of the territory
23 of the United States to develop, construct,
24 maintain, or operate a renewable energy
25 system.

1 (B) LIMITATION.—A covered entity receiv-
2 ing a grant under the program may not use
3 grant funds to develop or construct a facility
4 that generates electricity using energy derived
5 from fossil fuels.

6 (4) TECHNICAL ASSISTANCE.—The Secretary of
7 Energy shall ensure that Department of Energy na-
8 tional laboratories offer to provide technical assist-
9 ance to each covered entity carrying out a project
10 assisted with a grant under the program.

11 (5) REPORT.—Not later than 2 years after the
12 establishment of the program, and on an annual
13 basis thereafter, the Secretary shall submit to Con-
14 gress a report containing—

15 (A) an estimate of the amount of funds
16 disbursed under the program;

17 (B) an estimate of the energy conservation
18 achieved as a result of the program;

19 (C) a description of challenges encountered
20 in implementing projects described in para-
21 graph (3)(A);

22 (D) recommendations as to additional leg-
23 islative measures to increase the use of renew-
24 able energy in territories of the United States,
25 as appropriate;

1 (E) recommendations for improving resil-
2 ience and dependability of projects described in
3 paragraph (3)(A);

4 (F) recommendations for furthering the
5 long-term energy independence of U.S. terri-
6 tories covered by this program; and

7 (G) findings regarding the effect of this
8 program on consumer energy prices and how it
9 can be improved to continue lowering those
10 prices.

11 (6) AUTHORIZATION OF APPROPRIATIONS.—

12 There are authorized to be appropriated such sums
13 as may be necessary to carry out this section.

14 (b) GAO STUDY AND REPORT.—

15 (1) IN GENERAL.—

16 (A) STUDY AND REPORT.—Not later than
17 180 days after the date of enactment of this
18 Act, the Comptroller General of the United
19 States shall—

20 (i) conduct a study regarding renew-
21 able energy, energy efficiency, and demand
22 flexibility in territories of the United
23 States; and

24 (ii) submit to Congress a report con-
25 taining—

- 1 (I) the findings of the study; and
2 (II) related recommendations.

3 (B) COMPONENTS.—The study conducted
4 under subparagraph (A) shall consider, in rela-
5 tion to each territory of the United States, the
6 potential—

- 7 (i) to modify existing electric power
8 systems to use renewable energy sources;
9 (ii) to expand the use of microgrids;
10 and
11 (iii) to improve energy resiliency.

12 (2) AUTHORIZATION OF APPROPRIATIONS.—
13 There is authorized to be appropriated \$1,500,000
14 to carry out this section.

15 (c) DEFINITIONS.—In this Act, the following defini-
16 tions apply:

17 (1) COVERED ENTITY.—The term “covered en-
18 tity” means a not-for-profit organization determined
19 eligible by the Secretary of Agriculture for purposes
20 of this Act.

21 (2) DEPARTMENT OF ENERGY NATIONAL LAB-
22 ORATORIES.—The term “Department of Energy na-
23 tional laboratories” has the same meaning as the
24 term “National Laboratory” under section 2 of the
25 Energy Policy Act of 2005 (42 U.S.C. 15801).

1 (3) MICROGRID.—The term “microgrid” means
2 an electric system—

3 (A) that serves the local community with a
4 power generation and distribution system; and

5 (B) that has the ability—

6 (i) to disconnect from a traditional
7 electric grid; and

8 (ii) to operate autonomously when dis-
9 connected.

10 (4) RENEWABLE ENERGY; RENEWABLE ENERGY
11 SYSTEM.—The terms “renewable energy” and “re-
12 newable energy system” have the meanings given
13 those terms in section 9001 of the Farm Security
14 and Rural Investment Act of 2002 (7 U.S.C. 8101).

15 (5) SMART GRID.—The term “smart grid”
16 means an intelligent electric grid that uses digital
17 communications technology, information systems,
18 and automation to, while maintaining high system
19 reliability—

20 (A) detect and react to local changes in
21 usage;

22 (B) improve system operating efficiency;
23 and

24 (C) reduce spending costs.

1 (6) TERRITORY OF THE UNITED STATES.—The
2 term “territory of the United States” means the
3 Commonwealth of Puerto Rico, Guam, the United
4 States Virgin Islands, American Samoa, and the
5 Commonwealth of the Northern Mariana Islands.

6 **TITLE IV—BUILDING OUT A 21ST**
7 **CENTURY ELECTRICITY GRID**
8 **Subtitle A—Amendments to the**
9 **Federal Power Act**

10 **SEC. 401. DEFINITIONS.**

11 Section 3 of the Federal Power Act (16 U.S.C. 796)
12 is amended by adding at the end the following:

13 “(30) ENERGY STORAGE PROJECT.—The term
14 ‘energy storage project’ means equipment that re-
15 ceives, stores, and delivers energy-using batteries,
16 compressed air, pumped hydropower, hydrogen stor-
17 age (including hydrolysis), thermal energy storage,
18 regenerative fuel cells, flywheels, capacitors, super-
19 conducting magnets, or other technologies identified
20 by the Secretary of Energy.

21 “(31) GENERATING FACILITY.—The term ‘gen-
22 erating facility’ means any facility that generates
23 electricity.

24 “(32) GENERATOR TIE LINE.—The term ‘gen-
25 erator tie line’ means a dedicated transmission line

1 that is used to transmit power from a generating fa-
2 cility or an energy storage project to a transmission
3 facility or a transmission system.

4 “(33) GREENHOUSE GAS.—The term ‘green-
5 house gas’ includes each of the following:

6 “(A) Carbon dioxide.

7 “(B) Methane.

8 “(C) Nitrous oxide.

9 “(D) Sulfur hexafluoride.

10 “(E) Any hydrofluorocarbon.

11 “(F) Any perfluorocarbon.

12 “(G) Nitrogen trifluoride.

13 “(H) Any fully fluorinated linear,
14 branched, or cyclic—

15 “(i) alkane;

16 “(ii) ether;

17 “(iii) tertiary amine; or

18 “(iv) aminoether.

19 “(I) Any perfluoropolyether.

20 “(J) Any hydrofluoropolyether.

21 “(K) Any other fluorocarbon, except for a
22 fluorocarbon with a vapor pressure of less than
23 1 mm of Hg absolute at 25 degrees Celsius.

1 “(34) ADVANCED TRANSMISSION TECH-
2 NOLOGY.—The term ‘advanced transmission tech-
3 nology’ means any hardware or software that—

4 “(A) increases the capacity, efficiency, reli-
5 ability, resilience, or safety of transmission fa-
6 cilities and transmission technologies;

7 “(B) is installed in addition to new or ex-
8 isting transmission facilities and transmission
9 technologies—

10 “(i) to give operators of the trans-
11 mission facilities and transmission tech-
12 nologies more situational awareness and
13 control over the electric grid;

14 “(ii) to make the transmission facili-
15 ties and transmission technologies more ef-
16 ficient; or

17 “(iii) to increase the transfer capacity
18 of the transmission facilities and trans-
19 mission technologies; and

20 “(C) includes, but is not limited to, dy-
21 namic line ratings, advanced conductors, topol-
22 ogy optimization, advanced power-flow controls,
23 and other digital or physical systems that in-
24 crease the usable transfer capability of the grid.

1 “(35) INTERCONNECTION CUSTOMER.—The
2 term ‘interconnection customer’ means an entity, or
3 any affiliates or subsidiaries of an entity, that pro-
4 poses to interconnect a generating facility or an en-
5 ergy storage project to a transmission facility or
6 transmission system.

7 “(36) TRANSMISSION BENEFITS.—The term
8 ‘transmission benefits’ means the broad range of
9 economic, operational, safety, resilience, public pol-
10 icy, and environmental benefits (as assessed by the
11 Commission in accordance with section 224(e)) and
12 other reasonably anticipated benefits of constructing,
13 modifying, or operating a transmission facility, in-
14 cluding—

15 “(A) improved reliability;

16 “(B) improved resilience;

17 “(C) improved safety;

18 “(D) reduced congestion;

19 “(E) reduced power losses;

20 “(F) greater carrying capacity;

21 “(G) reduced operating reserve require-
22 ments;

23 “(H) improved access to lower-cost elec-
24 tricity generation;

1 “(I) improved access to electricity gener-
2 ating facilities with no direct emissions of
3 greenhouse gases;

4 “(J) improved public health from the clo-
5 sure of electricity generation facilities that emit
6 harmful pollution;

7 “(K) increased competition and market li-
8 quidity in electricity markets;

9 “(L) improved energy resilience and resil-
10 ience of Department of Defense installations;

11 “(M) improved ability to integrate new
12 sources of electrical demand; and

13 “(N) other potential benefits of increasing
14 the interconnectedness of the electric grid.

15 “(37) NETWORK UPGRADE.—The term ‘net-
16 work upgrade’ means—

17 “(A) any addition to or expansion of any
18 transmission facility or transmission system;

19 “(B) the construction of a new trans-
20 mission facility that will become part of a trans-
21 mission system;

22 “(C) the addition of an energy storage
23 project to a transmission facility or a trans-
24 mission system; or

1 “(D) any construction, deployment, or ad-
2 dition of an advanced transmission technology
3 to a transmission facility or a transmission sys-
4 tem that eliminates or reduces the need to carry
5 out any of the activities described in subpara-
6 graphs (A) through (C).

7 “(38) PARTICIPANT FUNDING.—The term ‘par-
8 ticipant funding’ means any cost allocation method
9 under which an interconnection customer is required
10 to pay, without reimbursement, all or a dispropor-
11 tionate amount of the costs of a network upgrade
12 that is determined by the Commission to be nec-
13 essary to ensure the reliable interconnection of the
14 interconnection customer’s generating facility or en-
15 ergy storage project.

16 “(39) TRANSMISSION PLANNING REGION.—The
17 term ‘transmission planning region’ means—

18 “(A) when used in a geographical sense, a
19 region for which the Commission determines
20 that electric transmission planning is appro-
21 priate, such as a region established in accord-
22 ance with Order No. 1000 of the Commission,
23 entitled ‘Transmission Planning and Cost Allo-
24 cation by Transmission Owning and Operating

1 Public Utilities’ (76 Fed. Reg. 49842 (August
2 11, 2011)); and

3 “(B) when used in a corporate sense,
4 means the Transmission Organization or other
5 entity responsible for planning or operating
6 electric transmission facilities within a region
7 described in subparagraph (A).

8 “(40) TRANSMISSION SYSTEM.—For purposes
9 of sections 224 and 227, the term ‘transmission sys-
10 tem’ means a network of transmission facilities used
11 for the transmission of electric energy in interstate
12 commerce.”.

13 **SEC. 402. INTERREGIONAL ELECTRIC TRANSMISSION PLAN-**
14 **NING.**

15 Part II of the Federal Power Act (16 U.S.C. 824 et
16 seq.) is amended by adding at the end the following:

17 **“SEC. 224. IMPROVING INTERREGIONAL ELECTRIC TRANS-**
18 **MISSION PLANNING.**

19 “(a) IN GENERAL.—Not later than 6 months after
20 the date of enactment of this section, the Commission
21 shall issue regulations that require each pair or grouping
22 of neighboring transmission planning regions to jointly de-
23 velop and file with the Commission a process by which
24 they will develop an interregional transmission plan to
25 identify and to facilitate the construction or upgrade of

1 onshore and offshore electric transmission facilities that
2 are efficient, cost-effective, and broadly beneficial. Such
3 process must address the considerations in subsection (b)
4 and be filed within 6 months after the regulations required
5 by this paragraph are finalized. Such process must require
6 development of an interregional transmission plan within
7 at least 3 years of the promulgation of the regulations and
8 that a new plan be developed at least every 3 years there-
9 after, in alignment with long-term regional transmission
10 plans developed under Orders 1920 and 1920–A (89 Fed.
11 Reg. 49280 and 89 Fed. Reg. 97174).

12 “(b) CONSIDERATIONS.—In determining the require-
13 ments for a process described in subsection (a), the Com-
14 mission shall require that such process advance—

15 “(1) the development of transmission systems
16 that can operate for a minimum of 20 years and
17 across a wide range of scenarios, including scenarios
18 that take into account—

19 “(A) Federal, State, and local laws and
20 regulations, and other factors that affect elec-
21 tricity demand and the current and future gen-
22 eration resource mix;

23 “(B) trends in technology and fuel costs;

1 “(C) the retirement of generation facilities,
2 energy storage projects, and transmission facili-
3 ties;

4 “(D) generator interconnection requests
5 and withdrawals; and

6 “(E) extreme weather events, including in
7 anticipation of how the frequency and intensity
8 of these events are projected to change over the
9 planning period due to climate change;

10 “(2) the public interest;

11 “(3) the integrity of electricity markets;

12 “(4) the protection of consumers;

13 “(5) the optimization of transmission benefits;

14 “(6) the need for an individual interregional
15 transmission project to secure approvals based on a
16 comprehensive assessment of the multiple benefits
17 provided;

18 “(7) the importance of synchronization of plan-
19 ning processes in neighboring transmission planning
20 regions, such as using a joint model on a consistent
21 timeline with a single set of needs, input assump-
22 tions, and benefit metrics;

23 “(8) the need for an individual interregional
24 transmission project that is identified in the inter-
25 regional transmission plan of a pair of transmission

1 planning regions not to be subject to any subsequent
2 planning process by other transmission planning re-
3 gions;

4 “(9) that evaluation of long-term scenarios
5 should align with the expected life of an element of
6 a transmission system;

7 “(10) that a pair of transmission planning re-
8 gions should allow for the identification and joint
9 evaluation of alternatives proposed by stakeholders,
10 and ensure meaningful opportunities for States,
11 Tribes, consumer advocates, labor organizations, and
12 environmental justice communities to participate;

13 “(11) the need to eliminate arbitrary project
14 voltage, size, or cost requirements for transmission
15 projects;

16 “(12) the applicability of a broad range of al-
17 ternatives to the construction of transmission facili-
18 ties, including advanced transmission technologies,
19 demand side flexibility, distributed storage, load
20 management, dynamic line rating, and power flow
21 control; and

22 “(13) the use of data and analyses provided by
23 the Secretary of Energy, including as provided by
24 the National Laboratories, regarding any of the
25 items described in paragraphs (1) through (12).

1 “(c) REPORT.—Not later than 12 months after the
 2 issuance of regulations under subsection (a) and annually
 3 thereafter, the Commission shall publish in the Federal
 4 Register a report on the progress by each pair of trans-
 5 mission planning regions in identifying and facilitating the
 6 construction of interregional electric transmission
 7 projects, including a description of the transmission bene-
 8 fits associated with such projects.

9 “(d) ENVIRONMENTAL BENEFITS.—In assessing the
 10 environmental benefits associated with any activity under-
 11 taken pursuant to this Act, the Commission may use any
 12 relevant analysis or other information conducted or pro-
 13 vided by the Council on Environmental Quality and the
 14 Environmental Protection Agency.”.

15 **SEC. 403. ALLOCATION OF COSTS OF ELECTRIC TRANS-**
 16 **MISSION FACILITIES OF NATIONAL SIGNIFI-**
 17 **CANCE.**

18 Part II of the Federal Power Act (16 U.S.C. 824 et
 19 seq.) is further amended by adding at the end the fol-
 20 lowing:

21 **“SEC. 225. ALLOCATION OF COSTS OF TRANSMISSION FA-**
 22 **CILITIES OF NATIONAL SIGNIFICANCE.**

23 “(a) ALLOCATION OF COSTS.—

24 “(1) IN GENERAL.—Any transmitting utility
 25 that owns, controls, or operates a transmission facil-

1 ity of national significance, or proposes to own, con-
2 trol, or operate a transmission facility of national
3 significance, may file a tariff with the Commission
4 in accordance with section 205 allocating the costs
5 of constructing, modifying, and operating such
6 transmission facility of national significance in ac-
7 cordance with paragraph (2).

8 “(2) COST ALLOCATION PRINCIPLE.—The Com-
9 mission shall require that any tariff described in
10 paragraph (1) allocate the cost to construct, modify,
11 and operate a transmission facility of national sig-
12 nificance to customers within the applicable trans-
13 mission planning region or regions in a manner that
14 is roughly commensurate with the reasonably antici-
15 pated transmission benefits. Additionally, the Com-
16 mission shall require that any proposed calculation
17 of reasonably anticipated transmission benefits make
18 the assumptions and calculations behind such cal-
19 culation public and included in any tariff described
20 in paragraph (1).

21 “(3) COMMISSION AUTHORITY.—If the Commis-
22 sion determines that no tariff filed under paragraph
23 (1) provides for a just, reasonable, and not unduly
24 discriminatory allocation of costs for a transmission
25 facility of national significance, the Commission

1 may, after notice and opportunity for hearing, estab-
2 lish or modify such allocation under section 206,
3 provided, however, that nothing in this section shall
4 prevent a transmitting utility from recovering such
5 costs through voluntary agreement with its cus-
6 tomers.

7 “(b) DEFINITION OF TRANSMISSION FACILITY OF
8 NATIONAL SIGNIFICANCE.—In this section, the term
9 ‘transmission facility of national significance’ means—

10 “(1) an interstate or interregional electric
11 power transmission line (and any facilities necessary
12 for the operation of such electric power transmission
13 line)—

14 “(A) that has a transmission capacity of
15 not less than 1,000 megawatts; and

16 “(B) the construction of which is com-
17 pleted on or after the date of enactment of this
18 section;

19 “(2) an electric power transmission line or net-
20 work, located in whole or in part offshore (including
21 any radial, meshed, or shared facilities necessary for
22 its operation), the construction of which is completed
23 on or after the date of enactment of this section; or

24 “(3) an expansion of, or upgrade to, an inter-
25 state electric power transmission line (and any facili-

1 ties necessary for the operation of such electric
2 power transmission line) that—

3 “(A) increases the transmission capacity of
4 such electric power transmission line by at least
5 500 megawatts; and

6 “(B) the construction of which is com-
7 pleted on or after the date of enactment of this
8 section.

9 “(c) SAVINGS PROVISION.—This section does not af-
10 fect the authority of the Commission to approve the alloca-
11 tion of costs of transmission facilities other than trans-
12 mission facilities of national significance.”.

13 **SEC. 404. MINIMUM INTERREGIONAL TRANSFER CAPA-**
14 **BILITY.**

15 Part II of the Federal Power Act (16 U.S.C. 824 et
16 seq.) is further amended by adding at the end the fol-
17 lowing:

18 **“SEC. 226. PROTECTING ELECTRICITY RELIABILITY BY IM-**
19 **PROVING INTERREGIONAL TRANSFER CAPA-**
20 **BILITY.**

21 “(a) RULEMAKING.—Notwithstanding the require-
22 ments of section 322 of the Fiscal Responsibility Act
23 (Public Law 118–5), not later than 24 months after the
24 date of enactment of the Energy Bills Relief Act, the Com-
25 mission shall, pursuant to section 206, issue regulations

1 that establish requirements for minimum transfer capa-
2 bility, as described under subsection (b), between trans-
3 mission planning regions.

4 “(b) MINIMUM TRANSFER CAPABILITY.—The aggre-
5 gate minimum interregional transfer capability for each
6 transmission planning region and its neighboring trans-
7 mission planning region shall be not less than 30 percent
8 of its own peak electricity demand, or in the case of a
9 transmission planning region that borders only 1 other
10 transmission planning region, not less than 15 percent of
11 its own peak electricity demand, unless the Commission
12 finds, upon a showing by a transmission planning region,
13 that a lower transfer capability can achieve the same or
14 greater transmission benefits.

15 “(c) REPORT.—Not later than 5 years after the date
16 of enactment of this section and every 5 years thereafter,
17 the Commission shall report to Congress on the status of
18 interregional transfer capability, including on risks to reli-
19 ability associated with a lack of interregional transfer ca-
20 pability.”.

21 **SEC. 405. INCREASED FERC TRANSMISSION SITING AU-**
22 **THORITY.**

23 (a) IN GENERAL.—Part II of the Federal Power Act
24 (16 U.S.C. 824 et seq.) is further amended by adding at
25 the end the following:

1 **“SEC. 227. SITING OF CERTAIN INTERSTATE ELECTRIC**
2 **TRANSMISSION FACILITIES.**

3 “(a) CERTIFICATE OF PUBLIC CONVENIENCE AND
4 NECESSITY.—

5 “(1) IN GENERAL.—On receipt of an applica-
6 tion under subsection (b)(1) relating to a trans-
7 mission facility of national significance described in
8 paragraph (2), the Commission, after making the
9 finding described in paragraph (3) with respect to
10 such transmission facility of national significance,
11 shall, by order which is published in the Federal
12 Register, issue to the person who submitted such ap-
13 plication a certificate of public convenience and ne-
14 cessity for the construction, modification, or oper-
15 ation of such transmission facility of national signifi-
16 cance, subject to such reasonable terms and condi-
17 tions as the Commission determines to be appro-
18 priate.

19 “(2) TRANSMISSION FACILITY OF NATIONAL
20 SIGNIFICANCE DESCRIBED.—A transmission facility
21 of national significance referred to in paragraph (1)
22 is an interstate or interregional electric power trans-
23 mission line (and any facilities necessary for the op-
24 eration of such electric power transmission line)—

25 “(A) that has a transmission capacity of
26 not less than 1,000 megawatts; and

1 “(B) the construction of which is com-
2 pleted on or after the date of enactment of this
3 section.

4 “(3) FINDING DESCRIBED.—The finding re-
5 ferred to in paragraph (1) is a finding that—

6 “(A) the applicant for a certificate of pub-
7 lic convenience and necessity is able and will-
8 ing—

9 “(i) to carry out the activities and
10 perform the services proposed in the appli-
11 cation in a manner determined to be ap-
12 propriate by the Commission; and

13 “(ii) to achieve compliance with the
14 applicable requirements of—

15 “(I) this part; and

16 “(II) any rules and regulations
17 promulgated by the Commission pur-
18 suant to this part;

19 “(B) the transmission facility of national
20 significance to be constructed, modified, or op-
21 erated under the certificate of public conven-
22 ience and necessity will—

23 “(i) be interstate or interregional;

24 “(ii) be used for the transmission of
25 electric energy in interstate commerce; and

1 “(iii) have a transmission capacity of
2 not less than 1,000 megawatts.

3 “(4) RULEMAKING.—Not later than 18 months
4 after the date of enactment of this section, the Com-
5 mission shall issue regulations specifying—

6 “(A) a pre-filing process during which a
7 person described in subsection (b)(1) and the
8 Commission shall consult with—

9 “(i) the State commission for each
10 State through which the applicable trans-
11 mission facility of national significance will
12 traverse;

13 “(ii) appropriate Federal agencies;

14 “(iii) each Indian Tribe that may be
15 affected by the proposed project to con-
16 struct, modify, or operate a transmission
17 facility of national significance; and

18 “(iv) the appropriate Transmission
19 Organization;

20 “(B) the form of, and information to be
21 contained in, an application submitted under
22 subsection (b)(1);

23 “(C) requirements for determining whether
24 the applicable transmission facility of national
25 significance will—

1 “(i) traverse not fewer than 2 States;

2 “(ii) be used for the transmission of
3 electric energy in interstate commerce; and

4 “(iii) have a power capacity of not less
5 than 1,000 megawatts;

6 “(D) criteria for determining the reason-
7 able and economical use of—

8 “(i) existing rights-of-way; and

9 “(ii) the transmission capabilities of
10 existing towers or structures;

11 “(E) the manner in which an application
12 submitted under subsection (b)(1) shall be con-
13 sidered, which, to the extent practicable, shall
14 be consistent with State statutory and regu-
15 latory policies concerning generation and retail
16 sales of electricity in the States in which the
17 electric energy transmitted by the transmission
18 facility of national significance will be generated
19 or sold; and

20 “(F) the manner in which the Commission
21 will consider the needs of communities that will
22 be impacted directly by the applicable trans-
23 mission facility of national significance, includ-
24 ing how any impacts of the transmission facility

1 of national significance could be mitigated or
2 offset.

3 “(5) PUBLICATION, PUBLIC COMMENT, AND
4 HEARINGS FOR CERTAIN NOTICE OF INTENT AND
5 DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—

6 “(A) PUBLICATION.—The Commission
7 shall publish in the Federal Register a notice of
8 intent to prepare an environmental document
9 under the National Environmental Policy Act of
10 1969 (42 U.S.C. 4321 et seq.) with respect to
11 an application for a certificate of public conven-
12 ience and necessity that has been submitted
13 under subsection (b)(1).

14 “(B) PUBLIC COMMENT.—The Commission
15 shall provide not less than 60 days for public
16 comment on each notice of intent and draft en-
17 vironmental impact statement published under
18 subparagraph (A).

19 “(C) HEARING.—The Commission shall
20 provide to the individuals and entities described
21 in paragraph (6)(B) a reasonable opportunity
22 for presentation, in at least 1 public hearing, of
23 any views and recommendations on each notice
24 of intent and each draft environmental impact
25 statement published under subparagraph (A).

1 The Commission shall publish in the Federal
2 Register notice of any hearing held under this
3 subparagraph.

4 “(6) NOTICE AND OPPORTUNITY FOR A HEAR-
5 ING ON APPLICATIONS.—

6 “(A) IN GENERAL.—In any proceeding be-
7 fore the Commission to consider an application
8 for a certificate of public convenience and ne-
9 cessity under this section, the Commission
10 shall—

11 “(i) publish a notice of the application
12 in the Federal Register;

13 “(ii) provide written notice of such ap-
14 plication to all affected landowners in ac-
15 cordance with subsection (c); and

16 “(iii) provide to the individuals and
17 entities described in subparagraph (B) a
18 notice and reasonable opportunity for the
19 presentation in at least 1 public hearing of
20 any views and recommendations with re-
21 spect to the need for, and impact of, the
22 construction, modification, or operation of
23 the transmission facility of national signifi-
24 cance proposed to be constructed, modi-
25 fied, or operated under the certificate.

1 “(B) INDIVIDUALS AND ENTITIES DE-
2 SCRIBED.—The individuals and entities referred
3 to in subparagraph (A) are—

4 “(i) an agency, selected by the Gov-
5 ernor (or equivalent official) of the applica-
6 ble State, of each State in which the trans-
7 mission facility of national significance
8 proposed to be constructed, modified, or
9 operated under the applicable certificate of
10 public convenience and necessity is or will
11 be located;

12 “(ii) each affected landowner; and

13 “(iii) as determined by the Commis-
14 sion—

15 “(I) each affected Federal agen-
16 cy; and

17 “(II) each Indian Tribe that may
18 be affected by the proposed construc-
19 tion, modification, or operation.

20 “(C) PROHIBITION.—The Commission may
21 not—

22 “(i) require an applicant for a certifi-
23 cate of public convenience and necessity
24 under this section to provide any notice re-
25 quired under this section; or

1 “(ii) enter into a contract to provide
2 any notice required under this section
3 with—

4 “(I) the applicant for the applica-
5 ble certificate of public convenience
6 and necessity; or

7 “(II) any other person that has a
8 financial interest in the project pro-
9 posed in the application for such cer-
10 tificate.

11 “(b) APPLICATIONS.—

12 “(1) IN GENERAL.—A person desiring a certifi-
13 cate of public convenience and necessity under this
14 section shall submit to the Commission an applica-
15 tion at such time, in such manner, and containing
16 such information as the Commission may require.

17 “(2) REQUIREMENT.—An application submitted
18 to the Commission under paragraph (1) shall include
19 all information necessary for the Commission to
20 make the finding described in subsection (a)(3).

21 “(c) NOTICE TO AFFECTED LANDOWNERS.—

22 “(1) IN GENERAL.—The Commission shall pro-
23 vide written notice of an application submitted under
24 subsection (b)(1) to all affected landowners with re-
25 spect to the transmission facility of national signifi-

1 cance for which such application was submitted in
2 accordance with this subsection.

3 “(2) REQUIREMENTS.—Any notice provided to
4 an affected landowner under paragraph (1) shall in-
5 clude the following:

6 “(A) The following statement in 14-point
7 bold typeface:

8 ““The [name of applicant] has proposed build-
9 ing power lines that will cross your property,
10 and may also require building transmission tow-
11 ers on your property. If the Federal Energy
12 Regulatory Commission approves [applicant]’s
13 proposed project, then [applicant] may have the
14 right to build transmission towers on, and
15 power lines over, your property, or use your
16 property to construct the proposed project, sub-
17 ject to paying you just compensation for the
18 loss of your property.

19 ““If you want to raise objections to, offer sup-
20 port for, or otherwise comment on this, or oth-
21 erwise comment on this project, you can do so
22 by submitting written comments to the Federal
23 Energy Regulatory Commission Docket No.
24 [_____]. You can do this electronically or by
25 mail. To do so electronically [to be inserted by

1 the Commission]. To do so by mail [to be in-
2 serted by the Commission].’.

3 “(B) A description of the proposed project
4 to construct, modify, or operate a transmission
5 facility of national significance, including—

6 “(i) the location of the proposed
7 project (including a general location map);

8 “(ii) the purpose of the proposed
9 project; and

10 “(iii) the timing of the proposed
11 project.

12 “(C) The name of, and the location in the
13 docket of the Commission at which may be
14 found, each submission by the applicant to the
15 Commission relating to the proposed project.

16 “(D) A general description of what the ap-
17 plicant will need from the landowner if the pro-
18 posed project is approved, including the activi-
19 ties the applicant may undertake and the facili-
20 ties that the applicant may seek to construct on
21 the property of the landowner.

22 “(E) A description of how the landowner
23 may contact the applicant, including—

24 “(i) a website;

25 “(ii) an email address;

1 “(iii) a local or toll-free telephone
2 number; and

3 “(iv) the name of a specific person to
4 contact who is knowledgeable about the
5 proposed project.

6 “(F) A description of how the landowner
7 may contact the Commission, including—

8 “(i) a website;

9 “(ii) an email address;

10 “(iii) a local or toll-free telephone
11 number; and

12 “(iv) the name of a specific person to
13 contact who is knowledgeable about the
14 proposed project.

15 “(G) A summary of the rights that the
16 landowner has—

17 “(i) before the Commission; and

18 “(ii) in other proceedings under—

19 “(I) the Federal Rules of Civil
20 Procedure; and

21 “(II) the eminent domain rules of
22 the relevant State.

23 “(H) Any other information that the Com-
24 mission determines to be appropriate.

1 “(3) OBLIGATION OF APPLICANT.—An appli-
 2 cant for a certificate of public convenience and ne-
 3 cessity under this section shall submit to the Com-
 4 mission, together with the application for the certifi-
 5 cate, the name and address of each affected land-
 6 owner.

7 “(d) REGULATORY JURISDICTION.—

8 “(1) IN GENERAL.—Except as provided in para-
 9 graph (2) and notwithstanding section 216(i), no
 10 State shall regulate any aspect of the siting or per-
 11 mitting of a transmission facility of national signifi-
 12 cance constructed, modified, or operated under a
 13 certificate of public convenience and necessity issued
 14 under this section.

15 “(2) SAVINGS CLAUSE.—Nothing in this section
 16 affects the rights of States under—

17 “(A) the Coastal Zone Management Act of
 18 1972 (16 U.S.C. 1451 et seq.);

19 “(B) the Federal Water Pollution Control
 20 Act (33 U.S.C. 1251 et seq.);

21 “(C) the Clean Air Act (42 U.S.C. 7401 et
 22 seq.); or

23 “(D) division A of subtitle III of title 54,
 24 United States Code (formerly known as the
 25 ‘National Historic Preservation Act’).

1 “(3) TRIBAL CONSENT FOR CERTAIN RIGHTS-
2 OF-WAY.—No right-of-way over or across Tribal land
3 may be granted pursuant to this section unless con-
4 sent for the right-of-way has been obtained from the
5 proper Tribal official in a manner consistent with
6 the requirements of section 2 of the Act of February
7 5, 1948 (62 Stat. 18, chapter 45; 25 U.S.C. 324).

8 “(e) JUDICIAL REVIEW.—

9 “(1) IN GENERAL.—Any person aggrieved by
10 an order of the Commission issued under this sec-
11 tion may obtain review of the order in—

12 “(A) the court of appeals of the United
13 States for any judicial circuit in which the
14 transmission facility of national significance to
15 be constructed, modified, or operated under the
16 applicable certificate of public convenience and
17 necessity is or will be located; or

18 “(B) the United States Court of Appeals
19 for the District of Columbia Circuit.

20 “(2) PETITION FOR REVIEW.—

21 “(A) IN GENERAL.—A person may obtain
22 review under paragraph (1) by filing in the ap-
23 plicable court a written petition praying that
24 the order of the Commission be modified or set
25 aside in whole or in part.

1 “(B) TIMING.—A petition under subpara-
2 graph (A) shall be filed by not later than 60
3 days after the date on which the applicable
4 order of the Commission is published in the
5 Federal Register.

6 “(3) PERSON AGGRIEVED.—Notwithstanding
7 any other provision of this Act, a person aggrieved
8 by an order of the Commission issued under this
9 section need not—

10 “(A) have been a party to the proceedings
11 before the Commission in which that order was
12 issued in order to obtain judicial review of the
13 order under this subsection; or

14 “(B) have requested rehearing before the
15 Commission prior to seeking judicial review.

16 “(f) RIGHT OF EMINENT DOMAIN FOR ELECTRIC
17 TRANSMISSION FACILITIES.—

18 “(1) IN GENERAL.—The holder of a certificate
19 of public convenience and necessity may acquire
20 through the exercise of the right of eminent domain
21 in a court described in paragraph (2) any right-of-
22 way, land, or other property that is necessary to
23 construct, modify, or operate a transmission facility
24 of national significance in accordance with such cer-
25 tificate if the holder has, in the determination of the

1 Commission, made good faith efforts to engage with
2 landowners and other stakeholders early in the per-
3 mitting process established under this section, and—

4 “(A) cannot acquire the necessary right-of-
5 way, land, or other property by contract;

6 “(B) is unable to agree with the owner of
7 the right-of-way, land, or other property with
8 respect to the compensation to be paid for that
9 right-of-way, land, or other property; or

10 “(C) cannot clear defective title with re-
11 spect to the right-of-way, land, or other prop-
12 erty.

13 “(2) COURT DESCRIBED.—A court referred to
14 in paragraph (1) is—

15 “(A) the district court of the United States
16 for the district in which the applicable right-of-
17 way, land, or other property is located; or

18 “(B) the appropriate State court.

19 “(3) NOTICE OF ORDER ISSUING CERTIFI-
20 CATE.—The holder of a certificate of public conven-
21 ience and necessity may not exercise the right of
22 eminent domain under this subsection with respect
23 to any property covered by the certificate unless the
24 Commission has first, in addition to publishing the
25 notice of certificate of public convenience and neces-

1 sity in the Federal Register, provided all affected
2 landowners with notice of—

3 “(A) the order; and

4 “(B) the procedures for obtaining judicial
5 review of such order under subsection (e), in-
6 cluding a description of the time period for
7 seeking judicial review under that subsection.

8 “(g) CONDEMNATION PROCEDURES.—

9 “(1) APPRAISALS.—

10 “(A) IN GENERAL.—A holder of, or appli-
11 cant for, a certificate of public convenience and
12 necessity shall have any property that the hold-
13 er or applicant seeks to acquire through the ex-
14 ercise of the right of eminent domain under
15 subsection (f) appraised in accordance with gen-
16 erally accepted appraisal standards by an ap-
17 praiser selected by the owner of the property,
18 subject to subparagraph (D).

19 “(B) REQUIREMENTS.—

20 “(i) COSTS.—The applicable holder of,
21 or applicant for, a certificate of public con-
22 venience and necessity shall pay for each
23 appraisal carried out under subparagraph
24 (A).

1 “(ii) INSPECTIONS.—The owner of the
2 applicable property (or a designated rep-
3 resentative of the owner) shall be given the
4 opportunity to accompany the appraiser
5 during any inspection of the property that
6 is part of an appraisal under subparagraph
7 (A).

8 “(C) TIMING.—An appraisal under sub-
9 paragraph (A) shall be carried out before—

10 “(i) the holder of, or applicant for, the
11 certificate of public convenience and neces-
12 sity makes an offer of just compensation
13 under paragraph (2); or

14 “(ii) the holder of the certificate of
15 public convenience and necessity com-
16 mences an action or proceeding to exercise
17 the right of eminent domain under sub-
18 section (f).

19 “(D) SELECTION OF APPRAISER.—If the
20 owner of the applicable property does not select
21 an appraiser under subparagraph (A) by the
22 date that is 60 days after the date on which the
23 holder of, or applicant for, the applicable certifi-
24 cate of public convenience and necessity re-
25 quests that the owner do so, the holder or ap-

1 plicant shall have the right to select the ap-
2 praiser.

3 “(2) OFFERS OF JUST COMPENSATION.—

4 “(A) IN GENERAL.—Any offer of just com-
5 pensation made to an affected landowner of
6 property that is or will be covered by a certifi-
7 cate of public convenience and necessity—

8 “(i) shall be made in writing;

9 “(ii) may not be for an amount less
10 than the fair market value of the property,
11 as determined by an appraisal carried out
12 under paragraph (1); and

13 “(iii) shall include compensation for—

14 “(I) any lost income from the
15 property; and

16 “(II) any damages to any other
17 property of the owner.

18 “(B) TIMING.—The holder of a certificate
19 of public convenience and necessity may not
20 make an offer of just compensation to an af-
21 fected landowner until the date that is 30 days
22 after the date on which the Commission pro-
23 vides a notice to the affected landowner under
24 subsection (f)(3).

25 “(3) JURISDICTIONAL LIMITATIONS.—

1 “(A) MINIMUM JURISDICTIONAL
2 AMOUNT.—A district court of the United States
3 shall only have jurisdiction of an action or pro-
4 ceeding to exercise the right of eminent domain
5 under subsection (f) if the amount claimed by
6 the owner of the property to be condemned ex-
7 ceeds \$3,000.

8 “(B) TRIBAL LAND.—A district court of
9 the United States shall have no jurisdiction to
10 condemn any interest in Tribal land.

11 “(4) LIMITATION ON CONDEMNATION.—In any
12 action or proceeding to exercise the right of eminent
13 domain under subsection (f), a court—

14 “(A) may condemn an interest in property
15 only to the extent necessary for the specific fa-
16 cilities described in the applicable certificate of
17 public convenience and necessity; and

18 “(B) may not—

19 “(i) condemn any other interest; or

20 “(ii) condemn an interest for any pur-
21 pose not described in that certificate.

22 “(5) RIGHT OF POSSESSION.—With respect to
23 any action or proceeding to exercise the right of emi-
24 nent domain under subsection (f), an owner of prop-
25 erty that is covered by the applicable certificate of

1 public convenience and necessity shall not be re-
2 quired to surrender possession of that property un-
3 less the holder of the certificate—

4 “(A) has paid to the owner the award of
5 compensation in the action or proceeding; or

6 “(B) has deposited the amount of that
7 award with the court.

8 “(6) LITIGATION COSTS.—

9 “(A) IN GENERAL.—A holder of a certifi-
10 cate of public convenience and necessity that
11 commences an action or proceeding to exercise
12 the right of eminent domain under subsection
13 (f) shall be liable to the owner of any property
14 condemned in that proceeding for the costs de-
15 scribed in subparagraph (B) if the amount
16 awarded to that owner for the property con-
17 demned is more than 125 percent of the
18 amount offered to the owner by the holder be-
19 fore the commencement of that action or pro-
20 ceeding.

21 “(B) COSTS DESCRIBED.—The costs re-
22 ferred to in subparagraph (A) are litigation
23 costs incurred for the action or proceeding de-
24 scribed in that subparagraph by the owner of
25 the property condemned, including—

1 “(i) reasonable attorney fees;

2 “(ii) expert witness fees and costs;

3 and

4 “(iii) reasonable travel costs to par-
5 ticipate in proceedings.

6 “(h) ENFORCEMENT OF CONDITIONS.—

7 “(1) IN GENERAL.—An affected landowner the
8 property of which has been acquired by eminent do-
9 main under subsection (f) shall have the right—

10 “(A) to enforce any condition in the appli-
11 cable certificate of public convenience and ne-
12 cessity; and

13 “(B) to seek damages for a violation of
14 any condition described in subparagraph (A).

15 “(2) JURISDICTION.—The district courts of the
16 United States shall have jurisdiction over any action
17 arising under paragraph (1).

18 “(i) OTHER LANDOWNER RIGHTS AND PROTEC-
19 TIONS.—

20 “(1) FAILURE TO TIMELY COMPLETE
21 PROJECTS.—

22 “(A) SURRENDER OF CONDEMNED PROP-
23 ERTY.—

24 “(i) IN GENERAL.—An individual or
25 entity from which an interest in property is

1 acquired through the exercise of the right
2 of eminent domain under subsection (f) by
3 the holder of a certificate of public conven-
4 ience and necessity that is issued for the
5 construction, modification, or operation of
6 a transmission facility of national signifi-
7 cance may demand that the holder of the
8 certificate surrender that interest to that
9 individual or entity if—

10 “(I)(aa) the transmission facility
11 of national significance is not in oper-
12 ation (as modified, in the case of a
13 modification of a transmission facility
14 of national significance) by the date
15 specified in the certificate (including
16 any modification of the certificate by
17 the Commission); and

18 “(bb) there is no request for the
19 extension of that date pending before
20 the Commission; or

21 “(II) subject to clause (ii), the
22 holder of the certificate, with the ap-
23 proval of the Commission, abandons
24 the portion of the transmission facility
25 of national significance that is located

1 on the applicable property relating to
2 that interest.

3 “(ii) REQUIREMENT.—The Commis-
4 sion may not approve in a certificate of
5 public convenience and necessity issued
6 under this section or in any subsequent
7 proceeding the abandonment of all or any
8 part of a transmission facility of national
9 significance unless the Commission re-
10 quires the holder of the applicable certifi-
11 cate of public convenience and necessity to
12 offer to each individual or entity described
13 in clause (i) the option of having the prop-
14 erty acquired from that individual or entity
15 as described in that clause restored to the
16 condition that the property was in prior to
17 the issuance of the certificate.

18 “(B) REPAYMENT OF CONDEMNATION
19 AWARD.—If an individual or entity described in
20 subparagraph (A)(i) demands the surrender of
21 an interest under that subparagraph, the holder
22 of the applicable certificate of public conven-
23 ience and necessity shall be entitled to repay-
24 ment of an amount equal to not more than 50

1 percent of the condemnation award relating to
2 the interest.

3 “(C) JURISDICTION.—The district courts
4 of the United States shall have jurisdiction over
5 any action arising under this paragraph.

6 “(2) MATERIAL MISREPRESENTATIONS.—

7 “(A) RESCISSION OF TRANSACTION.—

8 “(i) IN GENERAL.—An individual or
9 entity from which an interest in property is
10 acquired through the exercise of the right
11 of eminent domain under subsection (f)
12 that proves, by a preponderance of the evi-
13 dence, that the individual or entity has
14 granted a right-of-way or any other prop-
15 erty interest based on a material misrepre-
16 sentation made by or on behalf of an appli-
17 cant for, or holder of, a certificate of pub-
18 lic convenience and necessity under this
19 section concerning the transmission facility
20 of national significance to be constructed,
21 modified, or operated under the certificate
22 shall have the right to rescind the trans-
23 action.

24 “(ii) JURISDICTION.—The district
25 courts of the United States shall have ju-

1 jurisdiction over any action arising under
2 clause (i).

3 “(B) CIVIL PENALTIES.—A material mis-
4 representation made by an applicant for, or
5 holder of, a certificate of public convenience and
6 necessity, or on behalf of such an applicant or
7 holder, to an affected landowner concerning the
8 transmission facility of national significance to
9 be constructed, modified, or operated under the
10 certificate, shall be considered to be a violation
11 of this part for purposes of section 316A and
12 such applicant or holder shall be assessed a civil
13 penalty by the Commission in accordance with
14 such section 316A, except the amount of such
15 civil penalty may not exceed \$10,000 per af-
16 fected landowner to whom the misrepresenta-
17 tion was made.

18 “(j) DEFINITIONS.—In this section:

19 “(1) AFFECTED LANDOWNER.—

20 “(A) IN GENERAL.—The term ‘affected
21 landowner’ includes each owner of a property
22 interest in land or other property described in
23 subparagraph (B), including—

24 “(i) the Federal Government;

25 “(ii) a State or local government; and

1 “(iii) each owner noted in the most
2 recent county or city tax record as receiv-
3 ing the relevant tax notice with respect to
4 that interest.

5 “(B) LAND AND OTHER PROPERTY DE-
6 SCRIBED.—The land or other property de-
7 scribed in this subparagraph is any land or
8 other property—

9 “(i) that is directly affected by the
10 proposed construction, modification, or op-
11 eration of a transmission facility of na-
12 tional significance, including all facility
13 sites;

14 “(ii) that is located within the greater
15 of—

16 “(I) 0.25 miles from a proposed
17 facility site for a transmission facility
18 of national significance; or

19 “(II) a minimum distance from
20 the proposed transmission facility of
21 national significance as specified by
22 State law; or

23 “(iii) contains a residence that is
24 within 3,000 feet of a proposed facility site

1 for a transmission facility of national sig-
2 nificance.

3 “(2) ALTERNATING CURRENT TRANSMISSION
4 FACILITY.—The term ‘alternating current trans-
5 mission facility’ means a transmission facility that
6 uses alternating current for the bulk transmission of
7 electric energy.

8 “(3) ELECTRIC POWER TRANSMISSION LINE.—
9 The term ‘electric power transmission line’ means,
10 as applicable—

11 “(A) an alternating current transmission
12 facility;

13 “(B) a high-voltage, direct current trans-
14 mission facility; or

15 “(C) infrastructure associated with an al-
16 ternating current transmission facility or a
17 high-voltage, direct current transmission facil-
18 ity, including substations and switchyards.

19 “(4) FACILITY SITE.—The term ‘facility site’
20 includes—

21 “(A) an area covered by a right-of-way;

22 “(B) an access road;

23 “(C) a contractor yard where equipment
24 and material are stored or where assembly work
25 is conducted; and

1 “(D) any temporary workspace.

2 “(5) HIGH-VOLTAGE, DIRECT CURRENT TRANS-
3 MISSION FACILITY.—The term ‘high-voltage, direct
4 current transmission facility’ means a transmission
5 facility that uses direct current for the bulk trans-
6 mission of electric energy.

7 “(6) TRIBAL LAND.—The term ‘Tribal land’
8 has the meaning given the term ‘Indian land’ in sec-
9 tion 2601 of the Energy Policy Act of 1992 (25
10 U.S.C. 3501).”.

11 (b) CONFORMING CHANGES TO THE FEDERAL
12 POWER ACT.—

13 (1) SITING OF INTERSTATE ELECTRIC TRANS-
14 MISSION FACILITIES.—Section 216 of the Federal
15 Power Act (16 U.S.C. 824p) is amended—

16 (A) in subsection (b)(2), by inserting “(in-
17 cluding transmission of electric energy from the
18 outer Continental Shelf to a State)” after
19 “interstate commerce”; and

20 (B) in subsection (h)—

21 (i) by amending paragraph (2) to read
22 as follows:

23 “(2) LEAD AGENCY.—For the purposes of co-
24 ordinating all applicable Federal authorizations and
25 related environmental reviews—

1 “(A) the Commission shall act as the lead
2 agency in the case of—

3 “(i) except as provided in subpara-
4 graph (B), a transmission facility of na-
5 tional significance in a national interest
6 electric transmission corridor designated
7 by the Secretary under subsection (a); or

8 “(ii) a transmission facility of national
9 significance for which an application has
10 been submitted for a certificate of public
11 convenience and necessity under section
12 227;

13 “(B) the Department of the Interior shall
14 act as the lead agency in the case of a trans-
15 mission facility of national significance in a na-
16 tional interest electric transmission corridor
17 designated by the Secretary under subsection
18 (a) that is located on a lease, easement, or
19 right-of-way granted by the Secretary of the In-
20 terior under section 8(p)(1)(C) of the Outer
21 Continental Shelf Lands Act (43 U.S.C.
22 1337(p)(1)(C)); and

23 “(C) the Department of Energy shall act
24 as the lead agency in the case of any other
25 transmission facility of national significance.”;

1 (ii) in each of paragraphs (3), (4)(B),
2 (4)(C), (5)(B), (6)(A), (7)(A), (8)(A)(i),
3 and (9), by striking “Secretary” each place
4 it appears and inserting “applicable lead
5 agency”;

6 (iii) in paragraph (4)(A), by striking
7 “As head of the lead agency, the Sec-
8 retary” and inserting “The applicable lead
9 agency”;

10 (iv) in paragraph (5)(A), by striking
11 “As lead agency head, the Secretary” and
12 inserting “The applicable lead agency”;
13 and

14 (v) in paragraph (7)—

15 (I) in subparagraph (A), by strik-
16 ing “after the date of enactment of
17 this section” and inserting “after the
18 date of enactment of the Energy Bills
19 Relief Act”; and

20 (II) in subparagraph (B), by
21 amending clause (i) to read as follows:

22 “(i) Not later than six months after the date of
23 enactment of the Energy Bills Relief Act, the Sec-
24 retary, the Commission, and the heads of all Federal
25 agencies with authority to issue Federal authoriza-

1 tions shall enter into a memorandum of under-
 2 standing to ensure the timely and coordinated review
 3 and permitting of electric transmission facilities.”.

4 (2) TRANSMISSION INFRASTRUCTURE INVEST-
 5 MENT.—Section 219(b)(4)(B) of the Federal Power
 6 Act (16 U.S.C. 824s(b)(4)(B)) is amended by strik-
 7 ing “section 216” and inserting “sections 216 and
 8 227”.

9 **SEC. 406. PROHIBITING EXPENSIVE, UNJUST QUEUE JUMP-**
 10 **ING.**

11 Part II of the Federal Power Act (16 U.S.C. 824 et
 12 seq.) is further amended by adding at the end the fol-
 13 lowing:

14 **“SEC. 228. LIMITATION ON CERTAIN PROCEDURES TO EX-**
 15 **PEDITE INTERCONNECTION REQUESTS.**

16 “(a) LIMITATION.—The Commission may not estab-
 17 lish or authorize a covered procedure unless—

18 “(1) the Commission finds, by clear and con-
 19 vincing evidence and in accordance with subsection
 20 (b), that reliance upon existing procedures for proc-
 21 essing interconnection requests would jeopardize the
 22 reliable operation of the bulk-power system by fail-
 23 ing to address predicted demand for electric energy;

24 “(2) such covered procedure—

1 “(A) provides only for a one-time oppor-
2 tunity to submit applications for generators to
3 interconnect with the bulk power system;

4 “(B) only allows for the adjustment of a
5 generator interconnection queue to prioritize an
6 interconnection on the basis of the potential for
7 such interconnection to address the continued
8 reliable operation of the bulk-power system, as
9 determined by the Commission consistent with
10 subsection (c); and

11 “(C) does not provide for the prioritization
12 of generating facilities or energy storage sys-
13 tems based upon the means by which the en-
14 ergy is generated or stored, respectively.

15 “(b) FINDING REQUIREMENTS.—In making the find-
16 ing under subsection (a)(1), the Commission shall—

17 “(1) use predictions of growth in the demand
18 for electric energy that are based on the best avail-
19 able data and account for the possibility of duplica-
20 tive load interconnection requests by customers with
21 high demand for electric energy, including by aver-
22 aging such predictions if there is a range; and

23 “(2) account for the energy generation and
24 storage capacity likely to enter commercial operation
25 by using surplus interconnection service and gener-

1 ator replacement or interconnection right transfer
2 processes.

3 “(c) DETERMINATIONS FOR PRIORITY.—To make a
4 determination referred to in subsection (a)(2)(B), the
5 Commission must determine—

6 “(1) the adjustment of a generator interconnec-
7 tion queue has the demonstrated ability to allow a
8 prioritized energy generating facility or storage sys-
9 tem to commence operation prior to the potential
10 unreliable operation of the bulk-power system, tak-
11 ing into consideration factors such as if such
12 prioritized facility or system—

13 “(A) has signed an engineering agreement;

14 “(B) has signed contracts for procurement
15 or construction relating to such prioritized facil-
16 ity or system;

17 “(C) has access to any equipment nec-
18 essary to be procured in advance;

19 “(D) has access to any fuel necessary for
20 the operation of such prioritized facility or sys-
21 tem;

22 “(E) has obtained any necessary permits
23 for the construction or operation of such
24 prioritized facility or system; and

1 “(F) would require extensive construction
2 or modification to relevant electric transmission
3 or distribution infrastructure.

4 “(d) DEFINITIONS.—In this section:

5 “(1) BULK-POWER SYSTEM; RELIABLE OPER-
6 ATION.—The terms ‘bulk-power system’ and ‘reliable
7 operation’ have the meanings given those terms in
8 section 215.

9 “(2) COVERED PROCEDURE.—

10 “(A) Except as provided in subparagraph
11 (B), the term ‘covered procedure’ means a pro-
12 cedure to expedite the study and processing of
13 generator interconnection requests for certain
14 generating facilities or energy storage systems
15 that—

16 “(i) previously submitted such a re-
17 quest; and

18 “(ii) but for such procedure, would
19 otherwise be assigned a higher position in
20 the generator interconnection queue.

21 “(B) The term ‘covered procedure’ shall
22 not include any procedure to expedite requests
23 for generator interconnection relating to re-
24 quests for energy-resource interconnection serv-
25 ice, connect-and-manage approaches, reas-

1 signing surplus interconnection service, or reas-
 2 signing generator interconnection rights after
 3 the retirement of a generating facility or energy
 4 storage system.”.

5 **Subtitle B—Tax and Grants**

6 **SEC. 411. TRANSMISSION INVESTMENT TAX CREDIT.**

7 (a) IN GENERAL.—Subpart E of part IV of sub-
 8 chapter A of chapter 1 of the Internal Revenue Code of
 9 1986 is amended by inserting after section 48E the fol-
 10 lowing:

11 **“SEC. 48F. QUALIFYING ELECTRIC POWER TRANSMISSION** 12 **LINE CREDIT.**

13 “(a) ALLOWANCE OF CREDIT.—For purposes of sec-
 14 tion 46, the qualifying electric power transmission line
 15 credit for any taxable year is an amount equal to 6 percent
 16 of the qualified investment for such taxable year with re-
 17 spect to any qualifying electric power transmission line
 18 property of the taxpayer.

19 “(b) QUALIFIED INVESTMENT.—

20 “(1) IN GENERAL.—For purposes of subsection
 21 (a), the qualified investment for any taxable year is
 22 the basis of any qualifying electric power trans-
 23 mission line property placed in service by the tax-
 24 payer during such taxable year.

1 “(2) CERTAIN QUALIFIED PROGRESS EXPENDI-
 2 TURES RULES MADE APPLICABLE.—Rules similar to
 3 the rules of subsections (c)(4) and (d) of section 46
 4 (as in effect on the day before the date of the enact-
 5 ment of the Revenue Reconciliation Act of 1990)
 6 shall apply for purposes of this section.

7 “(c) QUALIFYING ELECTRIC POWER TRANSMISSION
 8 LINE PROPERTY.—For purposes of this section, the term
 9 ‘qualifying electric power transmission line property’
 10 means any overhead, submarine, or underground prop-
 11 erty—

12 “(1) which is a qualifying electric power trans-
 13 mission line that transmits electricity—

14 “(A) across no fewer than 2 States or not
 15 less than 150 continuous miles, or

16 “(B) across the Outer Continental Shelf
 17 (as defined in section 2 of the Outer Conti-
 18 nental Lands Act (43 U.S.C. 1331)), or

19 “(2) which is related transmission property.

20 “(d) QUALIFYING ELECTRIC POWER TRANSMISSION
 21 LINE.—For purposes of this section—

22 “(1) IN GENERAL.—The term ‘qualifying elec-
 23 tric power transmission line’ means any applicable
 24 new transmission property and any modified existing
 25 transmission property.

1 “(2) APPLICABLE NEW TRANSMISSION PROP-
2 ERTY.—

3 “(A) IN GENERAL.—The term ‘applicable
4 new transmission property’ means any electric
5 power transmission line which is—

6 “(i) originally placed in service after
7 the date of the enactment of this section,

8 “(ii) primarily used for 1 or more pur-
9 poses described in subparagraph (B), and

10 “(iii) described in subparagraph (C).

11 “(B) PURPOSES DESCRIBED.—The pur-
12 poses described in this subparagraph are—

13 “(i) enhancing resilience to prepare
14 for, withstand, and recover rapidly from
15 disruptions from the impact of weather
16 events, wildfires, or natural disasters,

17 “(ii) addressing clearance concerns,

18 “(iii) facilitating the interconnection
19 of electric power generation capacity to the
20 bulk-power system (as defined in section
21 215 of the Federal Power Act), or

22 “(iv) addressing high load needs of
23 2,000 ampere and above.

24 “(C) ADDITIONAL REQUIREMENTS FOR
25 NEW TRANSMISSION PROPERTY.—An electric

power transmission line is described in this subparagraph if—

“(i) such transmission line—

“(I) includes an advanced transmission conductor, and

“(II) is capable of transmitting electricity at a voltage of not less than 100 kilovolts, or

“(ii) such transmission line—

“(I) is a superconducting transmission line or is capable of transmitting electricity at a voltage of at least 345 kilovolts, and

“(II) has a transmission capacity of not less than 750 megawatts or is a transmission line described in subparagraph (D).

“(D) MULTIPLE TRANSMISSION LINES LOCATED IN THE SAME RIGHT-OF-WAY.—A transmission line is described in this subparagraph if such a transmission line—

“(i) is co-located in the same right-of-way or adjacent right-of-way as 1 or more other overhead, submarine, or underground transmission lines, and

1 “(ii) together with the other trans-
2 mission lines described in subparagraph
3 (A), has a transmission capacity of not less
4 than 1,000 megawatts.

5 “(3) MODIFIED EXISTING TRANSMISSION PROP-
6 ERTY.—The term ‘modified existing transmission
7 property’ means any electric power transmission line
8 which—

9 “(A) was placed in service before the date
10 of the enactment of this section,

11 “(B) is modified after the date of enact-
12 ment of this Act in a manner that—

13 “(i) increases the transmission capac-
14 ity of such transmission line by not less
15 than 500 megawatts, or

16 “(ii) includes an advanced trans-
17 mission conductor that transmits electricity
18 at a voltage of not less than 100 kilovolts,
19 and

20 “(C) after the completion of such modifica-
21 tion, is an electric power transmission line
22 which satisfies the requirements under sub-
23 clauses (ii) and (iii) of paragraph (2)(A).

24 “(4) ADVANCED TRANSMISSION CONDUCTOR.—
25 The term ‘advanced transmission conductor’ means

1 a transmission conductor technology that uses re-
 2 cently developed technology or materials such as a
 3 composite core and such other future advances as
 4 determined by the Secretary, in consultation with
 5 the Secretary of Energy.

6 “(5) SUPERCONDUCTING TRANSMISSION
 7 LINE.—The term ‘superconducting transmission line’
 8 means a transmission line that conducts all of its
 9 current over a super-conducting material.

10 “(e) RELATED TRANSMISSION PROPERTY.—For pur-
 11 poses of this section—

12 “(1) IN GENERAL.—The term ‘related trans-
 13 mission property’ means any of the following:

14 “(A) TRANSMISSION PROPERTY USED FOR
 15 INTERCONNECTION OR GENERATOR TIE-LINE.—

16 Any electric power transmission line which is—

17 “(i) placed in service after the date of
 18 enactment of this section,

19 “(ii) primarily used—

20 “(I) as a generator interconnec-
 21 tion tie line at an associated facility
 22 that extends from the secondary
 23 (high) side of a generator step-up
 24 transformer to the point of inter-
 25 connection with the host transmission

1 owner from interconnecting new gen-
2 eration resources or facilities to the
3 electric grid, or

4 “(II) for network upgrades asso-
5 ciated with the interconnection of new
6 generation resources or facilities to
7 the electric grid,

8 “(iii) primarily used for 1 or more
9 purposes described in subsection (d)(2)(B),
10 and

11 “(iv) capable of transmitting elec-
12 tricity at a voltage of not less than 230
13 kilovolts.

14 “(B) GRID ENHANCING TECHNOLOGY.—
15 Any grid enhancing technology property used in
16 the operation of the electric power transmission
17 line described in paragraph (2) or (3) of sub-
18 section (d).

19 “(C) SUBCOMPONENTS.—Any conductors
20 or cables, towers, insulators, reactors, capaci-
21 tors, circuit breakers, static VAR compensators,
22 static synchronous compensators, power con-
23 verters, transformers, synchronous condensers,
24 braking resistors, and any ancillary facilities
25 and equipment necessary for the proper oper-

1 ation of the electric power transmission line de-
2 scribed in paragraph (2) or (3) of subsection
3 (d) or for the proper operation of any property
4 described in subsection (d)(2).

5 “(2) GRID ENHANCING TECHNOLOGY PROP-
6 ERTY.—The term ‘grid enhancing technology prop-
7 erty’ means power flow controls and transmission
8 switching equipment, storage technology, and hard-
9 ware or software that enables dynamic line ratings,
10 advanced line rating management technologies, on
11 new or existing transmission property for the pur-
12 pose of enhancing the capacity, efficiency, resiliency,
13 or reliability of an electric power transmission sys-
14 tem and such other similar property determined by
15 the Secretary, in consultation with the Secretary of
16 Energy.

17 “(f) INCREASED CREDIT AMOUNT FOR CERTAIN
18 TRANSMISSION LINE PROPERTY.—

19 “(1) IN GENERAL.—In the case of any quali-
20 fying electric power transmission line property which
21 meets the requirements of paragraph (2), the
22 amount of credit determined under subsection (a)
23 (determined without regard to this subsection) shall
24 be equal to such amount multiplied by 5.

1 “(2) FACILITY REQUIREMENTS.—Qualifying
 2 electric power transmission line property shall be
 3 treated as meeting the requirements of this para-
 4 graph if—

5 “(A) the construction of such property
 6 meets rules similar to the rules of section
 7 48(a)(10) (relating to prevailing wage require-
 8 ments) and section 45(b)(8) (relating to ap-
 9 prenticeship requirements), or

10 “(B) the construction of such property be-
 11 gins before the date that is 60 days after the
 12 Secretary publishes guidance with respect to the
 13 requirements under subparagraph (A).

14 “(g) TERMINATION.—This section shall not apply to
 15 any property the construction of which begins after De-
 16 cember 31, 2035.”.

17 (b) PUBLIC UTILITY PROPERTY.—Paragraph (2) of
 18 section 50(d) of the Internal Revenue Code is amended—

19 (1) by striking “(as defined in section
 20 48(c)(6))” and inserting “(as defined in section
 21 48(c)(6), except that subparagraph (D) of such sec-
 22 tion shall not apply) or any qualifying electric power
 23 transmission line property (as defined by section
 24 48F(c))”, and

25 (2) in subparagraph (B)—

1 (A) by inserting “or qualifying electric
2 power transmission line property” after “each
3 energy storage technology”, and

4 (B) by inserting “or the qualifying electric
5 power transmission line property” after “the
6 energy storage technology”.

7 (c) TRANSFER OF CERTAIN CREDITS.—Section
8 6418(f)(1)(A) of the Internal Revenue Code of 1986 is
9 amended by adding at the end the following:

10 “(xiii) The qualifying electric power
11 transmission line credit under section
12 48F.”.

13 (d) CONFORMING AMENDMENTS.—

14 (1) Section 46 of the Internal Revenue Code of
15 1986 is amended—

16 (A) in paragraph (6), by striking “and” at
17 the end,

18 (B) in paragraph (7), by striking the pe-
19 riod at the end and inserting “, and”, and

20 (C) by adding at the end the following:

21 “(8) the qualifying electric power transmission
22 line credit.”.

23 (2) Section 49(a)(1)(C) of such Code is amend-
24 ed—

1 (A) in clause (vii), by striking “and” at the
2 end,

3 (B) in clause (viii), by striking the period
4 at the end and inserting “, and”, and

5 (C) by adding at the end the following:

6 “(ix) the basis of any qualifying elec-
7 tric power transmission line property under
8 section 48F.”.

9 (3) The table of sections for subpart E of part
10 IV of subchapter A of chapter 1 of such Code is
11 amended by inserting after the item relating to sec-
12 tion 48E the following new item:

“Sec. 48F. Qualifying electric power transmission line credit.”.

13 (e) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to property placed in service after
15 December 31, 2025.

16 **SEC. 412. REDUCED WILDFIRE RISKS TO THE GRID.**

17 (a) DEFINITIONS.—In this section:

18 (1) ELIGIBLE ENTITY.—The term “eligible enti-
19 ty” means—

20 (A) an electric grid operator;

21 (B) an electricity storage operator;

22 (C) an electricity generator;

23 (D) a transmission owner or operator;

24 (E) a distribution provider;

25 (F) a fuel supplier; and

1 (G) any other relevant entity, as deter-
2 mined by the Secretary.

3 (2) POWER LINE.—The term “power line” in-
4 cludes a transmission line or a distribution line, as
5 applicable.

6 (3) PROGRAM.—The term “program” means
7 the program established under subsection (b).

8 (b) ESTABLISHMENT OF PROGRAM.—Not later than
9 days after the date of enactment of this Act, the Secretary
10 shall establish a program under which the Secretary shall
11 make grants to eligible entities, States, and Indian Tribes
12 in accordance with this section.

13 (c) GRANTS TO ELIGIBLE ENTITIES.—

14 (1) IN GENERAL.—The Secretary may make a
15 grant under the program to an eligible entity to
16 carry out activities that—

17 (A) are supplemental to existing hardening
18 efforts of the eligible entity planned for any
19 given year; and

20 (B)(i) reduce the risk of any power lines
21 owned or operated by the eligible entity causing
22 a wildfire; or

23 (ii) increase the ability of the eligible
24 entity to reduce the likelihood and con-
25 sequences of wildfires.

1 (2) APPLICATION.—

2 (A) IN GENERAL.—An eligible entity desir-
3 ing a grant under the program shall submit to
4 the Secretary an application at such time, in
5 such manner, and containing such information
6 as the Secretary may require.

7 (B) REQUIREMENT.—As a condition of re-
8 ceiving a grant under the program, an eligible
9 entity shall submit to the Secretary, as part of
10 the application of the eligible entity submitted
11 under subparagraph (A), a report detailing
12 past, current, and future efforts by the eligible
13 entity to reduce the likelihood and consequences
14 of wildfires.

15 (3) LIMITATION.—The Secretary may not
16 award a grant to an eligible entity in an amount
17 that is greater than the total amount that the eligi-
18 ble entity has spent in the previous 3 years on ef-
19 forts to reduce the likelihood and consequences of
20 wildfires.

21 (4) PRIORITY.—In making grants to eligible en-
22 tities under the program, the Secretary shall give
23 priority to projects that, in the determination of the
24 Secretary, will generate the greatest community ben-

1 efit (whether rural or urban) in reducing the likeli-
2 hood and consequences of wildfires.

3 (5) SMALL UTILITIES SET ASIDE.—The Sec-
4 retary shall ensure that not less than 30 percent of
5 the amounts made available to eligible entities under
6 the program are made available to eligible entities
7 that sell not more than 4,000,000 megawatt hours
8 of electricity per year.

9 (d) GRANTS TO STATES AND INDIAN TRIBES.—

10 (1) IN GENERAL.—The Secretary, in accord-
11 ance with this subsection, may make grants under
12 the program to States and Indian Tribes, which
13 each State or Indian Tribe may use to award grants
14 to eligible entities.

15 (2) ANNUAL APPLICATION.—

16 (A) IN GENERAL.—For each fiscal year, to
17 be eligible to receive a grant under this sub-
18 section, a State or Indian Tribe shall submit to
19 the Secretary an application that includes a
20 plan described in subparagraph (B).

21 (B) PLAN REQUIRED.—A plan prepared by
22 a State or Indian Tribe for purposes of an ap-
23 plication described in subparagraph (A) shall—

- 1 (i) describe the criteria and methods
2 that will be used by the State or Indian
3 Tribe to award grants to eligible entities;
4 (ii) be adopted after notice and a pub-
5 lic hearing; and
6 (iii) describe the proposed funding
7 distributions and recipients of the grants
8 to be provided by the State or Indian
9 Tribe.

10 (3) DISTRIBUTION OF FUNDS.—

11 (A) IN GENERAL.—The Secretary shall
12 provide grants to States and Indian Tribes
13 under this subsection based on a formula deter-
14 mined by the Secretary, in accordance with sub-
15 paragraph (B).

16 (B) REQUIREMENT.—The formula referred
17 to in subparagraph (A) shall be based on the
18 following factors:

19 (i) The total population of the State
20 or Indian Tribe.

21 (ii)(I) The total area of the State or
22 the land of the Indian Tribe; or

23 (II) the areas in the State or on
24 the land of the Indian Tribe with a

1 low ratio of electricity customers per
2 mileage of power lines.

3 (iii) The Wildfire Risk Index score
4 and rating as calculated by the Federal
5 Emergency Management Agency.

6 (iv) The probability of wildfires in the
7 State or on the land of the Indian Tribe
8 during the previous 10 years, as deter-
9 mined based on the number of federally de-
10 clared disasters or emergencies related to
11 wildfires in the State or on the land of the
12 Indian Tribe, as applicable, including—

13 (I) disasters for which Fire Man-
14 agement Assistance Grants are pro-
15 vided under section 420 of the Robert
16 T. Stafford Disaster Relief and Emer-
17 gency Assistance Act (42 U.S.C.
18 5187);

19 (II) major disasters declared by
20 the President under section 401 of
21 that Act (42 U.S.C. 5170);

22 (III) emergencies declared by the
23 President under section 501 of that
24 Act (42 U.S.C. 5191); and

1 (IV) any other federally declared
2 disaster or emergency in the State or
3 on the land of the Indian Tribe.

4 (v) The number and severity, meas-
5 ured by population and economic impacts,
6 of wildfires experienced by the State or In-
7 dian Tribe on or after January 1, 2015.

8 (vi) The total amount, on a per capita
9 basis, of public and private expenditures
10 during the previous 10 years to carry out
11 mitigation efforts to reduce the likelihood
12 and consequences of wildfires in the State
13 or on the land of the Indian Tribe, with
14 States or Indian Tribes with higher per
15 capita expenditures receiving additional
16 weight or consideration as compared to
17 States or Indian Tribes with lower per cap-
18 ita expenditures.

19 (C) ANNUAL UPDATE OF DATA USED IN
20 DISTRIBUTION OF FUNDS.—Beginning 1 year
21 after the date of enactment of this Act, the Sec-
22 retary shall annually update—

23 (i) all data relating to the factors de-
24 scribed in subparagraph (B); and

1 (ii) all other data used in distributing
2 grants to States and Indian Tribes under
3 this subsection.

4 (4) OVERSIGHT.—The Secretary shall ensure
5 that each grant provided to a State or Indian Tribe
6 under the program is allocated, pursuant to the ap-
7 plicable plan of the State or Indian Tribe, to eligible
8 entities for projects within the State or on the land
9 of the Indian Tribe.

10 (5) PRIORITY.—In making grants to eligible en-
11 tities using funds made available to the applicable
12 State or Indian Tribe under the program, the State
13 or Indian Tribe shall give priority to projects that,
14 in the determination of the State or Indian Tribe,
15 will generate the greatest community benefit (wheth-
16 er rural or urban) in reducing the likelihood and
17 consequences of wildfires.

18 (6) SMALL UTILITIES SET ASIDE.—A State or
19 Indian Tribe receiving a grant under the program
20 shall ensure that, of the amounts made available to
21 eligible entities from funds made available to the
22 State or Indian Tribe under the program, the per-
23 centage made available to eligible entities that sell
24 not more than 4,000,000 megawatt hours of elec-
25 tricity per year is not less than the percentage of all

1 customers in the State or Indian Tribe that are
2 served by those eligible entities.

3 (7) TECHNICAL ASSISTANCE AND ADMINISTRA-
4 TIVE EXPENSES.—Of the amounts made available to
5 a State or Indian Tribe under the program each fis-
6 cal year, the State or Indian Tribe may use not
7 more than 5 percent for—

8 (A) providing technical assistance under
9 subsection (g)(1)(A); and

10 (B) administrative expenses associated
11 with the program.

12 (8) MATCHING REQUIREMENT.—Each State
13 and Indian Tribe shall be required to match 15 per-
14 cent of the amount of each grant provided to the
15 State or Indian Tribe under the program.

16 (e) USE OF GRANTS.—

17 (1) IN GENERAL.—A grant awarded to an eligi-
18 ble entity under the program may be used for activi-
19 ties, technologies, equipment, and hardening meas-
20 ures to reduce the likelihood and consequences of
21 wildfires, including—

22 (A) weatherization technologies and equip-
23 ment;

24 (B) fire-resistant technologies and fire pre-
25 vention systems;

1 (C) monitoring and control technologies,
2 including digital tools;

3 (D) the undergrounding of electrical equip-
4 ment;

5 (E) utility pole management;

6 (F) the relocation of power lines or the
7 reconductoring of power lines with low-sag, ad-
8 vanced conductors;

9 (G) vegetation and fuel-load management;

10 (H) the use or construction of distributed
11 energy resources for enhancing system adaptive
12 capacity during wildfires, including—

13 (i) microgrids; and

14 (ii) battery-storage subcomponents;

15 (I) adaptive protection technologies;

16 (J) advanced modeling technologies;

17 (K) hardening of power lines, facilities,
18 substations, of other systems;

19 (L) the replacement of old overhead con-
20 ductors and underground cables; and

21 (M) the removal or replacement of old
22 power lines.

23 (2) PROHIBITIONS AND LIMITATIONS.—

1 (A) IN GENERAL.—A grant awarded to an
2 eligible entity under the program may not be
3 used for—

4 (i) construction of a new—

5 (I) electric generating facility; or

6 (II) large-scale battery-storage
7 facility that is not used for enhancing
8 system adaptive capacity during
9 wildfires; or

10 (ii) cybersecurity.

11 (B) CERTAIN INVESTMENTS ELIGIBLE FOR
12 RECOVERY.—

13 (i) IN GENERAL.—An eligible entity
14 may not seek cost recovery for the portion
15 of the cost of any system, technology, or
16 equipment that is funded through a grant
17 awarded under the program.

18 (ii) SAVINGS PROVISION.—Nothing in
19 this subparagraph prohibits an eligible en-
20 tity from recovering through traditional or
21 incentive-based ratemaking any portion of
22 an investment in a system, technology, or
23 equipment that is not funded by a grant
24 awarded under the program.

1 (C) APPLICATION LIMITATIONS.—An eligi-
2 ble entity may not submit an application for a
3 grant provided by the Secretary under sub-
4 section (c) and a grant provided by a State or
5 Indian Tribe pursuant to subsection (d) during
6 the same application cycle.

7 (f) DISTRIBUTION OF FUNDING.—Of the amounts
8 made available to carry out the program for a fiscal year,
9 the Secretary shall ensure that—

10 (1) 50 percent is used to award grants to eligi-
11 ble entities under subsection (c); and

12 (2) 50 percent is used to make grants to States
13 and Indian Tribes under subsection (d).

14 (g) TECHNICAL AND OTHER ASSISTANCE.—

15 (1) IN GENERAL.—The Secretary, States, and
16 Indian Tribes may—

17 (A) provide technical assistance and facili-
18 tate the distribution and sharing of information
19 to reduce the likelihood and consequences of
20 wildfires; and

21 (B) promulgate consumer-facing informa-
22 tion and resources to inform the public of best
23 practices and resources relating to reducing the
24 likelihood and consequences of wildfires.

1 (2) USE OF FUNDS BY THE SECRETARY.—Of
2 the amounts made available to the Secretary to
3 carry out the program each fiscal year, the Secretary
4 may use not more than 5 percent for—

5 (A) providing technical assistance under
6 paragraph (1)(A); and

7 (B) administrative expenses associated
8 with the program.

9 (h) MATCHING REQUIREMENT.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), an eligible entity that receives a grant
12 under this section shall be required to match 100
13 percent of the amount of the grant.

14 (2) EXCEPTION FOR SMALL UTILITIES.—An eli-
15 gible entity that sells not more than 4,000,000
16 megawatt hours of electricity per year shall be re-
17 quired to match $\frac{1}{3}$ of the amount of the grant.

18 (i) BIENNIAL REPORT TO CONGRESS.—

19 (1) IN GENERAL.—Not later than 2 years after
20 the date of enactment of this Act, and every 2 years
21 thereafter through, the Secretary shall submit to the
22 Committee on Energy and Natural Resources of the
23 Senate and the Committee on Energy and Com-
24 merce of the House of Representatives a report de-
25 scribing the program.

1 (2) REQUIREMENTS.—The report under para-
2 graph (1) shall include information and data on—

3 (A) the costs of the projects for which
4 grants are awarded to eligible entities;

5 (B) the types of activities, technologies,
6 equipment, and hardening measures funded by
7 those grants; and

8 (C) the extent to which the ability of the
9 power grid to withstand and reduce the likeli-
10 hood of wildfires has increased.

11 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated to the Secretary to carry
13 out the program \$3,000,000,000 for the period of fiscal
14 years 2026 through 2030.

15 (k) CONTINUED ACTIVITIES.—The Secretary shall
16 carry out the program, in addition to any activities author-
17 ized under Section 40103 of the Infrastructure Investment
18 and Jobs Act (Public Law 117–58).

19 (l) DAVIS-BACON.—All laborers and mechanics em-
20 ployed by contractors or subcontractors in the perform-
21 ance of construction, alteration, or repair work on a
22 project assisted in whole or in part by funds made avail-
23 able under this section (or any amendment made by this
24 section) shall be paid wages at rates not less than those
25 prevailing on similar projects in the locality as determined

1 by the Secretary of Labor in accordance with subchapter
 2 IV of chapter 31 of title 40, United States Code (com-
 3 monly referred to as the “Davis-Bacon Act”), and the reg-
 4 ulations issued thereunder at 29 CFR Part 5 (Davis-
 5 Bacon and Related Acts regulations). Compliance with
 6 these labor standards shall be a condition of receiving as-
 7 sistance under this section, and the Secretary concerned
 8 shall require that all contracts and subcontracts include
 9 the labor standards clauses prescribed by the Secretary
 10 of Labor.

11 **Subtitle C—Transmission** 12 **Governance Reform**

13 **SEC. 421. FERC STAFFING.**

14 (a) ENSURING TIMELY REVIEW OF INFRASTRUC-
 15 TURE.—Section 401(k) of the Department of Energy Or-
 16 ganization Act (42 U.S.C. 7171(k)) is amended—

17 (1) in paragraph (1), by striking “subchapter
 18 III of”;

19 (2) in paragraph (2)—

20 (A) by striking subparagraph (A); and

21 (B) by redesignating subparagraphs (B)
 22 through (E) as subparagraphs (A) through (D),
 23 respectively; and

24 (3) in paragraph (6)—

1 (A) by striking “The Chairman” and in-
2 serting the following:

3 “(A) IN GENERAL.—The Chairman”; and

4 (B) by adding at the end the following:

5 “(B) IMPLEMENTATION PLAN.—Not later
6 than 90 days after the date of enactment of
7 this subparagraph, the Chairman shall submit
8 to the Director of the Office of Personnel Man-
9 agement a plan to implement this subsection.
10 The Director of the Office of Personnel Man-
11 agement shall take final action on the plan not
12 later than 120 days after the submission of
13 such plan.”.

14 (b) DIRECT HIRE AUTHORITY.—Section 401 of the
15 Department of Energy Organization Act (42 U.S.C. 7171)
16 is amended by adding at the end the following:

17 “(1) DIRECT HIRE AUTHORITY.—

18 “(1) IN GENERAL.—Notwithstanding section
19 3304 of title 5, United States Code, and without re-
20 gard to the provisions of sections 3309 through
21 3318 of such title 5, if the Chairman of the Com-
22 mission issues a certification that there is as severe
23 shortage of candidates or a critical hiring need for
24 covered positions to carry out the Commission’s re-
25 sponsibilities and activities, the Chairman may, sub-

1 ject to paragraph (3), recruit and directly appoint
2 highly qualified individuals into the competitive serv-
3 ice.

4 “(2) LIMITATION.—Any action authorized pur-
5 suant to paragraph (1) shall be consistent with the
6 merit principles of section 2301 of title 5, United
7 States Code, and the Commission shall comply with
8 the public notice requirements of section 3327 of
9 such title 5.

10 “(3) TERMINATION.—

11 “(A) IN GENERAL.—A certification issued
12 or renewed under this subsection shall termi-
13 nate on the earlier of—

14 “(i) the date that is 5 years after the
15 certification is issued or renewed; or

16 “(ii) the date on which the Chairman
17 determines that there is no longer a severe
18 shortage of candidates or a critical hiring
19 need for covered positions to carry out the
20 Commission’s responsibilities and activi-
21 ties.

22 “(B) RENEWAL.—The Chairman may
23 renew a certification issued or renewed under
24 this subsection for an additional 5-year period
25 if the Chairman determines there is still a se-

1 vere shortage of candidates or a critical hiring
 2 need for covered positions to carry out the
 3 Commission’s responsibilities and activities.

4 “(4) COVERED POSITION.—In this subsection,
 5 the term ‘covered position’ means a position in
 6 which an employee is responsible for conducting
 7 work of a scientific, technical, engineering, mathe-
 8 matical, legal, or otherwise highly specialized or
 9 skilled nature.”.

10 (c) ELIMINATION OF REPORTING SUNSET.—Section
 11 11004(b) of the Energy Act of 2020 (42 U.S.C. 7171
 12 note; Public Law 116–260) is amended—

13 (1) in paragraph (1), by striking “thereafter for
 14 10 years” and inserting “thereafter”; and

15 (2) in paragraph (2)(B), by striking “or mathe-
 16 matical” and inserting “mathematical, or otherwise
 17 highly specialized or skilled”.

18 **SEC. 422. FERC FEE ASSESSMENTS.**

19 Section 3401 of the Omnibus Budget Reconciliation
 20 Act of 1986 (42 U.S.C. 7178) is amended by adding at
 21 the end the following:

22 “(h) REVIEW.—Not less often than once every 5
 23 years, the Commission shall undertake a review to deter-
 24 mine if the fees and charges it assesses under this section

1 and other laws are sufficient to allow the Commission to
2 handle its workload in an expedient manner.”.

3 **SEC. 423. STATE PUBLIC UTILITY COMMISSION CAPACITY**
4 **GRANTS.**

5 (a) ESTABLISHMENT.—Not later than 2 years fol-
6 lowing the enactment of this title, the Secretary of Energy
7 shall establish a program under which the Secretary shall
8 award grants to State regulatory authorities to increase
9 the capacity of said authorities to evaluate filings made
10 by utilities related to transmission and integrated resource
11 plans, including through the hiring of economic modelers,
12 engineers, and others with relevant expertise.

13 (b) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to the Secretary of En-
15 ergy such sums as may be necessary to carry out this sec-
16 tion.

17 **SEC. 424. INDEPENDENT TRANSMISSION MONITORS.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of enactment of this section, the Commission shall—
20 (1) require each transmission planning region
21 to establish an independent entity to monitor the
22 planning for, and operation of, transmission facilities
23 in the transmission planning region; or

1 (2) establish an independent entity to monitor
2 the planning for, and operation of, transmission fa-
3 cilities in all transmission planning regions.

4 (b) **ROLE OF TRANSMISSION MONITOR.**—An inde-
5 pendent entity described in subsection (a) shall provide
6 independent analysis of transmission planning and rate-
7 making processes by the Commission and Transmission
8 Organizations to inform Commission proceedings, includ-
9 ing by, as applicable—

10 (1) reviewing the operation and practices of
11 transmission facilities in the applicable transmission
12 planning region for inefficiency;

13 (2) investigating whether any rate, charge, or
14 classification for transmission facilities in the appli-
15 cable transmission planning region, or any rule, reg-
16 ulation, practice, or contract affecting such a rate,
17 charge, or classification, is unjust, unreasonable, un-
18 duly discriminatory or preferential;

19 (3) reviewing the transmission planning process
20 for the applicable transmission planning region, in-
21 cluding processes for planning new and upgraded
22 local transmission projects;

23 (4) reviewing transmission facility costs in the
24 applicable transmission planning region;

1 (5) providing examples and advice to Trans-
2 mission Organizations in the applicable transmission
3 planning region on regional transmission operations,
4 planning, and cost-allocation processes;

5 (6) identifying situations in which it is cost-ef-
6 fective or otherwise appropriate to construct or de-
7 ploy advanced transmission technologies, demand-
8 side energy efficiency measures, demand response,
9 and distributed energy resources, including rooftop
10 and community solar, microgrids, and storage;

11 (7) coordinating and sharing information with
12 State regulatory authorities in the applicable trans-
13 mission planning region; and

14 (8) identifying reliable data sets and methodolo-
15 gies for use in regional planning and providing ac-
16 cess to data to stakeholders.

17 (c) SAVINGS CLAUSE.—Nothing in this section shall
18 be construed to alter the sole power of the Commission
19 to, under sections 205 and 206 of the Federal Power Act
20 (16 U.S.C. 824d; 824e), determine if any rates, charges,
21 or classifications are unjust, unreasonable, or unduly dis-
22 criminatory or preferential.

23 (d) DEFINITIONS.—In this section:

24 (1) COMMISSION.—The term “Commission”
25 means the Federal Energy Regulatory Commission.

1 (2) ADVANCED TRANSMISSION TECHNOLOGY;
2 STATE REGULATORY AUTHORITY; TRANSMISSION OR-
3 GANIZATION; TRANSMISSION PLANNING REGION.—
4 The terms “advanced transmission technology”,
5 “State regulatory authority”, “Transmission Organi-
6 zation”, and “transmission planning region” have
7 the meanings given such terms in section 3 of the
8 Federal Power Act (16 U.S.C. 796).

9 **SEC. 425. AGGREGATOR BIDDING INTO ORGANIZED WHOLE-**
10 **SALE ELECTRIC MARKETS.**

11 (a) IN GENERAL.—Notwithstanding any prohibition
12 established by a relevant electric retail regulatory author-
13 ity with respect to who may bid into an organized whole-
14 sale electric market, each Transmission Organization
15 shall, with respect to the organized wholesale electric mar-
16 ket controlled by the Transmission Organization, allow
17 any bid from an aggregator of retail customers that aggre-
18 gates the demand flexibility of the customers of utilities
19 that distributed more than 4 million megawatt-hours in
20 the previous fiscal year. Such flexibility may be achieved
21 through demand response, distributed generation, distrib-
22 uted storage, and community-based or municipal aggrega-
23 tion programs.

1 (b) RULEMAKING.—Not later than 12 months after
 2 the date of enactment of this section, the Commission
 3 shall promulgate a final rule pursuant to subsection (a).

4 (c) STANDARD PROCEDURES.—Each Transmission
 5 Organization shall establish standardized registration, te-
 6 lemetry, and settlement procedures for aggregators of dis-
 7 tributed energy resources to ensure non-discriminatory
 8 participation and data access.

9 (d) DEFINITIONS.—In this section:

10 (1) COMMISSION.—The term “Commission”
 11 means the Federal Energy Regulatory Commission.

12 (2) ELECTRIC RETAIL REGULATORY AUTHOR-
 13 ITY.—The term “electric retail regulatory authority”
 14 means an entity that establishes retail electricity
 15 prices and retail competition policies for customers.

16 (3) TRANSMISSION ORGANIZATION.—The term
 17 “Transmission Organization” has the meaning given
 18 such term in section 3 of the Federal Power Act (16
 19 U.S.C. 796).

20 **SEC. 426. RTO AND ISO GOVERNANCE AND PARTICIPATION.**

21 (a) TECHNICAL CONFERENCE.—Not later than 120
 22 days after the date of enactment of this section, the Fed-
 23 eral Energy Regulatory Commission shall convene a tech-
 24 nical conference to consider Regional Transmission Orga-
 25 nization and Independent System Operator independence

1 from their members interests, the responsiveness of RTOs
2 and ISOs to consumers and other stakeholders, and ways
3 for RTOs and ISOs to increase the equitable treatment
4 of consumers and other stakeholders, including the effec-
5 tiveness of stakeholder policies and procedures adopted in
6 compliance with the final rule entitled “Wholesale Com-
7 petition in Regions With Organized Electric Markets”
8 published in the Federal Register on October 28, 2008
9 (73 Fed. Reg. 64100).

10 (b) PARTICIPATION.—The technical conference con-
11 vened under subsection (a) shall be led by members of the
12 Commission, and the Commission shall invite participation
13 from representatives of each RTO and ISO, owners and
14 operators of transmission facilities, representatives of enti-
15 ties that develop advanced transmission technologies, own-
16 ers and operators of electric generation facilities that
17 interconnect at either the transmission or distribution sys-
18 tem level, including energy storage, end-use customers,
19 electric power marketers, publicly owned electric utilities,
20 consumer advocates, environmental justice advocates, en-
21 vironmental groups, State public utility commissions,
22 State governors, and such other stakeholders as the Com-
23 mission determines appropriate.

24 (c) TOPICS.—In conducting the technical conference
25 convened under subsection (a), the Commission shall seek

1 to identify policies and procedures that maintain RTO and
2 ISO independence, and enhance the responsiveness of
3 RTOs and ISOs to their customers and other stake-
4 holders, taking into consideration—

5 (1) the benefits of greater transparency in RTO
6 and ISO stakeholder processes, including access by
7 stakeholders to relevant data and written back-
8 ground materials;

9 (2) barriers to participation in such stakeholder
10 processes for new market participants and other
11 non-incumbent stakeholders;

12 (3) the need for periodic, independent review of
13 RTO and ISO stakeholder policies and procedures;

14 (4) power imbalances between incumbent and
15 non-incumbent stakeholders, including whether cur-
16 rent RTO and ISO membership rules, sectoral des-
17 ignations, and voting procedures allow for adequate
18 representation of all stakeholder views;

19 (5) how RTOs and ISOs should take State pub-
20 lic policy objectives into consideration as part of
21 such stakeholder processes;

22 (6) whether existing RTO and ISO decision-
23 making processes are sufficiently independent from
24 the control of any market participant or class of par-
25 ticipants;

1 (7) the role of the Office of Public Participation
2 of the Commission in facilitating greater stakeholder
3 participation in RTOs and ISOs; and

4 (8) such other subjects as the Commission con-
5 siders appropriate.

6 (d) PUBLIC COMMENT.—The Commission shall pro-
7 vide an opportunity for public comment on the technical
8 conference convened under subsection (a).

9 (e) RULEMAKING.—Not later than 18 months after
10 the conclusion of the technical conference convened under
11 subsection (a), and after public notice and comment, the
12 Commission shall promulgate a final rule adopting such
13 policies and procedures as the Commission determines
14 necessary to maintain the independence of RTOs and
15 ISOs, and to enhance the transparency and responsiveness
16 of RTOs and ISOs to their customers and other stake-
17 holders.

18 (f) DEFINITIONS.—In this section:

19 (1) COMMISSION.—The term “Commission”
20 means the Federal Energy Regulatory Commission.

21 (2) FEDERAL POWER ACT DEFINITIONS.—The
22 terms “electric utility”, “Independent System Oper-
23 ator”, “ISO”, “Regional Transmission Organiza-
24 tion”, “RTO”, and “State commission” have the

1 meanings given such terms in section 3 of the Fed-
2 eral Power Act (16 U.S.C. 796).

3 **SEC. 427. MODERNIZED GRID DATA AND ANALYTICS.**

4 (a) MODERNIZATION OF REPORTING INFORMATION
5 AND DATA UNDER THE FEDERAL POWER ACT.—

6 (1) IN GENERAL.—The Commission shall, by
7 rule, standardize the manner in which information
8 and data is reported by transmitting utilities and
9 Transmission Organizations to the Commission
10 under the Federal Power Act (16 U.S.C. 972 et
11 seq.) in accordance with this subsection.

12 (2) CONTENT OF REPORTS REQUIREMENTS.—
13 In carrying out paragraph (1), the Commission shall
14 require the information and data that will be re-
15 ported, as it applies to projects, existing assets, or
16 systems owned or operated by a transmitting utility
17 or Transmission Organization, to include the fol-
18 lowing:

19 (A) Information and data relating to a
20 project and the lifecycle of such project, includ-
21 ing—

22 (i) project milestones, including pro-
23 posed, approved, and actual in-service
24 dates;

1 (ii) project classification information,
2 including whether the project represents
3 new construction, an upgrade, or a rebuild
4 of existing infrastructure;

5 (iii) major development history, in-
6 cluding original construction and last
7 major upgrade dates;

8 (iv) the location of any applicable
9 project;

10 (v) the project nameplate capacity,
11 length, voltage, and conductor material
12 and specifications; and

13 (vi) an identification of the applicable
14 planning process through which the appli-
15 cable project originated.

16 (B) The costs and economic justifications
17 of a project, existing asset, or system owned or
18 operated by a transmitting utility or Trans-
19 mission Organization, as applicable, including—

20 (i) original projected and actual final
21 costs of all new projects;

22 (ii) original projected and actual final
23 costs of renewals and replacements of
24 project works;

1 (iii) original projected and actual
2 maintenance and operations expenses of
3 the projects and existing assets on a cur-
4 rent-year and five-year rolling average
5 basis;

6 (iv) cost allocation shares where appli-
7 cable, including identification of entities re-
8 sponsible for shared investments in
9 projects;

10 (v) cost-benefit analyses of projects;

11 (vi) whether the project was subject to
12 a competitive solicitation process and, if
13 applicable, the outcome of that process;
14 and

15 (vii) classification of the project based
16 on benefits provided, under the relevant
17 transmission planning framework.

18 (C) The capital structure and the rate of
19 return of a project, existing asset, or system
20 owned or operated by a transmitting utility or
21 Transmission Organization, including—

22 (i) the allowed return on equity
23 (ROE), return on debt, and return on pre-
24 ferred stock;

1 (ii) the utility's authorized or actual
2 capital structure, including the percentage
3 of debt, equity, and preferred stock used in
4 ratemaking;

5 (iii) the resulting overall weighted av-
6 erage rate of return;

7 (iv) any FERC-approved incentive
8 adders applied to the base ROE, including
9 rationale and duration; and

10 (v) where applicable, information nec-
11 essary to assess potential double leveraging
12 effects arising from a holding company
13 structure, as defined by the Commission.

14 (D) For information and data relating to
15 a system owned or operated by a transmitting
16 utility or Transmission Organization, as appli-
17 cable, congestion-related costs or the costs in-
18 curred by ratepayers, power supplies, or dis-
19 tribution customers as a result of transmission
20 system constraints that prevent the dispatch of
21 least-cost generation resources.

22 (E) Technical and non-technical losses and
23 inefficiencies.

24 (F) A complete accounting of interconnec-
25 tion-related costs incurred by interconnection

1 customers, transmitting utilities, or other enti-
2 ties, disaggregated by cost type and responsible
3 party, including—

4 (i) study fees;

5 (ii) milestones or reservation pay-
6 ments;

7 (iii) costs of local interconnection at-
8 tachment facilities;

9 (iv) grid network upgrade costs; and

10 (v) estimates of costs to a larger sys-
11 tem.

12 (G) The projected and actual capacity and
13 load of a system owned or operated by a trans-
14 mitting utility or Transmission Organization
15 and the projected and actual amount of energy
16 delivered by such system.

17 (H) Information and data on the use of
18 capital-efficient advanced technologies, includ-
19 ing information on—

20 (i) hourly usage;

21 (ii) the location of the technologies;

22 and

23 (iii) the types of technologies de-
24 ployed.

1 (I) Any additional metrics the Commission
2 determines necessary to improve ratepayer af-
3 fordability and understanding of the trans-
4 mission sector.

5 (3) CONTENT OF INTERCONNECTION RE-
6 PORTS.—In carrying out paragraph (1), the Com-
7 mission shall require a transmitting utility or Trans-
8 mission Organization to report, no less than quar-
9 terly, to the Commission information and data on
10 interconnection queues and details relating to inter-
11 connection study models used. Data reported under
12 this paragraph shall include both historical and real
13 time information to allow trend analysis and retro-
14 spective validation of study timelines.

15 (4) FORMAT OF REPORTS.—

16 (A) IN GENERAL.—Pursuant to paragraph
17 (1), the Commission shall ensure the complete-
18 ness, accuracy, and accessibility of information
19 and data reported to the Commission under the
20 Federal Power Act, as the Commission deter-
21 mines necessary, by—

22 (i) establishing standardized reporting
23 requirements that specify standards for de-
24 scribing and recording such information
25 and data, and, if the Commission deter-

1 mines appropriate, providing templates or
2 other tools to reduce administrative bur-
3 den;

4 (ii) providing a format for such infor-
5 mation and data to be submitted in a man-
6 ner that is fully searchable and machine-
7 readable;

8 (iii) requiring any form filed by a
9 transmitting utility or a Transmission Or-
10 ganization contains no blank cells, unless
11 clearly marked as exempt pursuant to sub-
12 paragraph (B);

13 (iv) requiring any projections required
14 under paragraph (1) are defined, including
15 key assumptions, methodologies, and any
16 other information that could influence the
17 result of the projection; and

18 (v) requiring data reported under this
19 subsection is also made available to the
20 public through a single, user-friendly web
21 interface that allows users to search, filter,
22 and download the data in a machine-read-
23 able format.

24 (B) EXEMPTION.—A transmitting utility
25 or a Transmission Organization may request an

1 exemption from a requirement under subpara-
2 graph (A)(iii) if—

3 (i) such transmitting utility or Trans-
4 mission Organization submits to the Com-
5 mission a written statement explaining why
6 such an exemption is needed; and

7 (ii) the Commission determines that
8 the exemption is justified based on the
9 written statement submitted under clause

10 (i).

11 (5) FERC FORM NO 1.—

12 (A) REFILING.—Not later than 1 year
13 after the date on which the Commission issues
14 a rule under paragraph (1), with respect to a
15 covered form, in the event the Commission de-
16 termines that such covered form is incomplete,
17 the Commission shall require the relevant trans-
18 mitting utility or Transmission Organization to
19 file a revised FERC Form No. 1 in a manner
20 that complies with the requirements of para-
21 graph (4) and the requirements under section
22 141.1 of title 18, Code of Federal Regulations
23 (or any successor regulations).

24 (B) COVERED FORM DEFINED.—In this
25 subsection, the term “covered form” means a

1 FERC Form No. 1 filed with the Commission
2 by a transmitting utility or Transmission Orga-
3 nization during the 5-year period immediately
4 preceding the date of enactment of this Act.

5 (C) MODERNIZATION AND CENTRALIZA-
6 TION OF FERC FORM NO. 1.—Not later than 2
7 years after the date of enactment of this Act,
8 the Commission, in collaboration with the Ad-
9 ministrator, shall make all historical and future
10 FERC Form No. 1 filings publicly available
11 through the centralized data repository estab-
12 lished under subsection (b).

13 (b) DEVELOPMENT OF CENTRALIZED DATA REPOSI-
14 TORY.—

15 (1) IN GENERAL.—The Commission, in collabo-
16 ration with the Administrator, shall develop and
17 maintain a searchable and publicly accessible data
18 repository containing information and data the Com-
19 mission determines necessary to carry out the re-
20 quirements of this Act, including information and
21 data reported or filed by a transmitting utility or
22 Transmission Organization—

23 (A) in FERC Form Nos. 1, 1-F, 3-Q,
24 714, 715, and 730, including information or

1 data from these forms reported prior to the
2 date of enactment of this Act; and

3 (B) pursuant to the requirements of this
4 Act.

5 (2) ELA EXPERTISE.—In collaborating with the
6 Commission under this subsection with respect to
7 the data repository developed under paragraph (1),
8 the Administrator shall—

9 (A) develop and maintain schemas and
10 metadata for Form No. 1 data consistent with
11 section 3506(b)(6) of title 44, United States
12 Code;

13 (B) provide user-friendly tools to explore,
14 download, and analyze such data, including fil-
15 tering by utility, year, region, and data cat-
16 egory; and

17 (C) ensure such data is accessible to the
18 public in both bulk and disaggregated forms,
19 with Application Programming Interfaces and
20 visualization tools where feasible.

21 (3) REQUIREMENTS.—The Commissioner shall
22 ensure that the data repository developed and main-
23 tained under paragraph (1)—

24 (A) includes the data in fully searchable
25 and machine-readable format;

1 (B) is capable of including high-quality
2 data through schemas and accompanying
3 metadata;

4 (C) ensures consistent identification of
5 data elements or assets that satisfy regulatory
6 requirements for data, established by the Com-
7 mission, as reflected in machine-readable
8 metadata;

9 (D) uses standardized data formats across
10 all Transmission Organizations and transmit-
11 ting utilities;

12 (E) is used by Transmission Organizations
13 and transmitting utilities to file reports re-
14 quired under the Federal Power Act and this
15 Act;

16 (F) enables uploading of reports filed
17 under the Federal Power Act or this Act;

18 (G) is optimized for operability by Trans-
19 mission Organizations and transmitting utilities
20 to limit the administrative burden of, and en-
21 sure consistency in, such filings;

22 (H) includes interactive tools and visualiza-
23 tion interfaces to allow users to explore trends
24 in transmission buildout, interconnection
25 timelines, and associated ratepayer costs;

1 (I) incorporates Application Programming
2 Interfaces or bulk download functionality to
3 support third-party analysis and research; and

4 (J) ensures that publicly accessible data is
5 aligned with the security of guidelines for Crit-
6 ical Energy/Electric Infrastructure Information,
7 and includes appropriate data anonymization
8 and cybersecurity protections, based on Com-
9 mission guidance.

10 (c) GRID RESEARCH AND ANALYTICS.—

11 (1) RESEARCH AND POLICY ANALYSIS.—The
12 Secretary, in collaboration with the Commission,
13 using standardized methodologies and anonymized
14 queue data collected under this Act, shall conduct
15 research and publish periodic reports on the fol-
16 lowing topics:

17 (A) Primary drivers of increased costs to
18 ratepayers associated with transmission and
19 interconnection, including—

- 20 (i) transmission capital expenditures;
21 (ii) interconnection-related upgrade
22 costs;
23 (iii) interconnection study delays;
24 (iv) regional variations in cost alloca-
25 tion methodologies; and

1 (v) cost recovery practices by utilities
2 and grid operators.

3 (B) Value delivered to ratepayers from
4 transmission and interconnection investments,
5 including through—

6 (i) improvements to electric system re-
7 liability;

8 (ii) avoided emissions or emissions re-
9 ductions; and

10 (iii) enhancements to long-term sys-
11 tem resilience and grid flexibility.

12 (C) Mechanisms to enhance ratepayer af-
13 fordability, including—

14 (i) evaluation of performance-based
15 regulation frameworks applied to trans-
16 mission and interconnection-related invest-
17 ments;

18 (ii) assessment of alternative inter-
19 connection solutions such as advanced
20 transmission technologies, shared infra-
21 structure models, or consolidated upgrades;
22 and

23 (iii) evaluation of demand-side inter-
24 ventions that reduce the need for costly

1 transmission or interconnection invest-
2 ments.

3 (D) Comparative scenario modeling of po-
4 tential energy futures, to—

5 (i) identify lowest-cost pathways to
6 national grid expansion;

7 (ii) assess trade-offs among invest-
8 ment strategies; and

9 (iii) inform decision-making by utili-
10 ties, regional planning entities, and Fed-
11 eral agencies.

12 (E) Systemic cost impacts from inter-
13 connection inefficiencies, including analysis of
14 how study delays, queue withdrawals, and in-
15 creased construction periods contribute to high-
16 er system costs for ratepayers or generators.

17 (F) Opportunities to increase system effi-
18 ciency and unlock latent capacity through im-
19 proved operational practices and deployment of
20 advanced technologies, including—

21 (i) assessment of unused or underuti-
22 lized grid capacity due to outdated plan-
23 ning assumptions or lack of dynamic opti-
24 mization;

1 (ii) evaluation of technologies such as
2 dynamic line ratings, topology optimiza-
3 tion, flexible interconnection, or flow con-
4 trol devices; and

5 (iii) quantification of benefits to rate-
6 payers and system operators from
7 unlocking this capacity relative to tradi-
8 tional capital-intensive buildout.

9 (2) INTERCONNECTION TRANSPARENCY AND
10 DASHBOARD.—

11 (A) IN GENERAL.—The Secretary shall,
12 through 1 or more National Laboratories, de-
13 velop, maintain, and continuously improve an
14 Interconnection Data Dashboard that presents
15 real-time and historical information relevant to
16 interconnection of generators, loads, and other
17 utilities or transmission systems.

18 (B) PURPOSE.—The Dashboard shall pro-
19 vide public stakeholders, regulators, utilities,
20 developers, and researchers with transparent,
21 up-to-date insights into the effectiveness, effi-
22 ciency, affordability, and reliability of inter-
23 connection processes across all transmission
24 planning regions.

1 (C) DATA SOURCES.—The Dashboard shall
2 incorporate data collected under subsection (b)
3 of this Act and from FERC Form No. 1 filings,
4 relevant Commission filings, publicly available
5 interconnection queue data, and additional
6 datasets, as determined appropriate by the Sec-
7 retary or the Commission.

8 (D) CAPABILITIES.—The Secretary shall
9 develop the Dashboard to be able to—

10 (i) present anonymized interconnec-
11 tion queue data, including application vol-
12 umes, withdrawal rates, project timelines,
13 and milestones;

14 (ii) provide visualization of average
15 and median interconnection study dura-
16 tions, disaggregated by region and project
17 type;

18 (iii) show aggregated system upgrade
19 costs, study backlogs, and queue perform-
20 ance metrics;

21 (iv) allow filtering by geographic loca-
22 tion (e.g., State, balancing authority, lati-
23 tude/longitude coordinate), utility, fuel
24 type, and project size;

1 (v) present each interconnection
2 project's current development status, such
3 as application submitted, study phase, ap-
4 proved, under construction, or in-service;

5 (vi) display physical asset characteris-
6 tics for each interconnection project and
7 system segment, including nameplate gen-
8 eration capacity, peak load served, and
9 conductor capacity ratings;

10 (vii) identify trends in queue reform
11 outcomes, including impacts on through-
12 put, delay reduction, and project comple-
13 tion rates;

14 (viii) support export of underlying
15 data in machine-readable formats for pub-
16 lic analysis; and

17 (ix) perform any other function the
18 Secretary determines appropriate.

19 (E) REPORTING.—The Secretary, in col-
20 laboration with National Laboratories and the
21 Commission, shall publish annual reports sum-
22 marizing findings from the Dashboard, based
23 on data collected pursuant to subsection (b),
24 without substituting for the more comprehen-

sive cost-driver analysis required under paragraph (1), including—

(i) interregional comparisons of queue efficiency and project success rates;

(ii) systemic drivers of delay or cost escalation;

(iii) estimated ratepayer impacts associated with interconnection bottlenecks; and

(iv) recommendations for improving interconnection transparency and system performance.

(F) PUBLIC ACCESS.—The Dashboard shall be made available on a public website and designed for use by a broad range of users, including through visualizations, downloadable datasets, and API access, while maintaining protections for CEII.

(d) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Energy Information Administration of the Department of Energy.

(2) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

1 (3) FERC FORM NO. 1.—The term “FERC
2 Form No. 1” means the Form of Annual Report for
3 Major electric utilities, licensees, and others, des-
4 ignated as FERC Form No. 1 and prescribed under
5 section 141.1 of title 18, Code of Federal Regula-
6 tions (as in effect on the date of enactment of this
7 Act).

8 (4) METADATA.—The term “metadata” has the
9 meaning given such term in section 3502 of title 44,
10 United States Code.

11 (5) PROJECT.—The term “project” refers ex-
12 clusively to transmission infrastructure projects
13 planned, proposed, or undertaken by the transmit-
14 ting utility. This includes projects initiated
15 through—

16 (A) regional or local transmission planning
17 processes;

18 (B) interconnection studies;

19 (C) reliability-driven upgrades; and

20 (D) other applicable pathways as deter-
21 mined by the Commission.

22 (6) SECRETARY.—The term “Secretary” means
23 the Secretary of Energy.

24 (7) TRANSMITTING UTILITY; TRANSMISSION OR-
25 GANIZATION.—The terms “transmitting utility”, and

1 “Transmission Organization” have the meanings
 2 given those terms in section 3 of the Federal Power
 3 Act (16 U.S.C. 796).

4 **TITLE V—DEPLOYING LOW-**
 5 **COST, CLEAN ENERGY RE-**
 6 **SPONSIBLY ON PUBLIC**
 7 **LANDS AND WATERS**

8 **Subtitle A—Public Land**
 9 **Renewable Energy Development**

10 **SEC. 501. PUBLIC LAND RENEWABLE ENERGY DEVELOP-**
 11 **MENT.**

12 (a) DEFINITIONS.—In this Act:

13 (1) COVERED LAND.—The term “covered land”
 14 means land that is—

15 (A) Federal land;

16 (B) not excluded from the development of
 17 geothermal, solar, or wind energy under—

18 (i) a land use plan; or

19 (ii) other Federal law; and

20 (C) not included in an area—

21 (i) that is subject to the Desert Re-
 22 newable Energy Conservation Plan devel-
 23 oped by the California Energy Commis-
 24 sion, the California Department of Fish
 25 and Wildlife, the Bureau of Land Manage-

ment, and the United States Fish and Wildlife Service; or

(ii) for which the Secretary determines existing wind and solar energy land use planning meets or exceeds the standards established under section 3.

(2) ENERGY STORAGE PROJECT.—The term “energy storage project” means equipment that—

(A) receives, stores, and delivers energy—using batteries, compressed air, pumped hydro-power, hydrogen storage (including hydrolysis), thermal energy storage, regenerative fuel cells, flywheels, capacitors, superconducting magnets, or other technologies identified by the Secretary of Energy; and

(B) has a storage capacity of not less than 5 kilowatt hours.

(3) EXCLUSION AREA.—The term “exclusion area” means covered land that is identified by the Bureau of Land Management as not suitable for development of renewable energy projects.

(4) FEDERAL LAND.—The term “Federal land” means—

(A) public land; and

1 (B) National Forest System lands adminis-
2 tered by the Department of Agriculture through
3 the Forest Service where the Secretary has au-
4 thority to issue leases for the development and
5 utilization of geothermal resources under sec-
6 tion 3 and section 15 of the Geothermal Steam
7 Act of 1970 (30 U.S.C. 1002, 1014).

8 (5) FUND.—The term “Fund” means the Re-
9 newable Energy Resource Conservation Fund estab-
10 lished by section 6(c)(1).

11 (6) LAND USE PLAN.—The term “land use
12 plan” means—

13 (A) with respect to public land, a land use
14 plan established under the Federal Land Policy
15 and Management Act of 1976 (43 U.S.C. 1701
16 et seq.); and

17 (B) with respect to National Forest Sys-
18 tem land, a land management plan approved,
19 amended, or revised under section 6 of the For-
20 est and Rangeland Renewable Resources Plan-
21 ning Act of 1974 (16 U.S.C. 1604).

22 (7) NATIONAL FOREST SYSTEM.—The term
23 “National Forest System” has the meaning given
24 the term in section 11(a) of the Forest and Range-

1 land Renewable Resources Planning Act of 1974 (16
2 U.S.C. 1609(a)).

3 (8) PRIORITY AREA.—The term “priority area”
4 means covered land identified by the land use plan-
5 ning process of the Bureau of Land Management as
6 being a preferred location for a renewable energy
7 project, including an area that is identified as a des-
8 ignated leasing area under the rule of the Bureau of
9 Land Management entitled “Competitive Processes,
10 Terms, and Conditions for Leasing Public Lands for
11 Solar and Wind Energy Development and Technical
12 Changes and Corrections” (81 Fed. Reg. 92122
13 (December 19, 2016)) (or a successor regulation).

14 (9) PUBLIC LAND.—The term “public land”
15 has the meaning given the term “public lands” in
16 section 103 of the Federal Land Policy and Manage-
17 ment Act of 1976 (43 U.S.C. 1702).

18 (10) RENEWABLE ENERGY PROJECT.—The
19 term “renewable energy project”—

20 (A) means a project carried out on covered
21 land that—

22 (i) uses wind, solar, or geothermal en-
23 ergy to generate energy; or

1 (ii) transmits electricity to support
2 wind, solar, or geothermal energy genera-
3 tion; and

4 (B) may include an associated energy stor-
5 age project.

6 (11) SECRETARY.—The term “Secretary”
7 means the Secretary of the Interior.

8 (b) UPDATING NATIONAL GOALS FOR RENEWABLE
9 ENERGY PRODUCTION ON FEDERAL LAND.—Section
10 3104 of the Energy Act of 2020 (43 U.S.C. 3004) is
11 amended—

12 (1) in subsection (b)—

13 (A) by striking “seek to”;

14 (B) by striking “25” and inserting “60”;

15 and

16 (C) by striking “2025” and inserting “De-
17 cember 31, 2035”; and

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

19 “(c) UPDATE.—Not later than 18 months after the
20 date of enactment of this subsection, the Secretary, in con-
21 sultation with the Secretary of Agriculture and the heads
22 of other relevant Federal agencies, shall update the na-
23 tional goals for renewable energy production on Federal
24 land established under subsection (a).”.

1 (c) LAND USE PLANNING AND UPDATES TO PRO-
2 GRAMMATIC ENVIRONMENTAL IMPACT STATEMENTS.—

3 (1) PRIORITY AREAS.—

4 (A) ESTABLISHMENT OF PRIORITY AREAS;
5 DESIGNATION OF AREAS ELIGIBLE FOR THE
6 SUBMISSION OF RENEWABLE ENERGY PROJECT
7 APPLICATIONS.—

8 (i) IN GENERAL.—For purposes of re-
9 newable energy planning, the Secretary,
10 consistent with the requirements described
11 in clause (ii), shall—

12 (I) update completed land use
13 plans that, with respect to covered
14 lands, have designated areas as eligi-
15 ble for the submission of renewable
16 energy project applications; and

17 (II) establish priority areas on
18 covered land for renewable energy
19 projects.

20 (ii) REQUIREMENTS.—In carrying out
21 activities under clauses (i) and (ii) of sub-
22 paragraph (A), the Secretary shall—

23 (I) after an opportunity for pub-
24 lic comment, review the adequacy of

1 public lands for renewable energy
2 projects for the purposes of—

3 (aa) encouraging and facili-
4 tating new renewable energy
5 projects; and

6 (bb) ensuring consistency
7 with a mitigation sequence of
8 avoiding, minimizing, and com-
9 pensating for adverse impacts to
10 other public uses and values of
11 covered land, including—

12 (AA) wildlife habitat;

13 (BB) species listed as
14 threatened or endangered
15 under the Endangered Spe-
16 cies Act of 1973 (16 U.S.C.
17 1531 et seq.);

18 (CC) water resources;

19 (DD) cultural re-
20 sources;

21 (EE) recreational uses;

22 (FF) land with wilder-
23 ness characteristics;

1 (GG) land with special
2 management designations;
3 and

4 (HH) areas of Tribal
5 importance; and

6 (II) comply with—

7 (aa) the principles of mul-
8 tiple use (as defined in section
9 103 of the Federal Land Policy
10 and Management Act of 1976
11 (43 U.S.C. 1702)); and

12 (bb) the national goals for
13 renewable energy production es-
14 tablished under section 3104 of
15 the Energy Act of 2020 (43
16 U.S.C. 3004), including the min-
17 imum production goal described
18 in subsection (b) of that section.

19 (B) PRIORITY FOR CERTAIN APPLICA-
20 TIONS.—In considering applications for renew-
21 able energy projects on covered land, with re-
22 spect to an application for a proposed renew-
23 able energy project on covered land that is to
24 be carried out in a priority area, the Secretary
25 shall—

1 (i) prioritize the application to be car-
2 ried out in any identified priority area; and

3 (ii) on approval of the application,
4 provide to the applicant who submitted the
5 application the opportunity to participate
6 in any regional mitigation plan developed
7 for the applicable priority area.

8 (C) PROGRAMMATIC PLANNING.—

9 (i) SOLAR ENERGY.—As soon as prac-
10 ticable, but not later than 18 months after
11 the Record of Decision entitled “Approved
12 Record of Decision and Amendments/
13 Record of Decision for Utility-Scale Solar
14 Energy Development” dated December
15 2024 was issued, the Secretary shall con-
16 sider establishing priority areas on covered
17 land for Solar energy projects in the plan-
18 ning area (as defined in the Record of De-
19 cision).

20 (ii) WIND ENERGY.—As soon as prac-
21 ticable, but not later than 1 year after the
22 date of enactment of this Act, the Sec-
23 retary shall initiate a review of the final
24 programmatic Environment Impact State-
25 ment referenced in the notice of availability

1 entitled “Notice of Availability of the Final
2 Programmatic Environmental Impact
3 Statement on Wind Energy Development
4 on BLM-Administered Lands in the West-
5 ern United States, Including Proposed
6 Amendments to Selected Land Use Plans”
7 (70 Fed. Reg. 36651 (June 24, 2005)),
8 that considers establishment of wind appli-
9 cation and priority areas on covered lands,
10 and complete that review within 3 years of
11 issuing a notice of intent.

12 (iii) GEOTHERMAL ENERGY.—As soon
13 as practicable, the Secretary shall initiate
14 and complete a review or update of exist-
15 ing programmatic analyses for geothermal
16 energy development on covered lands, iden-
17 tifying areas suitable for leasing and devel-
18 opment, and aligning such analyses with
19 current land use plans and transmission
20 planning efforts.

21 (iv) ELECTRIC TRANSMISSION.—As
22 soon as practicable, the Secretary shall ini-
23 tiate and complete a programmatic anal-
24 ysis for electric transmission development
25 on covered lands, identifying priority and

1 corridor areas that support renewable en-
2 ergy buildout and grid reliability, and co-
3 ordinating with regional transmission plan-
4 ning processes and existing right-of-way
5 designations.

6 (2) REVIEW AND MODIFICATION.—

7 (A) IN GENERAL.—Subject to paragraph
8 (2), not less frequently than once every 10
9 years, the Secretary shall—

10 (i) after an opportunity for public
11 comment, review the adequacy of all land
12 allocations for renewable energy projects
13 under the requirements in clause (ii) of
14 subparagraph (A); and

15 (ii) based on the review carried out
16 under subparagraph (A), add, modify, or
17 eliminate priority areas, exclusion areas,
18 and areas on covered land open or closed
19 to solar or wind energy right-of-way appli-
20 cations or to geothermal leasing.

21 (B) LIMITATION.—Paragraph (1) shall not
22 apply to any covered land that the Secretary
23 determines, after seeking public input, is sub-
24 ject to an existing land use plan that meets the
25 purposes described in paragraph (1)(A).

1 (C) REPORT.—If the Secretary determines,
2 in an annual report required under subsection
3 (g) of section 3102 of the Energy Act of 2020
4 (43 U.S.C. 3002) (as redesignated by sub-
5 section (d)(1)(A)), that the national goal for re-
6 newable energy production established under
7 subsection (a) of section 3104 of that Act (43
8 U.S.C. 3004), including the minimum produc-
9 tion goal established under subsection (b) of
10 that section, may not be met, the Secretary
11 shall act more frequently than otherwise re-
12 quired by this subsection to designate areas eli-
13 gible for the submission of renewable energy
14 project applications and establish additional pri-
15 ority areas for renewable energy projects.

16 (3) COMPLIANCE WITH THE NATIONAL ENVI-
17 RONMENTAL POLICY ACT OF 1969.—For purposes of
18 this section, compliance with the National Environ-
19 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
20 shall be accomplished—

21 (A) for geothermal energy—

22 (i) by updating the document entitled
23 “Final Programmatic Environmental Im-
24 pact Statement for Geothermal Leasing in

1 the Western United States” and dated Oc-
2 tober 2008; and

3 (ii) by incorporating into the updated
4 document under clause (i) any additional
5 regional analyses completed by Federal
6 agencies after the date on which the docu-
7 ment described in that subparagraph was
8 finalized;

9 (B) for solar energy—

10 (i) by updating the document entitled
11 “Approved Record of Decision and Amend-
12 ments/Record of Decision for Utility-Scale
13 Solar Energy Development” and dated De-
14 cember 2024, 10 years after the publica-
15 tion of the document; and

16 (ii) by incorporating into the updated
17 document under clause (i) any additional
18 regional analyses completed by Federal
19 agencies after the date on which the docu-
20 ment described in that subparagraph was
21 finalized; and

22 (C) for wind energy—

23 (i) by updating the document entitled
24 “Final Programmatic Environmental Im-
25 pact Statement on Wind Energy Develop-

1 ment on BLM-Administered Lands in the
2 Western United States” and dated June
3 2005; and

4 (ii) by incorporating into the updated
5 document under clause (i) any additional
6 regional analyses completed by Federal
7 agencies after the date on which the docu-
8 ment described in that subparagraph was
9 finalized.

10 (4) NO EFFECT ON PROCESSING SITE-SPECIFIC
11 APPLICATIONS.—Nothing in this section modifies
12 any requirement to conduct site-specific environ-
13 mental reviews or process permits for proposed re-
14 newable energy projects during preparation of an
15 updated programmatic environmental impact state-
16 ment, land use plan, or amendment to a land use
17 plan.

18 (5) COORDINATION.—In developing any update
19 required under this section, the Secretary shall co-
20 ordinate, on an ongoing basis, with appropriate
21 State, Tribal, and local governments, transmission
22 infrastructure owners, operators, and developers, re-
23 newable energy developers, and other appropriate
24 entities to ensure that priority areas established by
25 the Secretary under this section take into account—

1 (A) economic viability (including having ac-
2 cess to existing or planned transmission lines);

3 (B) consistency with a mitigation sequence
4 to avoid, minimize, and compensate for impacts
5 to—

6 (i) fish, wildlife, or plants;

7 (ii) fish, wildlife, or plant habitat;

8 (iii) recreational uses;

9 (iv) land with wilderness characteris-
10 ties;

11 (v) land with special management des-
12 ignations;

13 (vi) cultural resources;

14 (vii) areas of Tribal importance; and

15 (viii) other uses of covered land;

16 (C) feasibility of siting on previously dis-
17 turbed land, including commercial and indus-
18 trial land, mine land, and previously contami-
19 nated sites; and

20 (D) consistency with section 202 of the
21 Federal Land Policy and Management Act of
22 1976 (43 U.S.C. 1712), including subsection
23 (c)(9) of that section (43 U.S.C. 1712(c)(9)).

24 (6) TRANSMISSION.—In carrying out this sec-
25 tion, the Secretary shall—

1 (A) determine whether adequate trans-
 2 mission exists for renewable energy projects on
 3 covered land; and

4 (B) if a determination is made in the nega-
 5 tive under subparagraph (A), in coordination
 6 with the heads of other relevant Federal agen-
 7 cies, review existing land use plans to determine
 8 if amendments to those land use plans would be
 9 appropriate to support adequate transmission
 10 capability.

11 (d) IMPROVING WIND AND SOLAR ENERGY PROJECT
 12 PERMITTING.—

13 (1) ROLE OF RENEWABLE ENERGY COORDINA-
 14 TION OFFICES.—Section 3102 of the Energy Act of
 15 2020 (43 U.S.C. 3002) is amended—

16 (A) by redesignating subsections (e) and
 17 (f) as subsections (f) and (g), respectively; and

18 (B) by inserting after subsection (d) the
 19 following:

20 “(e) PROCESSING OF WIND AND SOLAR ENERGY AP-
 21 PPLICATIONS.—

22 “(1) DELEGATION TO STATE RENEWABLE EN-
 23 ERGY COORDINATION OFFICES.—

24 “(A) IN GENERAL.—Notwithstanding any
 25 other provision of law, the Secretary may dele-

1 gate to a State Renewable Energy Coordination
2 Office the authority to process applications for
3 eligible projects proposed to be carried out on
4 land managed by the Bureau of Land Manage-
5 ment in the applicable State.

6 “(B) ROLES AND RESPONSIBILITIES OF
7 MANAGERS.—For purposes of processing appli-
8 cations described in subparagraph (A), the
9 manager of the applicable State Renewable En-
10 ergy Coordination Office—

11 “(i) shall have the authority to issue
12 grants or leases for eligible projects;

13 “(ii) with the approval of the State
14 Director of the applicable Bureau of Land
15 Management State Office, may use other
16 employees in field and district offices of
17 the applicable Bureau of Land Manage-
18 ment State Office, or hire additional ex-
19 perts, to assist with timely processing of
20 applications, with the costs of hiring addi-
21 tional experts to be charged to applicants;
22 and

23 “(iii) shall report to the State Direc-
24 tor of the applicable Bureau of Land Man-
25 agement State Office.

1 “(2) PROHIBITION OF DELEGATION TO EM-
2 PLOYEES OF FIELD OR DISTRICT OFFICES.—Except
3 as provided in paragraph (1)(B)(ii), the Secretary
4 may not delegate to employees of field or district of-
5 fices of the Bureau of Land Management the au-
6 thority to process applications for eligible projects
7 proposed to be carried out on land managed by the
8 Bureau of Land Management.”.

9 (2) COST RECOVERY AGREEMENTS.—

10 (A) IN GENERAL.—Not later than 30 days
11 after the date on which an applicant submits a
12 complete application for a right-of-way for a
13 wind or solar energy project, including submis-
14 sion of the filing fee required under section
15 2804.12 of title 43, Code of Federal Regula-
16 tions (or a successor regulation), the Secretary
17 shall provide a cost recovery agreement with re-
18 spect to the application.

19 (B) EFFECT.—Issuance of a cost recovery
20 agreement under subparagraph (A) and pay-
21 ment of cost recovery fees shall preclude any
22 new claims to the use of the applicable covered
23 land during any period in which the application
24 is active.

25 (C) CONFLICTS; STUDIES.—

1 (i) CONFLICTS.—To be considered
2 complete under subparagraph (A), an ap-
3 plication described in that paragraph shall
4 address any known conflicts with respect
5 to the use of the applicable covered land,
6 as identified in scientific literature or other
7 studies.

8 (ii) ADDITIONAL STUDIES.—Addi-
9 tional studies shall not be required for pur-
10 poses of considering an application to be
11 complete under subparagraph (A).

12 (3) ENVIRONMENTAL REQUIREMENTS.—

13 (A) NOTICE OF INTENT.—

14 (i) IN GENERAL.—Not later than 180
15 days after the date on which the agency
16 notifies the applicant that the application
17 to establish a right-of-way is complete, or
18 a later date to be established by the Sec-
19 retary under clause (ii), if an environ-
20 mental impact statement is determined to
21 be necessary, the Secretary shall issue a
22 notice of intent to prepare an environ-
23 mental impact statement with respect to
24 the application.

1 (ii) EXTENSION.—The Secretary shall
2 establish a later date by which the notice
3 under clause (i) shall be issued, if the Sec-
4 retary determines that the 180-day period
5 under that paragraph should be extended
6 due to—

7 (I) the application being consid-
8 ered a low priority under section
9 2804.35 of title 43, Code of Federal
10 Regulations (or a successor regula-
11 tion);

12 (II) project-specific cir-
13 cumstances, including the need for
14 further studies, making the 180-day
15 deadline insufficient; or

16 (III) the application not meeting
17 the requirements for approval.

18 (B) CATEGORICAL EXCLUSION.—

19 (i) PRELIMINARY WORK.—As the Sec-
20 retary determines to be appropriate, the
21 Secretary may promulgate regulations pro-
22 viding that preliminary geotechnical work
23 and meteorological monitoring relating to
24 renewable energy projects shall be categori-
25 cally excluded from the requirements for

1 an environmental assessment or environ-
2 mental impact statement under section
3 1501.4 of title 40, Code of Federal Regula-
4 tions (or a successor regulation).

5 (ii) DEADLINE.—For any energy
6 projects eligible for a categorical exclusion
7 under paragraph 1, the Secretary shall
8 issue a decision within 90 days of the sub-
9 mission of a complete application.

10 (4) PROCESSING PRIORITY.—In processing ap-
11 plications described in paragraph (2)(A), the Sec-
12 retary shall—

13 (A) give priority to applications for renew-
14 able energy projects in priority areas; and

15 (B) process applications for renewable en-
16 ergy projects in areas that are not priority
17 areas in the order in which the applications are
18 received.

19 (5) USE OF COMPETITIVE PROCESS.—

20 (A) IN GENERAL.—Subject to subpara-
21 graph (B), the Secretary shall not use a com-
22 petitive process for the review of an application
23 described in paragraph (2)(A), except—

24 (i) in a case in which 2 or more appli-
25 cants file an application for the same site

1 (or portions of the same site) not more
2 than 15 days apart; or

3 (ii) as otherwise established by the
4 Secretary through a subsequent rule-
5 making process delineating the instances in
6 which the Secretary will use the competi-
7 tive process.

8 (B) LIMITATION.—Subparagraph (A) shall
9 not apply to applications for competitive right-
10 of-way leases in priority areas.

11 (e) INCREASING ECONOMIC CERTAINTY.—

12 (1) RENTS AND FEES.—

13 (A) IN GENERAL.—In determining rental
14 rates and other fees for renewable energy
15 project leases or right-of-way grants, the Sec-
16 retary shall ensure that the total rental rates
17 and other fees charged do not exceed the aver-
18 age amount charged for similar activities on
19 private land in the State or county in which the
20 rental rates and other fees are charged.

21 (B) INDIVIDUAL APPRAISALS NOT RE-
22 QUIRED.—For purposes of determining rental
23 rates for renewable energy projects, the Sec-
24 retary—

1 (i) shall not be required to conduct in-
2 dividual appraisals; and

3 (ii) may use average cash rents in-
4 cluded in the Pastureland Rents Survey
5 prepared by the National Agricultural Sta-
6 tistics Service, as determined for the 5-
7 year period ending on the date on which
8 the rental rate is determined.

9 (C) INCREASES IN BASE RENTAL RATES.—

10 After a base rental rate is established for a
11 lease or right-of-way grant authorization for a
12 renewable energy project, any increase in the
13 base rental rate shall be limited to the Implicit
14 Price Deflator-Gross Product Index published
15 by the Bureau of Economic Analysis of the De-
16 partment of Commerce on the date of issuance
17 of the lease or right-of way grant authorization.

18 (D) CAPACITY FEES.—The Secretary may
19 consider charging a capacity fee for a renewable
20 energy project only if the Secretary determines
21 that capacity fees are charged within the region
22 or State in which the renewable energy project
23 is carried out, as part of leaseholds on State or
24 private land.

1 (2) BONDS.—The Secretary shall adopt a proc-
2 ess for establishing bond requirements for decom-
3 missioning renewable energy projects that—

4 (A) do not establish a minimum per acre
5 amount; and

6 (B) are based on the difference between—

7 (i) the estimated, site-specific net
8 costs of reclamation of the covered land;
9 and

10 (ii) the salvage value of materials
11 available after decommissioning the renew-
12 able energy project.

13 (f) DISPOSITION OF REVENUES; RENEWABLE EN-
14 ERGY RESOURCE CONSERVATION FUND.—

15 (1) DISPOSITION OF REVENUES.—

16 (A) AVAILABILITY.—Except as provided in
17 subparagraph (C), without further appropria-
18 tion or fiscal year limitation, of amounts col-
19 lected from wind and solar energy projects as
20 bonus bids, rentals, fees, or other payments
21 under a right-of-way, permit, lease, or other au-
22 thorization—

23 (i) for the period beginning on Janu-
24 ary 1, 2027, and ending on December 31,
25 2046—

1 (I) 25 percent shall be paid by
2 the Secretary of the Treasury to the
3 State within the boundaries of which
4 the revenue is derived;

5 (II) 25 percent shall be paid by
6 the Secretary of the Treasury to the
7 1 or more counties within the bound-
8 aries of which the revenue is derived,
9 to be allocated among the counties
10 based on the percentage of land from
11 which the revenue is derived;

12 (III) 15 percent shall be depos-
13 ited in the Treasury and credited to
14 the Bureau of Land Management's
15 Renewable Energy Management ac-
16 count to be made available to the Sec-
17 retary to carry out sections 3 and 4
18 (including amendments made by those
19 sections), including the transfer of the
20 funds by the Bureau of Land Man-
21 agement to other Federal agencies
22 and State agencies to facilitate the
23 processing of permits for renewable
24 energy projects, with priority given to
25 using the amounts, to the maximum

1 extent practicable, without detri-
2 mental impacts to emerging markets,
3 expediting the issuance of permits re-
4 quired for the development of wind
5 and solar energy projects in the
6 States from which the revenues are
7 derived; and

8 (IV) 35 percent shall be depos-
9 ited in the Fund; and

10 (ii) beginning on January 1, 2047—

11 (I) 25 percent shall be paid by
12 the Secretary of the Treasury to the
13 State within the boundaries of which
14 the revenue is derived;

15 (II) 25 percent shall be paid by
16 the Secretary of the Treasury to the
17 1 or more counties within the bound-
18 aries of which the revenue is derived,
19 to be allocated among the counties
20 based on the percentage of land from
21 which the revenue is derived;

22 (III) 10 percent shall be depos-
23 ited in the Treasury and be made
24 available to the Secretary to carry out
25 sections 3 and 4 (including amend-

1 ments made by those sections), includ-
2 ing the transfer of the funds by the
3 Bureau of Land Management to other
4 Federal agencies and State agencies
5 to facilitate the processing of permits
6 for wind and solar energy projects,
7 with priority given to using the
8 amounts, to the maximum extent
9 practicable, without detrimental im-
10 pacts to emerging markets, expediting
11 the issuance of permits required for
12 the development of renewable energy
13 projects in the States from which the
14 revenues are derived; and

15 (IV) 40 percent shall be depos-
16 ited in the Fund.

17 (B) RULE FOR PROJECTS LOCATED IN
18 MULTIPLE STATES.—Not later than 180 days
19 after the date of enactment of this Act, the Sec-
20 retary shall issue a proposed rule establishing a
21 formula for the disposition of revenues under
22 clauses (i)(I) and (ii)(I) of subparagraph (A) in
23 a case in which a wind and solar energy project
24 is located in more than 1 State.

1 (C) FILING FEES.—With respect to wind
2 and solar energy projects—

3 (i) subparagraph (A) does not apply
4 to amounts collected from application filing
5 fees authorized under section 304 of the
6 Federal Land Policy and Management Act
7 of 1976 (43 U.S.C. 1734); and

8 (ii) such application filing fees may be
9 retained by the applicable agency to re-
10 cover costs associated with issuing the
11 right-of-way, permit, or other authorization
12 associated with the application.

13 (2) PAYMENTS TO STATES AND COUNTIES.—

14 (A) IN GENERAL.—Amounts paid to States
15 and Counties under paragraph (1)(A) shall be
16 used consistent with section 35 of the Mineral
17 Leasing Act (30 U.S.C. 191).

18 (B) PAYMENTS IN LIEU OF TAXES.—A
19 payment to a County under clause (i)(II) or
20 (ii)(II) of paragraph (1)(A) shall be in addition
21 to a payment in lieu of taxes received by the
22 County under chapter 69 of title 31, United
23 States Code.

24 (3) RENEWABLE ENERGY RESOURCE CON-
25 SERVATION FUND.—

1 (A) IN GENERAL.—There is established in
2 the Treasury a fund, to be known as the “Re-
3 newable Energy Resource Conservation Fund”,
4 which shall be administered by the Secretary.

5 (B) USE OF FUNDS.—

6 (i) IN GENERAL.—The Secretary may
7 make amounts in the Fund available to
8 Federal, State, local, and Tribal agencies
9 for distribution in regions in which renew-
10 able energy projects are located on Federal
11 land, for the purposes described in clause
12 (ii).

13 (ii) PURPOSES.—The purposes re-
14 ferred to in clause (i) are—

15 (I) restoring and protecting—

16 (aa) fish and wildlife habitat
17 for species affected by renewable
18 energy projects;

19 (bb) fish and wildlife cor-
20 ridors for species affected by re-
21 newable energy projects; and

22 (cc) wetlands, streams, riv-
23 ers, and other natural water bod-
24 ies in areas affected by renewable
25 energy projects; and

1 (II) preserving and improving
2 recreational access to Federal land
3 and water in the applicable region
4 through an easement, right-of-way, or
5 other instrument from willing land-
6 owners for the purpose of enhancing
7 public access to existing Federal land
8 and water that is inaccessible or re-
9 stricted due to renewable energy
10 projects.

11 (C) COOPERATIVE AGREEMENTS.—The
12 Secretary may enter into cooperative agree-
13 ments with State and Tribal agencies, nonprofit
14 organizations, and other appropriate entities to
15 carry out the activities described in subpara-
16 graph (B).

17 (D) INVESTMENT OF FUND.—

18 (i) IN GENERAL.—Any amounts de-
19 posited in the Fund shall earn interest in
20 an amount determined by the Secretary of
21 the Treasury on the basis of the current
22 average market yield on outstanding mar-
23 ketable obligations of the United States of
24 comparable maturities.

1 (ii) USE.—Any interest earned under
2 clause (i) may be deposited into the Fund
3 and used without further appropriation.

4 (E) REPORT TO CONGRESS.—At the end of
5 each fiscal year, the Secretary shall submit to
6 the Committee on Energy and Natural Re-
7 sources of the Senate and the Committee on
8 Natural Resources of the House of Representa-
9 tives a report identifying—

10 (i) the amounts described in para-
11 graph (1) that were collected during that
12 fiscal year, organized by source;

13 (ii) the amount and purpose of pay-
14 ments made to each Federal, State, local,
15 and Tribal agency under subparagraph (B)
16 during that fiscal year; and

17 (iii) the amount remaining in the
18 Fund at the end of the fiscal year.

19 (F) INTENT OF CONGRESS.—It is the in-
20 tent of Congress that the revenues deposited
21 and expended from the Fund shall supplement
22 (and not supplant) annual appropriations for
23 activities described in subparagraph (B).

24 (g) IN GENERAL.—The Secretary of the Interior
25 shall include in its annual budget requests staffing, con-

1 tracting and technological resources necessary to meet the
2 permitting timelines required in this Act and in 42 U.S.C.
3 4336a.

4 (h) SAVINGS CLAUSE.—Notwithstanding any other
5 provision of this Act, the Secretary and the Secretary of
6 Agriculture shall continue to manage public land under
7 the principles of multiple use and sustained yield in ac-
8 cordance with title I of the Federal Land Policy and Man-
9 agement Act of 1976 (43 U.S.C. 1701 et seq.) or the For-
10 est and Rangeland Renewable Resources Planning Act of
11 1974 (16 U.S.C. 1600 et seq.), as applicable, for the pur-
12 poses of land use planning, permit processing, and con-
13 ducting environmental reviews.

14 **SEC. 502. GEOTHERMAL COST RECOVERY.**

15 (a) COST RECOVERY FROM GEOTHERMAL LEASING,
16 PERMITTING, AND INSPECTIONS.—Section 6 of the Geo-
17 thermal Steam Act of 1970 (30 U.S.C. 1005) is amended
18 by adding at the end the following:

19 “(j) COST RECOVERY.—

20 “(1) IN GENERAL.—During the period that be-
21 gins on the date of enactment of this subsection and
22 ends September 30, 2033, the Secretary may require
23 an applicant for, or a holder of, a geothermal lease
24 to reimburse the United States for all reasonable ad-

1 ministrative and other costs incurred by the United
2 States from—

3 “(A) processing the application for the
4 geothermal lease, including any application for
5 an operations plan, geothermal drilling permit,
6 utilization plan, site license, facility construc-
7 tion permit, commercial use permit, and any
8 other approval associated with a geothermal
9 lease; and

10 “(B) inspecting and monitoring—

11 “(i) geophysical exploration activities;

12 “(ii) the drilling, plugging, and aban-
13 donment of wells; and

14 “(iii) the construction, operation, ter-
15 mination, and reclamation of any well site
16 or facility for the utilization of geothermal
17 resources pursuant to the geothermal
18 lease.

19 “(2) CONSIDERATIONS.—In determining wheth-
20 er to require reimbursement under paragraph (1),
21 the Secretary shall consider whether there is in ex-
22 istence a cooperative cost share agreement between
23 the United States and the holder of a geothermal
24 lease.

1 “(3) ADJUSTMENTS.—The Secretary may re-
2 duce the amount to be reimbursed under paragraph
3 (1) if the Secretary determines—

4 “(A) that full reimbursement would impose
5 an economic hardship on the applicant; or

6 “(B) that a less than full reimbursement is
7 necessary to promote the greatest use of geo-
8 thermal resources.

9 “(4) USE.—The amounts reimbursed under this
10 subsection shall be credited to the currently applica-
11 ble appropriation, account, or fund of the Depart-
12 ment of the Interior as discretionary offsetting col-
13 lections, and shall be available only to the extent
14 provided in advance in appropriations Acts for—

15 “(A) processing the application for geo-
16 thermal leases, including any application for op-
17 erations plans, geothermal drilling permits, uti-
18 lization plans, site licenses, facility construction
19 permits, commercial use permits, and any other
20 approval associated with geothermal leases; and

21 “(B) inspecting and monitoring—

22 “(i) geophysical exploration activities;

23 “(ii) the drilling, plugging, and aban-
24 donment of wells; and

1 “(iii) the construction, operation, ter-
2 mination, and reclamation of any well site
3 or facility for the utilization of geothermal
4 resources pursuant to geothermal leases.”.

5 (b) REPORT.—

6 (1) REPORT.—Not later than 5 years after the
7 date of enactment of this Act, the Secretary of the
8 Interior, in consultation with the geothermal indus-
9 try and other stakeholders, shall submit to the Com-
10 mittee on Natural Resources of the House of Rep-
11 resentatives and the Committee on Energy and Nat-
12 ural Resources of the Senate, and make publicly
13 available on the website of the Department of the
14 Interior, a report that includes—

15 (A) an assessment of how the amendments
16 made by subsection (b) of this Act affected the
17 Bureau of Land Management’s geothermal pro-
18 gram;

19 (B) any recommendations for reauthoriza-
20 tion of section 6(j) of the Geothermal Steam
21 Act of 1970, as added by this Act; and

22 (C) any other recommendations for up-
23 dates to such section and the Bureau of Land
24 Management’s geothermal program.

1 (2) CONSIDERATIONS.—In developing the re-
2 port required in paragraph (1), the Secretary of the
3 Interior shall solicit facts or information from the
4 geothermal industry and other stakeholders.

5 **SEC. 503. GEOTHERMAL GOLD BOOK DEVELOPMENT.**

6 (a) IDENTIFICATION.—Not later than 1 year after
7 the date of enactment of this section, the Department of
8 the Interior, in consultation with other relevant Federal
9 agencies, shall identify standard procedures and guidelines
10 for efficient and environmentally responsible geothermal
11 leasing and permitting.

12 (b) PUBLICATION.—Not later than 180 days after
13 identifying standard procedures and guidelines under sub-
14 section (a), the Department of the Interior shall publish
15 a “Gold Book” containing such standard procedures and
16 guidelines for use by the field offices of the Bureau of
17 Land Management and geothermal operators.

18 (c) CONSULTATION.—Before publishing the Gold
19 Book, the Department of the Interior shall consult with—

20 (1) other relevant Federal agencies, including
21 field offices of the Bureau of Land Management;
22 and

23 (2) outside stakeholders, including developers
24 and other experts.

1 (d) INCLUSIONS.—The Gold Book shall include
2 standard procedures and guidelines for—

3 (1) land use planning and geothermal lease
4 sales; and

5 (2) ensuring the efficient review and approval
6 of environmentally responsible geothermal develop-
7 ment, including—

8 (A) exploration and geophysical operations;

9 (B) permitting lease operations;

10 (C) compliance with all applicable laws and
11 regulations;

12 (D) construction and maintenance;

13 (E) drilling and production operations;

14 (F) appeals; and

15 (G) relevant categorical exclusions avail-
16 able at each stage.

17 (e) PERIODIC REVISION.—The Department of the In-
18 terior shall—

19 (1) at least once every five years, review the
20 Gold Book; and

21 (2) as necessary, revise the Gold Book.

(a) DEFINITIONS.—Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended—

(1) in the second subsection (r), as added by section 50251(b)(1)(A)(iv) of Public Law 117–169—

(B) by inserting after the enumerator
“STATE.—”; and

15 “(u) OFFSHORE RENEWABLE ENERGY PROJECT.—
16 The term ‘offshore renewable energy project’ means a
17 project to carry out an activity described in section
18 8(p)(1)(C) related to wind, solar, wave, or tidal energy.”.

22 (1) by amending paragraph (3) to read as fol-
23 lows:

24 “(3) the outer Continental Shelf is a vital na-
25 tional resource reserve held by the Federal Govern-

1 ment for the public, which can be made available for
2 orderly development, subject to environmental safe-
3 guards and coexistence with other ocean users, in a
4 manner which includes—

5 “(A) supporting the generation, trans-
6 mission, and storage of zero-emission electricity;
7 and

8 “(B) the maintenance of competition and
9 other national needs, including the need to
10 achieve State and Federal zero-emission elec-
11 tricity or renewable energy mandates, targets,
12 and goals;”;

13 (2) by redesignating paragraphs (5) and (6) as
14 paragraphs (6) and (7), respectively; and

15 (3) by inserting after paragraph (4) the fol-
16 lowing:

17 “(5) the identification and development of lease
18 areas for offshore renewable energy projects should
19 be determined by a robust and transparent stake-
20 holder process that incorporates engagement and
21 input from a diverse group of ocean users and other
22 impacted stakeholders, and Federal, State, Tribal,
23 and local governments;”.

24 (c) LEASES, EASEMENTS, AND RIGHTS-OF-WAY ON
25 THE OUTER CONTINENTAL SHELF.—Section 8(p) of the

1 Outer Continental Shelf Lands Act (43 U.S.C. 1337(p))

2 is amended—

3 (1) in paragraph (2)—

4 (A) in subparagraph (B)—

5 (i) by striking “27” and inserting
6 “17”;

7 (ii) by striking “three” and inserting
8 “100”; and

9 (iii) by striking “15” and inserting
10 “100”; and

11 (B) by adding at the end the following:

12 “(C) PAYMENTS FOR CONSERVATION AND MITI-
13 GATION ACTIVITIES.—

14 “(i) IN GENERAL.—Notwithstanding sec-
15 tion 9, the Secretary shall, without appropria-
16 tion or fiscal year limitation, use 10 percent of
17 the revenue received by the Federal Govern-
18 ment from royalties, fees, rents, bonuses, and
19 other payments from any lease, easement, or
20 right-of-way granted under this subsection to
21 provide grants to—

22 “(I) State, local, and Tribal govern-
23 ments, and regional partnerships thereof,
24 including Regional Ocean Partnerships,

1 Regional Wildlife Science Collaboratives,
2 and other similar organizations; and

3 “(II) nonprofit organizations.

4 “(ii) USE OF GRANTS.—Grants provided
5 under clause (i) shall be used for carrying out
6 activities related to marine and coastal habitat
7 protection and restoration, mitigation of dam-
8 age to natural resources and marine life that
9 results from activities authorized by this sub-
10 section, relevant research and data sharing ini-
11 tiatives, or increasing the organizational capac-
12 ity of an entity described in subclause (I) or
13 (II) of clause (i) to increase the effectiveness of
14 entities that carry out such activities.

15 “(D) OFFSHORE RENEWABLE ENERGY COM-
16 PENSATION FUND.—Notwithstanding section 9, the
17 Secretary shall, without appropriation or fiscal year
18 limitation, deposit 10 percent of the revenue received
19 by the Federal Government from royalties, fees,
20 rents, bonuses, and other payments from any lease,
21 easement, or right-of-way granted under this sub-
22 section into the Offshore Renewable Energy Com-
23 pensation Fund established under section 34.”;

24 (2) by amending paragraph (3) to read as fol-
25 lows:

1 “(3) LEASING.—

2 “(A) COMPETITIVE OR NONCOMPETITIVE
3 BASIS.—The Secretary shall issue a lease, ease-
4 ment, or right-of-way under paragraph (1) on a
5 competitive basis unless the Secretary deter-
6 mines after public notice of a proposed lease,
7 easement, or right-of-way that there is no com-
8 petitive interest.

9 “(B) SCHEDULE OF OFFSHORE RENEW-
10 ABLE ENERGY LEASE SALES.—The Secretary
11 shall, after providing an opportunity for public
12 notice and comment, publish and periodically
13 update a schedule not less frequently than every
14 5 years of areas that may be available for leas-
15 ing in the future for offshore renewable energy
16 projects, indicating, to the extent possible, the
17 timing of site identification activities, the tim-
18 ing of designation of any area to be leased, the
19 anticipated size of such areas, the timing of
20 lease sales, and the location of leasing activities.

21 “(C) MULTI-FACTOR BIDDING.—

22 “(i) IN GENERAL.—The Secretary
23 may consider non-monetary factors when
24 competitively awarding leases under para-

graph (1), which may include commitments
made by the bidder to—

“(I) support educational, training, and skills development, including supporting or increasing access to registered apprenticeship programs and pre-apprenticeship programs that have an articulation agreement with a registered apprenticeships program for offshore renewable energy projects;

“(II) support development of domestic supply chains for offshore renewable energy projects, including development of ports and other energy infrastructure necessary to facilitate offshore renewable energy projects;

“(III) establish a community benefit agreement with 1 or more community or stakeholder groups that may be impacted by the development and operation of an offshore renewable energy project, which may include covered entities;

“(IV) make investments to evaluate, monitor, improve, and mitigate

1 impacts to the health and biodiversity
2 of ecosystems and wildlife from the
3 development and operation of an off-
4 shore renewable energy project;

5 “(V) support the development
6 and use of shared transmission infra-
7 structure connecting to offshore re-
8 newable energy projects; and

9 “(VI) make other investments de-
10 termined appropriate by the Sec-
11 retary.

12 “(ii) CONTRACTUAL COMMITMENTS.—
13 When considering non-monetary factors
14 under this subparagraph, the Secretary
15 may—

16 “(I) evaluate the quality of com-
17 mitments made by the bidder; and

18 “(II) reward finalized binding
19 agreements above assurances for fu-
20 ture commitments.

21 “(iii) DEFINITIONS.—In this subpara-
22 graph:

23 “(I) COVERED ENTITY.—The
24 term ‘covered entity’ has the meaning
25 given such term in section 34(k).

1 “(II) REGISTERED APPRENTICE-
2 SHIP PROGRAM.—The term ‘registered
3 apprenticeship program’ means an ap-
4 prenticeship program registered under
5 the Act of August 16, 1937 (com-
6 monly known as the National Appren-
7 ticeship Act; 50 Stat. 664, chapter
8 663; 29 U.S.C. 50 et seq.).”;

9 (3) by amending paragraph (4) to read as fol-
10 lows:

11 “(4) REQUIREMENTS.—

12 “(A) IN GENERAL.—The Secretary shall
13 ensure that any activity under this subsection is
14 carried out in a manner that provides for—

15 “(i) safety;

16 “(ii) protection of the environment,
17 which includes facilitation of the genera-
18 tion, transmission, and storage of zero-
19 emission electricity;

20 “(iii) prevention of waste;

21 “(iv) conservation of the natural re-
22 sources of the outer Continental Shelf;

23 “(v) coordination with relevant Fed-
24 eral agencies and State, Tribal, and local
25 governments;

1 “(vi) protection of national security
2 interests of the United States;

3 “(vii) protection of correlative rights
4 in the outer Continental Shelf;

5 “(viii) a fair return to the United
6 States for any lease, easement, or right-of-
7 way under this subsection;

8 “(ix) reasonable uses (as determined
9 by the Secretary) of the exclusive economic
10 zone, the high seas, and the territorial
11 seas;

12 “(x) consideration of—

13 “(I) the location of, and any
14 schedule relating to, a lease, ease-
15 ment, or right-of-way for an area of
16 the outer Continental Shelf; and

17 “(II) any other use of the sea or
18 seabed, including use for a fishery, a
19 sealane, a potential site of a deep-
20 water port, or navigation;

21 “(xi) public notice and comment on
22 any proposal submitted for a lease, ease-
23 ment, or right-of-way under this sub-
24 section;

1 “(xii) oversight, inspection, research,
2 monitoring, and enforcement relating to a
3 lease, easement, or right-of-way under this
4 subsection; and

5 “(xiii) satisfaction of any applicable
6 State and Federal renewable and clean en-
7 ergy mandates, targets, and goals.

8 “(B) PROJECT LABOR AGREEMENTS.—

9 “(i) IN GENERAL.—Beginning not
10 later than January 1, 2026, the Secretary
11 shall require, as a term or condition of
12 each lease, right-of-way, and easement, as
13 applicable, for an offshore renewable en-
14 ergy project that the holder of the lease,
15 right-of-way, or easement, (and any suc-
16 cessor or assignee) and its agents, contrac-
17 tors, and subcontractors engaged in the
18 construction of any facilities for such off-
19 shore renewable energy project agree, for
20 purposes of such construction, to negotiate
21 and become a party to a project labor
22 agreement with 1 or more labor organiza-
23 tions. A project labor agreement shall bind
24 all contractors and subcontractors on the
25 project through the inclusion of appro-

1 appropriate specifications in all relevant solicita-
2 tion provisions and contract documents.
3 The Secretary shall not approve a con-
4 struction and operations plan with respect
5 to any offshore renewable energy project
6 until being assured by the lessee that such
7 project labor agreement will be maintained
8 for the duration of the project.

9 “(ii) DEFINITIONS.—In this subpara-
10 graph:

11 “(I) CONSTRUCTION.—The term
12 ‘construction’ includes reconstruction,
13 rehabilitation, modernization, alter-
14 ation, conversion, extension, repair, or
15 improvement of any facility, structure,
16 or other real property (including any
17 onshore facilities) for an offshore re-
18 newable energy project.

19 “(II) LABOR ORGANIZATION.—
20 The term ‘labor organization’ means a
21 labor organization as defined in sec-
22 tion 2(5) of the National Labor Rela-
23 tions Act (29 U.S.C. 152(5))—

1 “(aa) of which building and
2 construction employees are mem-
3 bers; and

4 “(bb) that directly, or
5 through its affiliates, sponsors a
6 registered apprenticeship pro-
7 gram.

8 “(III) PROJECT LABOR AGREE-
9 MENT.—The term ‘project labor
10 agreement’ means a pre-hire collective
11 bargaining agreement with 1 or more
12 labor organizations that establishes
13 the terms and conditions of employ-
14 ment for a specific construction
15 project and is an agreement described
16 in section 8(e) and (f) of the National
17 Labor Relations Act (29 U.S.C.
18 158(f)).

19 “(IV) REGISTERED APPRENTICE-
20 SHIP PROGRAM.—The term ‘registered
21 apprenticeship program’ means an ap-
22 prenticeship program registered under
23 the Act of August 16, 1937 (com-
24 monly known as the National Appren-

1 ticeship Act; 50 Stat. 664, chapter
2 663; 29 U.S.C. 50 et seq.).

3 “(C) DOMESTIC CONTENT.—

4 “(i) IN GENERAL.—With respect to
5 the construction of facilities for an offshore
6 renewable energy project that begins after
7 January 1, 2033, the Secretary shall re-
8 quire that—

9 “(I) all structural iron and steel
10 products that are (upon completion of
11 construction) components of such fa-
12 cilities for an offshore renewable en-
13 ergy project shall be produced in the
14 United States; and

15 “(II) not less than 80 percent of
16 the total costs of all manufactured
17 products that are (upon completion of
18 construction) components of such fa-
19 cilities shall be attributable to manu-
20 factured products which are mined,
21 produced, or manufactured in the
22 United States.

23 “(ii) WAIVER.—The Secretary may
24 waive the requirements of clause (i) in any

1 case or category of cases in which the Sec-
2 retary finds that—

3 “(I) applying clause (i) would be
4 inconsistent with the public interest;

5 “(II) such products are not pro-
6 duced in the United States in suffi-
7 cient and reasonably available quan-
8 tities and of a satisfactory quality; or

9 “(III) the use of such products
10 will increase the cost of the overall
11 project by more than 25 percent.

12 “(iii) PUBLIC NOTIFICATION.—If the
13 Secretary receives a request for a waiver
14 under this subparagraph, the Secretary
15 shall make available to the public a copy of
16 the request and information available to
17 the Secretary concerning the request, and
18 shall allow for informal public input on the
19 request for at least 15 business days prior
20 to making a finding based on the request.
21 The Secretary shall make the request and
22 accompanying information available to the
23 public by electronic means, including on
24 the official public Internet site of the De-
25 partment of the Interior.

1 “(iv) INTERNATIONAL AGREE-
2 MENTS.—This paragraph shall be applied
3 in a manner consistent with United States
4 obligations under international agree-
5 ments.”;

6 (4) by amending paragraph (7) to read as fol-
7 lows:

8 “(7) COORDINATION AND CONSULTATION.—The
9 Secretary shall provide for coordination and con-
10 sultation with—

11 “(A) the Governor of any State or the ex-
12 ecutive of any local government that may be af-
13 fected by a lease, easement, or right-of-way
14 under this subsection; and

15 “(B) Indian Tribes (following the proce-
16 dures of the President’s Memorandum of Uni-
17 form Standards for Tribal Consultation, issued
18 on November 30, 2022 (87 Fed. Reg. 74479),
19 or any subsequent order) before undertaking
20 any activities under this subsection that may
21 have a direct, indirect, or cumulative impact
22 on—

23 “(i) the land, including allotted,
24 ceded, or traditional land, or interests in

1 such land of an Indian Tribe or member of
2 an Indian Tribe;

3 “(ii) Tribal land, cultural practices,
4 resources, or access to traditional areas of
5 cultural or religious importance;

6 “(iii) any part of any Federal land
7 that shares a border with Indian country,
8 as such term is defined in section 1151 of
9 title 18, United States Code;

10 “(iv) the protected rights of an Indian
11 Tribe, whether or not such rights are enu-
12 merated in a treaty, including water, hunt-
13 ing, gathering, and fishing rights;

14 “(v) the ability of an Indian Tribe to
15 govern or provide services to members of
16 the Indian Tribe;

17 “(vi) the relationship between the
18 Federal Government and an Indian Tribe;
19 or

20 “(vii) the trust responsibility of the
21 Federal Government to an Indian Tribe.”;

22 (5) by amending paragraph (10) to read as fol-
23 lows:

24 “(10) APPLICABILITY.—

1 “(A) IN GENERAL.—This subsection does
2 not apply to any area on the outer Continental
3 Shelf within the exterior boundaries of any unit
4 of the National Park System, National Wildlife
5 Refuge System, or National Marine Sanctuary
6 System, or any National Monument.

7 “(B) CERTAIN TRANSMISSION INFRA-
8 STRUCTURE.—

9 “(i) IN GENERAL.—Notwithstanding
10 subparagraph (A), if otherwise authorized
11 pursuant to the National Marine Sanc-
12 tuaries Act (16 U.S.C. 1431 et seq.), the
13 Secretary may issue a lease, easement, or
14 right-of-way to enable the transmission of
15 electricity generated by an offshore renew-
16 able energy project.

17 “(ii) TERMS AND CONDITIONS.—In
18 issuing a lease, easement, or right-of-way
19 under clause (i), the Secretary may ap-
20 prove and regulate the construction and
21 operation of such transmission facilities
22 (including electrical substations and other
23 related infrastructure) for the transmission
24 of electricity generated by such projects in

1 a manner that minimizes environmental
2 impacts.

3 “(iii) COORDINATION.—In regulating
4 the construction and operation of trans-
5 mission facilities and related infrastructure
6 under clause (ii), the Secretary shall co-
7 ordinate with the Secretary of Commerce
8 to ensure the duration of any necessary
9 authorizations of such facilities under the
10 National Marine Sanctuaries Act aligns
11 with the duration of the relevant leases,
12 easements, or rights-of-way issued under
13 clause (i).”; and

14 (6) by adding at the end the following:

15 “(11) PLANNING AREA IMPACT STUDIES.—

16 “(A) IN GENERAL.—Beginning three years
17 after the date of enactment of this paragraph,
18 before holding any lease sale pursuant to para-
19 graph (1) for an area, the Secretary shall con-
20 duct a study of such area, or the wider plan-
21 ning area that includes such area, in order to
22 establish information needed for assessment
23 and management of the environmental impacts
24 on the human, marine, and coastal environ-
25 ments of the outer Continental Shelf and the

1 coastal areas which may be affected by offshore
2 renewable energy projects in such area or plan-
3 ning area.

4 “(B) INCLUSIONS.—A study conducted
5 under subparagraph (A) shall—

6 “(i) incorporate the best available ex-
7 isting science and data;

8 “(ii) identify areas for which there is
9 insufficient science and data; and

10 “(iii) include consideration of the cu-
11 mulative impacts (including potential navi-
12 gational impacts) of offshore renewable en-
13 ergy projects on human, marine, and
14 coastal environments.

15 “(C) USE OF DATA AND ASSESSMENTS.—
16 The Secretary shall use the data and assess-
17 ments included in studies conducted under this
18 paragraph, as appropriate, when deciding—

19 “(i) which portions of an area or re-
20 gion are most appropriate to make avail-
21 able for leasing; and

22 “(ii) whether to issue any permit or
23 other authorization that is necessary to
24 carry out an offshore renewable energy
25 project.

1 “(D) NEPA APPLICABILITY.—The Sec-
2 retary shall not consider a study conducted
3 under subparagraph (A) to be a major Federal
4 action under section 102(2)(C) of the National
5 Environmental Policy Act of 1969 (42 U.S.C.
6 4332(2)(C)).

7 “(12) CAPACITY BUILDING AND COMMUNITY
8 ENGAGEMENT.—

9 “(A) IN GENERAL.—The Secretary, in con-
10 sultation with the Secretary of Commerce, may
11 award grants to entities to build organizational
12 capacity and enhance engagement opportunities
13 related to offshore renewable energy project de-
14 velopment, including environmental reviews and
15 permitting activities of such projects.

16 “(B) PURPOSES.—Grants awarded under
17 subparagraph (A) shall be used by entities to—

18 “(i) enable States, Indian Tribes, af-
19 fected ocean users, and nonprofit associa-
20 tions that represent affected ocean users to
21 compile data, conduct analyses, educate
22 stakeholders, and complete other activities
23 relating to offshore renewable energy
24 project development;

1 “(ii) engage in planning activities and
2 in the development of offshore wind
3 projects for the purposes of—

4 “(I) determining potential eco-
5 nomic, social, public health, and envi-
6 ronmental benefits and impacts; and

7 “(II) identifying opportunities to
8 mitigate such impacts;

9 “(iii) facilitate siting of offshore re-
10 newable energy projects and associated
11 electric transmission infrastructure; and

12 “(iv) hire and train personnel, and
13 other activities designed to increase the ca-
14 pacity of States, Indian Tribes, and non-
15 profit associations, as applicable, to carry
16 out activities described in clauses (i)
17 through (iii).

18 “(C) PRIORITIZATION.—When awarding
19 grants under subparagraph (A), the Secretary
20 shall prioritize awarding grants that will be
21 used to build organizational capacity and en-
22 hance community engagement opportunities of
23 Indian Tribes.

24 “(D) AUTHORIZATION OF APPROPRIA-
25 TIONS.—There are authorized to be appro-

1 priated to the Secretary to carry out this para-
2 graph \$25,000,000 for each of fiscal years
3 2026 through 2030.”.

4 (d) RESERVATIONS.—Section 12(a) of the Outer
5 Continental Shelf Lands Act (43 U.S.C. 1341(a)) is
6 amended to read as follows—

7 “(a) WITHDRAWAL OF UNLEASED LANDS BY THE
8 PRESIDENT.—

9 “(1) IN GENERAL.—The President of the
10 United States may, from time to time, withdraw
11 from disposition any of the unleased lands of the
12 outer Continental Shelf.

13 “(2) REVERSAL FOR CERTAIN OFFSHORE RE-
14 NEWABLE ENERGY PROJECTS.—With respect to a
15 withdrawal under paragraph (1) of unleased lands
16 from disposition, the President may reverse such a
17 withdrawal only to allow for leasing under section
18 (8)(p)(1)(C) and only if the President determines
19 that environmental, national security, or national or
20 regional energy conditions or demands have changed
21 such that a reversal would be in the public inter-
22 est.”.

23 (e) CITIZEN SUITS, COURT JURISDICTION, AND JU-
24 DICIAL REVIEW.—Section 23(c)(2) of the Outer Conti-

1 nental Shelf Lands Act (43 U.S.C. 1349(c)(2)) is amend-
2 ed to read as follows:

3 “(2) Any action of the Secretary to approve, require
4 modification of, or disapprove any exploration plan or de-
5 velopment and production plan under this Act, or any
6 plan, final lease, easement, or right-of-way granted pursu-
7 ant to section (8)(p)(1) (and any related final Federal
8 agency actions), shall be subject to judicial review only in
9 a United States court of appeals for a circuit in which
10 an affected State is located.”.

11 (f) REPORT ON DECOMMISSIONING OF OFFSHORE
12 RENEWABLE ENERGY PROJECTS.—Not later than 10
13 years after the date of enactment of this Act, the Sec-
14 retary of the Interior shall submit to Congress, and make
15 publicly available, a report evaluating decommissioning op-
16 tions for offshore renewable energy projects (and associ-
17 ated electric transmission infrastructure), including an as-
18 sessment of the potential for the holder of a lease, ease-
19 ment, or right-of-way to keep facilities in place or other-
20 wise convert such facilities to artificial reefs to support
21 marine habitats, provided that such facilities will not ad-
22 versely impact navigation, national security, the marine
23 environment, Tribal uses, or other competing uses of the
24 outer Continental Shelf.

1 (g) UPDATING REGULATIONS.—Not later than 270
 2 days after the date of enactment of this section, the Sec-
 3 retary of the Interior shall issue any necessary regulations
 4 to carry out this section and the amendments made by
 5 this section.

6 **SEC. 512. COMPENSATION FOR OFFSHORE RENEWABLE EN-**
 7 **ERGY PROJECTS.**

8 The Outer Continental Shelf Lands Act (43 U.S.C.
 9 1331 et seq.) is amended by adding at the end the fol-
 10 lowing:

11 **“SEC. 34. OFFSHORE RENEWABLE ENERGY COMPENSATION**
 12 **FUND.**

13 “(a) ESTABLISHMENT.—There is established in the
 14 Treasury of the United States the Offshore Renewable
 15 Energy Compensation Fund, which shall be used by the
 16 Secretary, or a third-party the Secretary enters into a con-
 17 tract with, to provide to covered entities—

18 “(1) payments for claims—

19 “(A) described under subsection (f)(1); and

20 “(B) verified pursuant to subsection
 21 (d)(1); and

22 “(2) grants to carry out mitigation activities de-
 23 scribed in subsection (f)(2).

24 “(b) AVAILABILITY OF FUND.—The Fund shall be
 25 available to the Secretary without fiscal year limitations

1 for the purpose of providing payments and grants under
2 subsection (a).

3 “(c) ACCOUNTS.—The Fund shall—

4 “(1) consist of the royalties, fees, rents, bo-
5 nuses, and other payments deposited under section
6 8(p)(2)(D); and

7 “(2) be divided into separate area accounts
8 from which payments and grants shall be provided
9 based on the area in which damages occur.

10 “(d) REGULATIONS.—The Secretary shall establish,
11 by regulation, a process to—

12 “(1) file, process, and verify claims for purposes
13 of providing payments under subsection (a)(1); and

14 “(2) apply for a grant provided under sub-
15 section (a)(2).

16 “(e) PAYMENT AMOUNT.—Payments provided under
17 subsection (a)(1) shall—

18 “(1) be based on the scope of the verified claim;

19 “(2) be fair and provided efficiently and in a
20 transparent manner; and

21 “(3) if the covered entity receiving the payment
22 has or will receive direct compensation for the
23 verified claim pursuant to a community benefit
24 agreement or other agreement between such covered
25 entity and a holder of a lease, easement, or right-

1 of-way, be reduced by an amount that is equal to the
2 amount of such direct compensation.

3 “(f) CLAIMS; MITIGATION GRANTS.—

4 “(1) CLAIMS.—A payment may be provided
5 under subsection (a)(1) for a verified claim to—

6 “(A) replace or repair gear that was lost or
7 damaged by the development, construction, op-
8 eration, or decommissioning of an offshore re-
9 newable energy project; or

10 “(B) replace income that was lost from the
11 development, construction, operation, or decom-
12 missioning of an offshore renewable energy
13 project.

14 “(2) MITIGATION GRANTS.—If the Secretary
15 determines that there are sufficient amounts in an
16 area account of the Fund to provide payments for
17 all verified claims at any given time, the Secretary
18 may use amounts in the Fund to provide grants to
19 covered entities, and other entities determined ap-
20 propriate by the Secretary, to mitigate the potential
21 effects of development, construction, operation, and
22 decommissioning of an offshore renewable energy
23 project, including by paying for gear changes, navi-
24 gation technology improvements, and other measures

1 to enhance the safety and resiliency of the covered
2 entities near an offshore renewable energy project.

3 “(g) ADVISORY GROUP.—

4 “(1) IN GENERAL.—The Secretary shall estab-
5 lish and regularly convene an advisory group that
6 shall provide recommendations on the development
7 and administration of this section.

8 “(2) MEMBERSHIP.—The advisory group
9 shall—

10 “(A) be comprised of individuals—

11 “(i) appointed by the Secretary; and

12 “(ii) representing the geographic di-
13 versity of areas impacted by the develop-
14 ment, construction, operation, or decom-
15 missioning of offshore renewable energy
16 projects; and

17 “(B) include representatives from—

18 “(i) recreational fishing interests;

19 “(ii) commercial fishing interests;

20 “(iii) Tribal fishing interests;

21 “(iv) the National Marine Fisheries
22 Services;

23 “(v) the fisheries science community;

24 and

1 “(vi) other fields of expertise nec-
2 essary to effectively develop and administer
3 this section, as determined by the Sec-
4 retary.

5 “(3) TRAVEL EXPENSES.—The Secretary may
6 provide amounts to any member of the advisory
7 group to pay for travel expenses, including per diem
8 in lieu of subsistence, at rates authorized for an em-
9 ployee of an agency under section 5703 of title 5,
10 United States Code, while away from the home or
11 regular place of business of the member in the per-
12 formance of the duties of the advisory group.

13 “(h) INSUFFICIENT FUNDS.—

14 “(1) IN GENERAL.—If the Secretary determines
15 that an area account does not contain a sufficient
16 amount to provide payments under subsection
17 (a)(1), the Secretary may, not more than once each
18 calendar year, require any holder of an offshore re-
19 newable energy lease located within the area covered
20 by the area account to pay an amount specified by
21 the Secretary, which shall be deposited into such
22 area account.

23 “(2) AMOUNT.—No holder of an offshore re-
24 newable energy lease shall be required to pay an

1 amount under paragraph (1) in excess of \$3 per
2 acre of the leased land described in paragraph (1).

3 “(i) ADMINISTRATIVE EXPENSES.—The Secretary
4 may use up to 15 percent of the amount deposited into
5 the Fund under section 8(p)(2)(D) during a given fiscal
6 year for administrative expenses to carry out this section.

7 “(j) ANNUAL REPORT.—The Secretary shall submit
8 to Congress, and make publicly available, an annual report
9 on activities carried out under this section, including a de-
10 scription of claims filed and the amount of payments and
11 grants provided.

12 “(k) DEFINITIONS.—In this section:

13 “(1) COVERED ENTITY.—The term ‘covered en-
14 tity’ means—

15 “(A) a community, stakeholder, or Tribal
16 interest—

17 “(i) that uses a geographic space of a
18 lease area, or uses resources harvested
19 from a geographic space of a lease area;
20 and

21 “(ii) for which such use is directly and
22 adversely impacted by the development,
23 construction, operation, or decommis-
24 sioning of an offshore renewable energy
25 project located in such leased area; or

1 “(B) a regional association, cooperative,
2 non-profit organization, commission, or corpora-
3 tion that—

4 “(i) serves a community, stakeholder,
5 or Tribal interest described in subpara-
6 graph (A); and

7 “(ii) acts on behalf of such a commu-
8 nity, stakeholder, or Tribal interest for
9 purposes of this section, including by sub-
10 mitting a claim for a covered entity.

11 “(2) FUND.—The term ‘Fund’ means the Off-
12 shore Renewable Energy Compensation Fund estab-
13 lished under subsection (a).

14 “(3) LEASE AREA.—The term ‘lease area’
15 means an area covered by an offshore renewable en-
16 ergy lease.

17 “(4) OFFSHORE RENEWABLE ENERGY LEASE.—
18 The term ‘offshore renewable energy lease’ means a
19 lease, easement, or right-of-way granted under sec-
20 tion 8(p)(1)(C).”.

21 **SEC. 513. INTEROPERABILITY OF OFFSHORE ELECTRIC**
22 **TRANSMISSION INFRASTRUCTURE.**

23 (a) STUDY.—Not later than 2 years after the date
24 of enactment of this Act, the Secretary of Energy shall
25 complete and publish on the website of the Department

1 of Energy a study that assesses the need to, and chal-
2 lenges of, developing and standardizing interoperable elec-
3 tric grid components, systems, and technologies in support
4 of shared offshore transmission networks. Such study
5 shall include recommendations for Congress, State, Tribal,
6 and local governments, manufacturers of electric grid com-
7 ponents, systems, and technologies, Transmission Organi-
8 zations, offshore electricity generation project developers,
9 and appropriate standards organizations to help ensure
10 interoperability of electric grid components, systems, and
11 technologies between offshore electricity generation
12 projects and shared offshore infrastructure connecting to
13 onshore transmission systems.

14 (b) INTEROPERABILITY STANDARD DEVELOPMENT
15 PROGRAM.—

16 (1) IN GENERAL.—The Secretary of Energy
17 shall establish and implement a program to identify,
18 develop, support, document, and encourage the
19 adoption of standards necessary to maximize the
20 interoperability of electric grid components, systems,
21 and technologies to accelerate the implementation
22 and delivery of electricity generated by offshore elec-
23 tricity generation projects through shared electricity
24 transmission infrastructure.

1 (2) GOALS.—The goals of establishing and im-
2 plementing the program under paragraph (1) shall
3 be—

4 (A) to harmonize and standardize func-
5 tional specifications of electric grid components,
6 systems, and technologies to maximize the
7 interoperability of electric grid components, sys-
8 tems, and technologies across types and manu-
9 facturers;

10 (B) to hasten adoption of shared electric
11 transmission infrastructure, including inter-
12 regional transmission infrastructure, for off-
13 shore electricity generation by encouraging co-
14 operation among manufacturers of electric grid
15 components, systems, or technologies in order
16 to—

17 (i) maximize interoperability of such
18 manufacturers' electric grid components,
19 systems, or technologies;

20 (ii) reduce offshore electricity genera-
21 tion project delays and cost overruns;

22 (iii) manage power grid complexity;
23 and

24 (iv) enhance electric grid resilience,
25 reliability, and cybersecurity; and

1 (C) to identify common technical specifica-
2 tions to effectively and securely measure, mon-
3 itor, control, and protect offshore electricity
4 generation and electric transmission infrastruc-
5 ture from the point of generation to load cen-
6 ters.

7 (3) FINANCIAL ASSISTANCE.—Under the pro-
8 gram established and implemented under paragraph
9 (1), the Secretary may provide grants to—

10 (A) engage equipment manufacturers and
11 industry stakeholders in collaborative platforms,
12 including workshops and forums;

13 (B) identify current challenges and propose
14 solutions to improve interoperability of electric
15 grid components, systems, and technologies;

16 (C) develop a set of voluntary industry
17 standards to maximize interoperability of elec-
18 tric grid components, systems, and technologies
19 that meet the goals described in paragraph (2);
20 and

21 (D) promote data sharing alignment with
22 the Department of Energy, the National Oce-
23 anic and Atmospheric Administration, and the
24 Bureau of Ocean Energy Management to inte-

1 grate oceanographic, wildlife, and grid planning
 2 data relevant to offshore transmission corridors.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There
 4 are authorized to be appropriated to the Secretary of En-
 5 ergy to carry out this section \$5,000,000, to remain avail-
 6 able until expended.

7 (d) DEFINITION.—In this section, the term “Trans-
 8 mission Organization” has the meaning given such term
 9 in section 3(29) of the Federal Power Act (16 U.S.C.
 10 796).

11 **TITLE VI—PROTECTING CON-** 12 **SUMERS IN ELECTRICITY** 13 **REGULATION**

14 **SEC. 601. UTILITY EARNINGS TIED TO RATEPAYER BENE-** 15 **FITS.**

16 (a) AMENDMENTS TO THE FEDERAL POWER ACT.—

17 (1) IN GENERAL.—Section 219 of the Federal
 18 Power Act (16 U.S.C. 824s) is amended—

19 (A) in subsection (a)—

20 (i) by striking “Not later than 1 year
 21 after the date of enactment of this section,
 22 the Commission shall establish, by rule,”
 23 and inserting “The Commission shall issue
 24 such rules as may be necessary to estab-
 25 lish”; and

1 (ii) by inserting “, improving effi-
2 ciency,” after “ensuring reliability”;

3 (B) in subsection (b)—

4 (i) in the matter preceding paragraph
5 (1), by striking “The rule shall” and in-
6 serting “The rules issued under this sec-
7 tion shall”;

8 (ii) in paragraph (1), by inserting “,
9 and operational improvements for,” after
10 “capital investment in”;

11 (iii) in paragraph (2)—

12 (I) by inserting “or other incen-
13 tive mechanism” after “return on eq-
14 uity”; and

15 (II) by inserting “or incentivizes
16 improvements that increase the effi-
17 ciency of the transmission of electric
18 energy and reduce costs for con-
19 sumers” after “(including related
20 transmission technologies)”;

21 (iv) in paragraph (3), by inserting “,
22 including performance-based measures,”
23 after “other measures”; and

24 (v) in paragraph (4)—

1 (I) in subparagraph (A), by strik-
2 ing “; and” and inserting a semicolon;

3 (II) in subparagraph (B), by
4 striking the period and inserting “;
5 and”; and

6 (III) by adding at the end the
7 following new subparagraph:

8 “(C) amounts determined pursuant to
9 shared savings frameworks or other incentive
10 mechanisms prescribed in such rules.”; and

11 (C) by amending subsection (c) to read as
12 follows:

13 “(c) TRANSMISSION ORGANIZATION-BASED INCEN-
14 TIVES.—

15 “(1) TRANSMISSION ORGANIZATION MEMBER-
16 SHIP.—In a rule issued under this section, the Com-
17 mission shall, to the extent within its jurisdiction,
18 provide for incentives to each transmitting utility or
19 electric utility that joins a Transmission Organiza-
20 tion.

21 “(2) INITIAL MEMBERSHIP INCENTIVE.—In car-
22 rying out paragraph (1), the Commission shall pro-
23 vide for an electric utility to yield a return on equity
24 incentive—

1 “(A) of not more than 50 basis points for
2 the 3-year period beginning on the date on
3 which the electric utility joins a Transmission
4 Organization; and

5 “(B) the transfer of a transmitting utility
6 from 1 transmission organization to another
7 shall not trigger a new period under subpara-
8 graph (A).

9 “(3) REGIONAL AND INTERREGIONAL FACILITY
10 INCENTIVE.—After the expiration of the period
11 under paragraph (2)(A), the Commission may pro-
12 vide a return on equity incentive of not more than
13 75 basis points with respect to transmission facilities
14 of such utility that—

15 “(A) provide demonstrable benefits to cus-
16 tomers on a regional or interregional basis, as
17 determined by the Commission; and

18 “(B) are selected in a transmission plan-
19 ning process conducted by a Transmission Or-
20 ganization or by 2 or more such organizations
21 on an interregional basis.

22 “(4) INCENTIVES FOR NON-MEMBERS.—In the
23 case of an electric utility that is not a member of a
24 Transmission Organization, the Commission may
25 provide an additional return on equity incentive of

1 not more than 25 basis points with respect to trans-
2 mission facilities that satisfy the criteria set forth in
3 paragraph (3).

4 “(5) GUARDRAILS.—In determining whether,
5 and at what level, to provide incentives under this
6 subsection, the Commission may consider—

7 “(A) measurable customer benefits, includ-
8 ing reliability, resilience, and congestion cost re-
9 ductions;

10 “(B) cost discipline, including consistency
11 with least-cost planning and mitigation of ex-
12 cessive capital bias; and

13 “(C) the persistence and magnitude of ex-
14 pected benefits.

15 “(6) DURATION AND REVIEW.—The Commis-
16 sion may establish time limits for incentives under
17 this subsection and shall provide for periodic review
18 and adjustment or termination of such incentives if
19 the underlying bases for the incentives no longer
20 exist.

21 “(7) METHOD OF COST RECOVERY.—The Com-
22 mission shall ensure that any costs recoverable pur-
23 suant to this subsection may be recovered by such
24 utility through the transmission rates charged by
25 such utility or through the transmission rates

1 charged by the Transmission Organization that pro-
2 vides transmission service to such utility.”.

3 (2) RULEMAKINGS.—

4 (A) DEADLINE.—Not later than 1 year
5 after the date of the enactment of this section,
6 the Commission shall revise the rule issued
7 under section 219 of the Federal Power Act (16
8 U.S.C. 824s) to implement the amendment
9 made by paragraph (1)(C).

10 (B) CONSIDERATIONS.—In revising the
11 rule specified in paragraph (1)(C) with respect
12 to the implementation of the return on equity
13 incentive under section 219(c) of the Federal
14 Power Act, as amended by such paragraph, the
15 Commission shall take into consideration the
16 following:

17 (i) The Notice of Proposed Rule-
18 making titled “Electric Transmission In-
19 centives Policy Under Section 219 of the
20 Federal Power Act”, published in the Fed-
21 eral Register on April 2, 2020 (85 Fed.
22 Reg. 18784).

23 (ii) The Supplemental Notice of Pro-
24 posed Rulemaking titled “Electric Trans-
25 mission Incentives Policy Under Section

1 219 of the Federal Power Act”, published
2 in the Federal Register on April 26, 2021
3 (86 Fed. Reg. 21972).

4 (b) RULEMAKING ON SHARED SAVINGS FRAMEWORK
5 FOR TRANSMITTING UTILITIES SUBJECT TO FEDERAL
6 ENERGY REGULATORY COMMISSION JURISDICTION.—

7 (1) RULE REQUIRED.—Not later than one year
8 after the date of the enactment of this section, the
9 Commission shall issue a final rule under section
10 219(b)(3) of the Federal Power Act (16 U.S.C.
11 824s(b)(3)), as amended by subsection (a), that es-
12 tablishes a framework under which a covered trans-
13 mitting utility may recover a portion of verified cost
14 savings attributable to a qualifying action of such
15 transmitting utility as an incentive (in this sub-
16 section referred to as the “shared savings frame-
17 work”).

18 (2) METHODOLOGIES.—The Commission shall
19 develop and include in the rule under paragraph (1)
20 standardized methodologies, applicable across simi-
21 larly situated transmission segments, as follows:

22 (A) BASELINE PERFORMANCE METH-
23 ODOLOGIES.—Methodologies, developed in con-
24 sultation with the Secretary, for covered trans-
25 mitting utilities to determine the annual base-

1 line performance of transmission facilities or
2 transmission segments absent qualifying ac-
3 tions—

4 (i) by measuring the baseline perform-
5 ance of such a transmission facility or
6 transmission segment—

7 (I) through the actual amount of
8 electrical energy entering and leaving
9 such facility or segment (commonly
10 referred to as “direct metering”); or

11 (II) if the method under sub-
12 clause (I) is not feasible, through an
13 estimation of such amount consistent
14 with modeling methodologies pre-
15 scribed by the Commission; and

16 (ii) by normalizing data to ensure
17 such baseline performance accounts for
18 variability in exogenous factors determined
19 by the Commission, such as variability
20 in—

21 (I) weather;

22 (II) demand over time;

23 (III) upgrades, interconnections,
24 or operational changes made by other
25 utilities, Independent System Opera-

tors or Regional Transmission Organizations, or other entities determined relevant by the Commission; or

(IV) other conditions affecting demand or generation.

(B) METHODOLOGIES RELATING TO COST SAVINGS.—Methodologies for covered transmitting utilities to estimate and calculate, and for independent evaluators to verify, the cost savings attributable to qualifying actions under the shared savings framework, taking into account—

(i) the baseline performance of any transmission facility or transmission segment with respect to which a qualifying action is conducted; and

(ii) price proxies, determined according to a methodology prescribed by the Commission, for the value of electric energy transmitted (which may include, for a region managed by an Independent System Operator or Regional Transmission Organization, the locational marginal price corresponding to the location on the electric grid where an injection or withdrawal of

1 power is modeled (commonly referred to as
2 a “pricing node”)).

3 (C) METHODOLOGIES RELATING TO RE-
4 COVERABLE PERCENTAGE AND RATE RECOVERY
5 TIMELINE.—

6 (i) IN GENERAL.—Methodologies for
7 covered transmitting utilities to determine,
8 taking into account the factors described in
9 clause (ii), the following:

10 (I) The total percentage of cost
11 savings attributable to a qualifying ac-
12 tion that such a utility may recover as
13 an incentive under the shared savings
14 framework, which may not be less
15 than 10 percent or greater than 60
16 percent of such total attributable cost
17 savings (in this subsection referred to
18 as the “recoverable percentage” of
19 such savings).

20 (II) The period of time during
21 which such a utility may recover
22 amounts as an incentive for such an
23 action, which may not be shorter than
24 a 2-year period or longer than a 5-
25 year period (in this subsection re-

ferred to as the “rate recovery timeline” for such action).

(ii) FACTORS.—The factors described in this clause are the following:

(I) The extent of financial or operational risk to be assumed by a covered transmitting utility in conducting a qualifying action.

(II) The baseline performance for transmission facilities or transmission segments with respect to which such action is to be conducted.

(III) The replicability or demonstration value of such action.

(IV) The duration of cost savings predicted to result from such action and whether such cost savings will remain consistent over such duration.

(V) The extent to which such action is expected to result in additional benefits, such as improvements to the resilience or the reliable operation of the bulk-power system, reductions to transmission congestion, or reductions to greenhouse gas emissions.

1 (VI) Such other factors as the
2 Commission may determine relevant
3 to ensure the incentive is perform-
4 ance-based, transparent, and cost-ef-
5 fective.

6 (3) INITIAL FILING REQUIRED.—To be consid-
7 ered for an incentive under the shared savings
8 framework for the conduct of a qualifying action, a
9 covered transmitting utility shall submit to the Com-
10 mission an initial filing, the contents of which shall
11 be verified by an independent evaluator determined
12 appropriate by the Commission, that includes the
13 following:

14 (A) An identification of the baseline per-
15 formance of any transmission facility or trans-
16 mission segment with respect to which such ac-
17 tion is to be conducted for the 1-year period
18 preceding the date on which such conduct is to
19 be commenced, determined by such utility pur-
20 suant to an applicable methodology under para-
21 graph (2)(A) (including the data underlying
22 such calculation).

23 (B) A description of such action, including
24 an analysis of improvements expected to result
25 from such action.

1 (C) The rate recovery timeline for such ac-
2 tion and the recoverable percentage of cost sav-
3 ings attributable to such action, determined
4 pursuant to an applicable methodology under
5 paragraph (2)(C).

6 (D) An estimate, developed pursuant to an
7 applicable methodology under paragraph
8 (2)(B), of the cost savings to result from such
9 action for—

10 (i) the 1-year period beginning on the
11 date on which the conduct of such action
12 commences; and

13 (ii) the duration of the rate recovery
14 timeline for such action.

15 (E) A claim for 50 percent of the recover-
16 able percentage of cost savings estimated under
17 subparagraph (D)(i).

18 (F) An agreement by such utility to file
19 with the Commission the annual reports re-
20 quired under paragraph (4), the contents of
21 which shall be verified by an independent eval-
22 uator determined appropriate by the Commis-
23 sion.

24 (4) ANNUAL REPORTING REQUIRED.—Begin-
25 ning 1 year after the date on which a covered trans-

1 mitting utility submits an initial filing for a quali-
2 fying action under paragraph (3), and on an annual
3 basis thereafter until the end of the rate recovery
4 timeline for such action determined under subpara-
5 graph (C) of such paragraph or until such action no
6 longer results in cost savings, whichever occurs first,
7 such utility shall file with the Commission a report
8 containing, with respect to the qualifying action of
9 such utility, the following:

10 (A) Data on the performance during the
11 preceding year of any transmission facility or
12 transmission segment with respect to which
13 such action was conducted, and a comparison of
14 such performance to the baseline performance
15 of that transmission facility or transmission
16 segment determined pursuant to an applicable
17 methodology under paragraph (2)(A) for such
18 year.

19 (B) The actual cost savings attributable to
20 the qualifying action for the preceding year, cal-
21 culated pursuant to an applicable methodology
22 under paragraph (2)(B).

23 (C) If such utility expects cost savings to
24 result from the qualifying action during the fol-
25 lowing year, an estimate, developed pursuant to

1 an applicable methodology under paragraph
2 (2)(B), of the cost savings for such following
3 year.

4 (D) A claim for the following:

5 (i) An amount that is the recoverable
6 percentage of the actual cost savings for
7 the preceding year calculated under sub-
8 paragraph (B) minus any amount pre-
9 viously recovered based on an estimate of
10 cost savings for such year under paragraph
11 (5)(A) or paragraph (5)(B)(ii), as the case
12 may be.

13 (ii) If the report includes an estimate
14 of cost savings for the following year under
15 paragraph (5), an amount that is 50 per-
16 cent of the recoverable percentage of such
17 estimated cost savings.

18 (E) If such utility finds that the total
19 amount recovered for a year under paragraph
20 (5) exceeds the amount equal to the total recov-
21 erable percentage of the actual cost savings for
22 that year under subparagraph (B), an identi-
23 fication of the excess amount.

24 (5) RECOVERY MECHANISM.—

1 (A) RATE ADJUSTMENT BASED ON INITIAL
2 FILING.—Not later than 60 days after receiving
3 an initial filing of a covered transmitting utility
4 under paragraph (3), the Commission shall pro-
5 vide to such utility a rate adjustment under
6 which such utility may recover the amount
7 claimed under paragraph (3)(D).

8 (B) RATE ADJUSTMENT BASED ON AN-
9 NUAL REPORTS.—Not later than 60 days after
10 receiving an annual report of a covered trans-
11 mitting utility under paragraph (4), the Com-
12 mission shall provide to such utility a rate ad-
13 justment under which—

14 (i) subject to subparagraph (C), such
15 utility may recover the amount claimed
16 under paragraph (4)(D)(i); and

17 (ii) if the report included a claim
18 under paragraph (4)(D)(ii), such utility
19 may recover the amount so claimed.

20 (C) RECONCILIATION.—If a utility identi-
21 fies an excess amount under paragraph (4)(E),
22 or the Commission determines the information
23 reported for that year under paragraph (4) is
24 insufficient for purposes of this paragraph, the

1 Commission shall credit the difference to rate-
2 payers through a rate adjustment.

3 (6) SENSE OF CONGRESS REGARDING ADDI-
4 TIONAL RULEMAKINGS.—It is the sense of Congress
5 that—

6 (A) following the issuance of the rule
7 under paragraph (1), the Commission should
8 revise such rule, or issue additional rules under
9 the authority of section 219(b)(3) of the Fed-
10 eral Power Act (16 U.S.C. 824s(b)(3)), as
11 amended by subsection (a), to expand the
12 shared savings framework to additional cat-
13 egories of measurable, demonstrable, and
14 verifiable covered transmission actions;

15 (B) any such rule should include a version
16 of the methodologies developed under paragraph
17 (2) adapted for such additional categories; and

18 (C) any such rule should take into account
19 the findings of the most recently conducted
20 study under subsection (e).

21 (c) GUIDANCE FOR ELECTRIC UTILITIES NOT SUB-
22 JECT TO FEDERAL ENERGY REGULATORY COMMISSION
23 JURISDICTION.—

24 (1) IN GENERAL.—Not later than 2 years after
25 the date of enactment of this section, the Secretary,

1 in coordination with the Commission and State regu-
2 latory authorities, shall develop and publish on a
3 publicly available website of the Department of En-
4 ergy guidance to support State regulatory authori-
5 ties in establishing frameworks under which covered
6 electric utilities may recover a portion of verified
7 cost savings attributable to a covered utility action
8 as an incentive.

9 (2) MINIMUM ELEMENTS.—The guidance under
10 paragraph (1) shall include—

11 (A) guidance, developed in accordance with
12 paragraph (3), for determining the baseline per-
13 formance of a covered electric utility absent a
14 covered utility action;

15 (B) guidance, developed in accordance with
16 paragraph (4), for determining the cost savings
17 attributable to a covered utility action;

18 (C) guidance for the measurement and
19 verification of a covered utility action, and any
20 cost savings attributable to such action, by an
21 independent evaluator determined appropriate
22 by the State regulatory authority concerned;

23 (D) guidance on potential mechanisms by
24 which covered electric utilities may recover a
25 portion of the verified cost savings attributable

1 to a covered utility action, including through
2 the provision of rate adjustments by State regu-
3 latory authorities; and

4 (E) such other elements as the Secretary
5 determines appropriate to ensure the framework
6 specified in paragraph (1) is transparent, per-
7 formance-based, cost-effective, and consistent
8 with State ratemaking practices.

9 (3) METHODOLOGY FOR DETERMINING BASE-
10 LINE PERFORMANCE.—

11 (A) IN GENERAL.—In developing the guid-
12 ance under paragraph (2)(A), the Secretary,
13 acting through the heads of the Grid Deploy-
14 ment Office, Office of Electricity, and Office of
15 Energy Efficiency and Renewable Energy of the
16 Department of Energy, in coordination with the
17 Commission, shall—

18 (i) consult with State regulatory au-
19 thorities, Independent System Operators,
20 Regional Transmission Organizations, and
21 independent evaluators determined appro-
22 priate by the Secretary regarding such
23 guidance;

24 (ii) include in such guidance technical
25 guidance for normalizing data to ensure

the baseline performance of a covered electric utility accounts for variability in exogenous factors, such as variability in—

(I) weather;

(II) demand over time;

(III) upgrades, interconnections, or operational changes made by other utilities, Independent System Operators or Regional Transmission Organizations, or other entities determined relevant by the Commission; or

(IV) other conditions affecting demand or generation, as determined by the Secretary; and

(iii) ensure such guidance supports consistent treatment across covered electric utilities within each category described in paragraph (5).

(B) SUPPORT FROM NATIONAL LABORATORIES.—The National Laboratories shall provide such technical support as the Secretary determines necessary to carry out this paragraph.

(4) GUIDANCE ON DETERMINING COST SAVINGS.—In developing the guidance under paragraph (2)(B), the Secretary shall—

1 (A) include in such guidance—

2 (i) principles to ensure that cost sav-
3 ings attributable to a covered utility action
4 are calculated in a manner that takes into
5 account price proxies for the value of elec-
6 tric energy and the baseline performance
7 of the covered electric utility; and

8 (ii) tools, technical support, and ref-
9 erence data to assist State regulatory au-
10 thorities in applying the principles speci-
11 fied in clause (i); and

12 (B) ensure such guidance supports con-
13 sistent treatment across covered electric utilities
14 within each category described in paragraph
15 (5).

16 (5) APPLICABILITY TO UTILITY MARKET STRUC-
17 TURES.—In carrying out paragraph (1), the Sec-
18 retary shall develop separate guidance for each cat-
19 egory of covered electric utilities as follows:

20 (A) Vertically integrated utilities.

21 (B) Covered electric utilities that own or
22 operate transmission infrastructure but not dis-
23 tribution or generation infrastructure.

1 (C) Covered electric utilities that own or
2 operate distribution infrastructure but not
3 transmission or generation infrastructure.

4 (D) Covered electric utilities that own or
5 operate distribution and transmission infra-
6 structure but not generation infrastructure.

7 (6) REVISIONS.—Upon the publication of each
8 report under subsection (e), the Secretary shall de-
9 termine whether to revise the guidance under para-
10 graph (1), taking into account the contents of such
11 report and the recommendations included therein.

12 (d) GRANT PROGRAM FOR STATE REGULATORY AU-
13 THORITIES.—

14 (1) ESTABLISHMENT.—Not later than 2 years
15 after the date of the enactment of this section, the
16 Secretary shall establish a program under which the
17 Secretary may award grants to State regulatory au-
18 thorities to support the development, implementa-
19 tion, and oversight by such State regulatory authori-
20 ties of frameworks under which covered electric utili-
21 ties may recover a portion of verified cost savings at-
22 tributable to a covered utility action as an incentive
23 (in this subsection referred to as the “grant pro-
24 gram”).

1 (2) AUTHORIZED USES OF FUNDS.—Amounts
2 awarded under the grant program may only be used
3 to conduct the following activities:

4 (A) The development of a framework re-
5 ferred to in paragraph (1), or revision of an ex-
6 isting such framework, such that the framework
7 is consistent with the guidance developed under
8 subsection (c), including the following:

9 (i) The development, including the de-
10 sign or modeling, of methodologies con-
11 sistent with the methodologies set forth
12 under such guidance.

13 (ii) The development of data systems
14 or other tools necessary for the develop-
15 ment of the framework.

16 (iii) The issuance or revision of regu-
17 lations necessary for the development of
18 the framework.

19 (iv) The engagement with stake-
20 holders with respect to the development of
21 the framework.

22 (B) The implementation or oversight of a
23 framework consistent with such guidance.

1 (3) PROHIBITED USE OF FUNDS.—No amounts
2 awarded under the grant program may be used to
3 pay a covered electric utility.

4 (4) GRANT RECIPIENT REPORTING REQUIRE-
5 MENT.—

6 (A) IN GENERAL.—As a condition of re-
7 ceiving amounts under the grant program, a
8 State regulatory authority shall agree to submit
9 to the Secretary, on an annual basis for the du-
10 ration of the period in which such State regu-
11 latory authority expends such amounts, a report
12 describing the activities carried out using such
13 amounts.

14 (B) EFFECT OF NONCOMPLIANCE.—If a
15 grant recipient fails to submit a report required
16 under subparagraph (A), such recipient shall be
17 ineligible for additional awards under this sub-
18 section until the report is submitted.

19 (5) ADMINISTRATION OF PROGRAM.—

20 (A) TECHNICAL SUPPORT; PUBLIC REG-
21 ISTRY.—In carrying out the grant program, the
22 Secretary shall—

23 (i) provide to grant recipients tech-
24 nical assistance in support of activities

1 conducted using amounts awarded under
2 the grant program; and

3 (ii) maintain a publicly accessible reg-
4 istry of the activities so conducted.

5 (B) REPORTING BY SECRETARY.—Not
6 later than 2 years after the date of enactment
7 of this section, and biennially thereafter for the
8 duration of the grant program, the Secretary
9 shall submit to the appropriate congressional
10 committees a report containing—

11 (i) a summary of the activities con-
12 ducted using amounts awarded under the
13 grant program;

14 (ii) an assessment of the effectiveness
15 of any framework implemented using such
16 amounts; and

17 (iii) an identification of any barrier to
18 the development, implementation, or over-
19 sight of a framework consistent with the
20 guidance developed under subsection (c)
21 and recommendations for addressing such
22 barrier, as applicable.

23 (C) ALLOCATION OF FUNDS.—Of the
24 amounts authorized to be appropriated or oth-

erwise made available to the Secretary to carry out the grant program—

(i) not more than 70 percent may be awarded for the conduct of activities under paragraph (2)(A);

(ii) not less than 30 percent may be awarded for the conduct of activities under paragraph (2)(B); and

(iii) not more than 5 percent may be obligated or expended for Federal administrative expenses.

(e) STUDIES ON EFFECTS OF CERTAIN RATE TREATMENTS AND ALTERNATIVE FRAMEWORKS.—

(1) STUDIES REQUIRED.—Not later than 3 years after the date of enactment of this section, and every 5 years thereafter, the Secretary, in consultation with the Commission, shall—

(A) conduct a study on—

(i) inefficiencies in the electric power sector incentivized by existing rate treatments for the transmission of electric energy and any economic, environmental, or societal effect of such inefficiencies, including with respect to the customers of electric utilities, the reliable operation of the

1 bulk-power system, and the deployment of
2 cost-effective advanced transmission tech-
3 nologies; and

4 (ii) alternative frameworks for incen-
5 tive-based, including performance-based,
6 rate treatments for such transmission,
7 such as the alternative frameworks de-
8 scribed in paragraph (2); and

9 (B) publish on a publicly available website
10 of the Department of Energy, and submit to
11 the appropriate congressional committees, a re-
12 port that includes—

13 (i) a detailed description of the find-
14 ings of such study; and

15 (ii) recommendations of the Secretary
16 to align rate treatments for the trans-
17 mission of electric energy with the goals of
18 lowering costs for the customers of electric
19 utilities, enhancing the reliable operation of
20 the bulk-power system, reducing trans-
21 mission congestion and other inefficiencies
22 in the transmission or delivery of electric
23 energy, and encouraging the deployment of
24 cost-effective advanced transmission tech-
25 nologies.

1 (2) EXAMPLES OF ALTERNATIVE FRAME-
2 WORKS.—The alternative frameworks described in
3 this paragraph are the following:

4 (A) Shared savings frameworks.

5 (B) Revenue decoupling models, under
6 which authorized revenues of utilities are sepa-
7 rated from volumetric sales of electricity to re-
8 duce disincentives for energy efficiency and pro-
9 grams to reduce the consumption of, or peak
10 demand for, electric energy.

11 (C) Return on equity adjustments, under
12 which authorized utility returns are increased
13 or decreased based on measurable factors such
14 as risk profile, performance outcomes, or effi-
15 ciency improvements.

16 (D) Multi-year rate plans, under which
17 revenue requirements and performance expecta-
18 tions for utilities are established for a fixed
19 multi-year period rather than through single-
20 year rate cases.

21 (E) Earnings sharing mechanisms, under
22 which earnings of utilities falling outside an au-
23 thorized range as compared to the return on eq-
24 uity are shared between shareholders and rate-
25 payers.

1 (F) Total expenditure models, under which
2 capital and operating expenditures of utilities
3 are treated on an equivalent basis to reduce
4 bias toward capital investment.

5 (G) Performance scorecards, under which
6 utilities are evaluated against transparent out-
7 come-based metrics such as reliability, afford-
8 ability, equity, or the reduction of emissions,
9 with results informing regulatory decisions or
10 incentive adjustments.

11 (3) SOURCES.—The Secretary shall ensure that
12 each study under paragraph (1) is informed by—

13 (A) reports filed with the Commission pur-
14 suant to subsections (b) and (d) of this section,
15 and section 304 of the Federal Power Act (16
16 U.S.C. 825c);

17 (B) relevant reports issued by the National
18 Laboratories; and

19 (C) such other studies, reports, and other
20 data sources as the Secretary may determine
21 appropriate.

22 (f) DEFINITIONS.—In this section:

23 (1) ADVANCED CONDUCTOR.—The term “ad-
24 vanced conductor” means an electric transmission
25 conductor that, relative to a conductor being re-

1 placed on a given transmission or distribution line,
2 is designed to substantially improve electrical or me-
3 chanical performance through the achievement of the
4 following criteria, as determined by the Commission:

5 (A) A substantial increase in current-car-
6 rying capacity under normal operating condi-
7 tions.

8 (B) A substantial reduction in electrical re-
9 sistance or line losses under normal operating
10 conditions.

11 (C) Operation at materially higher contin-
12 uous allowable operating temperatures.

13 (D) A reduction in thermal sag or mechan-
14 ical constraints that enables increased use of a
15 transmission segment or facility.

16 (2) ADVANCED TRANSMISSION TECHNOLOGY.—

17 The term “advanced transmission technology”
18 means any hardware or software that—

19 (A) increases the capacity, efficiency, reli-
20 ability, resilience, or safety of transmission fa-
21 cilities and transmission technologies;

22 (B) is installed in addition to new or exist-
23 ing transmission facilities and transmission
24 technologies—

1 (i) to give operators of the trans-
2 mission facilities and transmission tech-
3 nologies more situational awareness and
4 control over the electric grid;

5 (ii) to make the transmission facilities
6 and transmission technologies more effi-
7 cient; or

8 (iii) to increase the transfer capacity
9 of the transmission facilities and trans-
10 mission technologies; and

11 (C) includes, but is not limited to, dynamic
12 line ratings, advanced conductors, topology opti-
13 mization, advanced power-flow controls, and
14 other digital or physical systems that increase
15 the usable transfer capability of the grid.

16 (3) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Energy and Com-
20 merce of the House of Representatives; and

21 (B) the Committee on Energy and Natural
22 Resources of the Senate.

23 (4) BULK-POWER SYSTEM; ELECTRIC UTILITY;
24 INDEPENDENT SYSTEM OPERATOR; REGIONAL
25 TRANSMISSION ORGANIZATION; STATE REGULATORY

1 AUTHORITY; TRANSMITTING UTILITY.—The terms
2 “bulk-power system”, “electric utility”, “Inde-
3 pendent System Operator”, “Regional Transmission
4 Organization”, “State regulatory authority”, and
5 “transmitting utility” have the meanings given such
6 terms in section 3 of the Federal Power Act (16
7 U.S.C. 796).

8 (5) COMMISSION.—The term “Commission”
9 means the Federal Energy Regulatory Commission.

10 (6) COVERED ELECTRIC UTILITY.—The term
11 “covered electric utility” means an electric utility
12 not subject to the jurisdiction of the Commission for
13 ratemaking purposes under Part II of the Federal
14 Power Act (16 U.S.C. 824 et seq.).

15 (7) COVERED ACTION.—The term “covered ac-
16 tion”—

17 (A) means an action that would generate
18 cost savings for ratepayers; and

19 (B) does not include the construction of a
20 new facility or the complete reconstruction of
21 an existing facility.

22 (8) COVERED TRANSMISSION ACTION.—The
23 term “covered transmission action” means a covered
24 action to improve the efficiency, capacity, reliability,

1 or resilience of 1 or more transmission facilities or
2 transmission segments, including through—

3 (A) the replacement of a conductor on a
4 transmission line within such a facility or seg-
5 ment with an advanced conductor; or

6 (B) the deployment of an advanced trans-
7 mission technology.

8 (9) COVERED TRANSMITTING UTILITY.—The
9 term “covered transmitting utility” means a trans-
10 mitting utility subject to the jurisdiction of the Com-
11 mission for ratemaking purposes under part II of
12 the Federal Power Act (16 U.S.C. 824 et seq.).

13 (10) COVERED UTILITY ACTION.—The term
14 “covered utility action” means a covered action
15 taken by an electric utility to—

16 (A) improve the efficiency of the genera-
17 tion, transmission, or distribution of electric en-
18 ergy, including by reducing the proportion of
19 electrical energy lost during such generation,
20 transmission, or distribution (including through
21 the deployment of energy storage systems or
22 other technologies); or

23 (B) reduce the consumption of, or peak de-
24 mand for, electric energy, including through—

1 (i) a technological improvement, such
2 as the deployment of high-efficiency appli-
3 ances, smart thermostats, distributed en-
4 ergy resources, or building retrofits;

5 (ii) the establishment of a pricing
6 mechanism to encourage customers of the
7 electric utility to reduce such consumption
8 or shift such demand to non-peak hours; or

9 (iii) any other action or program to
10 incentivize or otherwise produce such a re-
11 duction or shift in demand.

12 (11) QUALIFYING ACTION.—The term “quali-
13 fying action” means a covered transmission action
14 achieved through the reduction of transmission phys-
15 ical losses.

16 (12) SECRETARY.—The term “Secretary”
17 means the Secretary of Energy.

18 (13) SIMILARLY SITUATED.—The term “simi-
19 larly situated”, with respect to transmission seg-
20 ments, means transmission segments that the Com-
21 mission determines share comparable characteristics,
22 such as voltage class, geography, load profile, or his-
23 torical performance.

24 (14) TRANSMISSION PHYSICAL LOSS.—The
25 term “transmission physical loss” means the amount

1 of electrical energy that enters a transmission seg-
 2 ment but does not exit such transmission segment,
 3 as measured over a prescribed period of time.

4 (15) TRANSMISSION SEGMENT.—The term
 5 “transmission segment” means a functionally dis-
 6 tinct portion of an interconnected transmission sys-
 7 tem (such as a single transmission line or multiple
 8 transmission lines within a prescribed zone, such as
 9 between prescribed substations), for which the
 10 amount of electrical energy transmitted and the
 11 amount of electrical energy lost during such trans-
 12 mission may be independently measured, as deter-
 13 mined by the Commission.

14 (16) VERTICALLY INTEGRATED ELECTRIC UTIL-
 15 ITY.—The term “vertically integrated electric util-
 16 ity” means a covered electric utility that—

17 (A) owns and operates generation, trans-
 18 mission, and distribution facilities; and

19 (B) directly provides retail electric service
 20 to end-use customers.

21 **SEC. 602. CONSUMER PROTECTION FROM ENERGY MARKET**
 22 **MANIPULATION.**

23 (a) AMENDMENTS TO THE FEDERAL POWER ACT.—

24 (1) ENFORCEMENT OF CERTAIN PROVISIONS.—

25 Section 316A of the Federal Power Act (16 U.S.C.

1 825o–1) is amended by adding at the end the fol-
2 lowing:

3 “(c) PROHIBITION OR SUSPENSION FOR VIOLA-
4 TIONS.—The Commission may prohibit, conditionally or
5 unconditionally, permanently or for such period of time
6 as the Commission determines to be appropriate, any per-
7 son who is engaged or has engaged in practices consti-
8 tuting a violation of section 221 or 222 (and related rules
9 and regulations) from engaging, directly or indirectly, in
10 the business of purchasing or selling—

11 “(1) electric energy;

12 “(2) electric energy products, including finan-
13 cial transmission rights; or

14 “(3) transmission services subject to the juris-
15 diction of the Commission.”.

16 (2) CONFORMING AMENDMENTS.—Section
17 314(d) of the Federal Power Act (16 U.S.C.
18 825m(d)) is amended—

19 (A) in the matter preceding paragraph

20 (1)—

21 (i) by striking “individual” and insert-
22 ing “person”; and

23 (ii) by inserting “or 222” after “sec-
24 tion 221”;

1 (B) in paragraph (1), by inserting “with
 2 respect to a person who is an individual,” be-
 3 fore “acting”; and

4 (C) in paragraph (2)—

5 (i) in the matter preceding subpara-
 6 graph (A), by inserting “, directly or indi-
 7 rectly,” after “engaging”;

8 (ii) in subparagraph (A), by striking
 9 “; or” and inserting a semicolon;

10 (iii) by redesignating subparagraph
 11 (B) as subparagraph (C); and

12 (iv) by inserting after subparagraph
 13 (A) the following:

14 “(B) electric energy products, including fi-
 15 nancial transmission rights; or”.

16 (b) AMENDMENTS TO NATURAL GAS ACT.—

17 (1) PROHIBITION ON FILING FALSE INFORMA-
 18 TION.—The Natural Gas Act (15 U.S.C. 717 et
 19 seq.) is amended by inserting after section 4A the
 20 following:

21 **“SEC. 4B. PROHIBITION ON FILING FALSE INFORMATION.**

22 “No person shall willfully and knowingly report to a
 23 Federal agency or private-sector price-reporting agency,
 24 with intent to fraudulently affect the data being compiled
 25 by the Federal agency or private-sector price-reporting

1 agency, any information relating to the transportation or
2 sale of natural gas subject to the jurisdiction of the Com-
3 mission (including information relating to the availability
4 and prices of natural gas sold at wholesale and in inter-
5 state commerce and information relating to the operation
6 of facilities for the transportation and sale of natural gas
7 at wholesale and in interstate commerce) that the person
8 knows to be false at the time of the reporting.”.

9 (2) CIVIL PENALTY AUTHORITY.—Section 22 of
10 the Natural Gas Act (15 U.S.C. 717t–1) is amended
11 by adding at the end the following:

12 “(d) PROHIBITION OR SUSPENSION FOR VIOLA-
13 TIONS.—The Commission may prohibit, conditionally or
14 unconditionally, permanently or for such period of time
15 as the Commission determines to be appropriate, any per-
16 son who is engaged or has engaged in practices consti-
17 tuting a violation of section 4A or 4B (including related
18 rules and regulations) from engaging, directly or indi-
19 rectly, in the business of purchasing or selling—

20 “(1) natural gas; or

21 “(2) transmission services subject to the juris-
22 diction of the Commission.”.

23 (3) CONFORMING AMENDMENTS.—Section
24 20(d) of the Natural Gas Act (15 U.S.C. 717s(d))
25 is amended—

1 (A) in the matter preceding paragraph (1),
 2 by striking “individual” and inserting “person”;

3 (B) in paragraph (1), by inserting “with
 4 respect to a person who is an individual,” be-
 5 fore “acting”; and

6 (C) in paragraph (2), in the matter pre-
 7 ceding subparagraph (A), by inserting “, di-
 8 rectly or indirectly,” after “engaging”.

9 **SEC. 603. AVOIDING COST SHIFTS ONTO FAMILIES.**

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

13 “(22) LARGE LOAD FACILITY CLASS.—

14 “(A) CLASSIFICATION.—Large load facili-
 15 ties shall be considered a class of electric con-
 16 sumers.

17 “(B) COST RECOVERY RELATING TO
 18 LARGE LOAD FACILITY CLASS.—Each electric
 19 utility that provides electric service to a class of
 20 electric consumers described in subparagraph
 21 (A) shall fully recover from such class all costs
 22 associated with any upgrade made to the gen-
 23 eration, transmission, or distribution facilities
 24 of the electric grid, including local facilities, in
 25 order to meet the demand for electric energy

1 from such class, including in the event that a
2 large load facility ceases operations or uses less
3 electric energy than projected at the time of
4 such upgrade.

5 “(23) GRID RELIABILITY FOR LARGE LOAD FA-
6 CILITIES.—Each electric utility shall prioritize,
7 among requests from owners or operators of large
8 load facilities for electric service, such a request
9 under which the owner or operator agrees to em-
10 ploy—

11 “(A) features that reduce the demand for
12 electric energy from the electric grid during
13 times of peak demand, including—

14 “(i) energy efficiency or energy con-
15 servation measures;

16 “(ii) onsite energy storage; or

17 “(iii) demand response or load flexi-
18 bility technologies; and

19 “(B) zero-emission electric energy gen-
20 erated onsite or procured within the same bal-
21 ancing authority through a power purchase
22 agreement to meet all of the demand of the
23 large load facility for electric energy.”.

1 (b) DEFINITIONS.—Section 111 of the Public Utility
2 Regulatory Policies Act of 1978 (16 U.S.C. 2621) is
3 amended by adding at the end the following:

4 “(e) DEFINITIONS.—For the purposes of subsection
5 (d):

6 “(1) LARGE LOAD FACILITY.—The term ‘large
7 load facility’—

8 “(A) means a facility, or an aggregation of
9 facilities at a single site, with respect to which
10 the peak demand of such facility or such aggre-
11 gation of facilities exceeds 75 megawatts; and

12 “(B) does not include an existing facility
13 with respect to which any increased demand is
14 predominantly caused by electrification or
15 measures to reduce greenhouse gas emissions.

16 “(2) ZERO-EMISSION ELECTRIC ENERGY.—The
17 term ‘zero-emission electric energy’ means electric
18 energy generated without emitting greenhouse gases,
19 including from solar, wind, geothermal, hydro-
20 electric, tidal, fission, or fusion energy.”.

21 (c) CONFORMING AMENDMENTS.—

22 (1) OBLIGATIONS TO CONSIDER AND DETER-
23 MINE.—Section 112 of the Public Utility Regulatory
24 Policies Act of 1978 (16 U.S.C. 2622) is amended—

1 (A) in subsection (b), by adding at the end
2 the following:

3 “(9)(A) Not later than 1 year after the date of
4 enactment of this paragraph, each State regulatory
5 authority (with respect to each electric utility for
6 which the State has ratemaking authority) and each
7 nonregulated utility shall commence consideration
8 under section 111, or set a hearing date for consid-
9 eration, with respect to each standard established by
10 paragraphs (22) and (23) of section 111(d).

11 “(B) Not later than 2 years after the date
12 of enactment of this paragraph, each State reg-
13 ulatory authority (with respect to each electric
14 utility for which the State has ratemaking au-
15 thority), and each nonregulated electric utility
16 shall complete the consideration and make the
17 determination under section 111 with respect to
18 each standard established by paragraphs (22)
19 and (23) of section 111(d).

20 “(C) Not later than 30 days after com-
21 pleting the determination and making a deter-
22 mination under section 111 with respect to each
23 standard established by paragraphs (22) and
24 (23) of section 111(d), each State regulatory
25 authority (with respect to each electric utility

1 for which the State has ratemaking authority),
2 and each nonregulated electric utility shall sub-
3 mit to the Committee on Energy and Commerce
4 of the House of Representatives and the Com-
5 mittee on Energy and Natural Resources of the
6 Senate a report detailing the process used for
7 consideration and an explanation for the deter-
8 mination.”;

9 (B) in subsection (c)—

10 (i) by striking “subsection (b)(2)” and
11 inserting “subsection (b)”; and

12 (ii) by inserting “In the case of the
13 standard established by paragraphs (22)
14 and (23) of section 111(d), the reference
15 contained in this subsection to the date of
16 enactment of this Act shall be deemed to
17 be a reference to the date of enactment of
18 such paragraphs (22) and (23).” after
19 “paragraph (21).”; and

20 (C) by adding at the end the following:

21 “(i) OTHER PRIOR STATE ACTIONS.—
22 Subsections (b) and (c) shall not apply to
23 the standards established by paragraphs
24 (22) and (23) of section 111(d) in the case

1 of any electric utility in a State if, before
2 the date of enactment of this subsection—

3 “(I) the State has implemented
4 for the electric utility the standard
5 concerned (or a comparable standard);

6 “(II) the State regulatory au-
7 thority for the State or the relevant
8 nonregulated electric utility has con-
9 ducted a proceeding to consider imple-
10 mentation of the standard concerned
11 (or a comparable standard) for the
12 electric utility; or

13 “(III) the State legislature has
14 voted on the implementation of the
15 standard concerned (or a comparable
16 standard) for the electric utility dur-
17 ing the 3-year period ending on that
18 date of enactment.”.

19 (2) PRIOR AND PENDING PROCEEDINGS.—Sec-
20 tion 124 of the Public Utility Regulatory Policies
21 Act of 1978 (16 U.S.C. 2634) is amended by insert-
22 ing “In the case of each standard established by
23 paragraphs (22) and (23) of section 111(d), the ref-
24 erence contained in this section to the date of enact-
25 ment of this Act shall be deemed to be a reference

1 to the date of enactment of such paragraphs (22)
2 and (23).” after “paragraph (21).”.

3 **SEC. 604. TRUE COSTS AND VALUE OF ENERGY FOR ECO-**
4 **NOMIC AND PUBLIC BENEFIT.**

5 (a) ENERGY PRODUCTIVITY ASSESSMENTS.—

6 (1) BASELINE ASSESSMENT.—Not later than 2
7 years after the date of enactment of this Act, the
8 Secretary of Energy, in consultation with the Task
9 Force established under subsection (c) of this Act,
10 shall publish a comprehensive baseline assessment of
11 energy productivity in the United States, which
12 shall, at a minimum—

13 (A) define a framework and methodology
14 for measuring energy productivity as the rela-
15 tionship between energy inputs and the eco-
16 nomic or societal value of the work performed
17 by those inputs, at the national, regional, and
18 sectoral levels;

19 (B) evaluate current energy productivity
20 performance at the national, regional, and sec-
21 toral levels;

22 (C) identify barriers to improved energy
23 productivity across economic sectors; and

1 (D) highlight opportunities for improve-
2 ment through technology, policy, behavioral, or
3 structural interventions.

4 (2) PERIODIC NATIONAL ENERGY PRODUC-
5 TIVITY REPORTING.—Not later than 6 months after
6 the publication of the baseline assessment under
7 paragraph (1), and at least quarterly thereafter, the
8 Administrator of the Energy Information Adminis-
9 tration shall publish a report on energy productivity
10 in the United States using the same measures of
11 economic output in each sector and nationally as
12 those used in the estimates of labor productivity
13 published by the Bureau of Labor Statistics. The
14 Administrator of the Energy Information Adminis-
15 tration shall coordinate with the Secretary of Labor
16 on such energy productivity reports so the publica-
17 tion of such energy productivity reports is on the
18 same timeline as the reporting of labor productivity
19 by the Bureau of Labor Statistics.

20 (3) NATIONAL ENERGY PRODUCTIVITY MOD-
21 ELING.—Not later than 18 months after the date of
22 enactment of this Act, and every three years there-
23 after, the Secretary of Energy shall produce a com-
24 prehensive National Energy Productivity Assessment

1 using existing Federal modeling tools and data sys-
2 tems. The assessment shall—

3 (A) quantify the direct and indirect eco-
4 nomic, environmental, health, and societal im-
5 pacts of achieving accelerated energy produc-
6 tivity improvements, relative to a business-as-
7 usual scenario, at the national, regional, and
8 sectoral levels;

9 (B) analyze potential policy pathways to
10 enhance competitiveness, reduce energy costs,
11 increase resilience, and support job creation;

12 (C) evaluate how such improvements affect
13 national and regional well-being, including re-
14 ductions in pollution, energy costs, public health
15 burdens, water use, and economic vulnerability;

16 (D) evaluate risks associated with delayed
17 action, including stranded asset exposure and
18 competitiveness losses; and

19 (E) include, as appropriate, recommenda-
20 tions for Federal policies, programs, and re-
21 search priorities to support sustained energy
22 productivity gains.

23 (4) REPORTS ON ENERGY PRODUCTIVITY AND
24 COMPETITIVENESS.—Not later than 2 years after
25 the date of enactment of this Act, the Secretary of

1 Energy shall submit to Congress a report detailing
2 how improvements in energy productivity in the
3 United States affects United States competitiveness
4 in key economic sectors, including manufacturing,
5 services, and energy-intensive industries. The report
6 shall include modeling scenarios, investment implica-
7 tions, and policy options to maximize national eco-
8 nomic benefits from improved energy productivity.

9 (b) IMPROVING ENERGY INDICATORS.—

10 (1) STANDARDIZED REPORTING ON ENERGY IN-
11 DICATORS.—

12 (A) IN GENERAL.—Not later than 18
13 months after the date of enactment of this Act,
14 the Task Force established under subsection (c)
15 of this Act shall develop standardized meth-
16 odologies for collecting, evaluating, assembling,
17 analyzing, and disseminating data and other in-
18 formation on the following indicators:

19 (i) National energy potential, where
20 the term “national energy potential”
21 means the theoretical maximum amount of
22 energy physically present within a coun-
23 try’s geographic boundary, including the
24 country’s Exclusive Economic Zone, across
25 all energy forms, including—

1 (I) energy stocks for—

2 (aa) oil and gas, in units of
3 chemical energy, which in-
4 cludes—

5 (AA) proven reserves as
6 determined by the Energy
7 Information Administration;

8 (BB) probable reserves
9 as determined by the Energy
10 Information Administration;

11 (CC) undiscovered tech-
12 nically recoverable resources
13 as determined by the United
14 States Geological Survey;
15 and

16 (DD) undiscovered un-
17 recoverable resources as de-
18 termined by the United
19 States Geological Survey;

20 (bb) coal, in units of chem-
21 ical energy, which includes identi-
22 fied and undiscovered resources,
23 as determined by the United
24 States Geological Survey; and

1 (cc) nuclear fuel, in units of
2 fissionable energy from reason-
3 ably assured, estimated addi-
4 tional, and speculative uranium
5 and thorium resources, as deter-
6 mined by the Energy Information
7 Administration; and

8 (II) energy flows for—

9 (aa) solar energy, in units of
10 annual total Global Horizontal
11 Irradiance;

12 (bb) wind energy, in units of
13 annual kinetic energy from wind
14 at hub heights and atmospheric
15 conditions consistent with com-
16 mercial wind energy applications,
17 as determined by the Department
18 of Energy;

19 (cc) hydropower energy, in
20 units of annual gravitational po-
21 tential energy from inland water
22 flows that, at a minimum, could
23 power a micro hydropower plant,
24 as determined by the Department
25 of Energy;

1 (dd) geothermal energy, in
2 units of annual subsurface ther-
3 mal energy at a subsurface depth
4 of 10 kilometers or less, or under
5 temperature, pressure, and geo-
6 logical conditions suitable for en-
7 ergy extraction, as determined by
8 the Department of Energy;

9 (ee) biomass-based energy,
10 in units of annual chemical en-
11 ergy, including primary re-
12 sources, and secondary and ter-
13 tiary residues, as determined by
14 the Department of Energy; and

15 (ff) marine energy, in units
16 of annual mechanical, thermal,
17 and chemical potential energy in
18 the Exclusive Economic Zone of
19 the United States.

20 (ii) Technically-accessible energy po-
21 tential, where the term “technically-acces-
22 sible energy potential” means the theo-
23 retical maximum amount of national en-
24 ergy potential that can be accessed and
25 converted into usable energy using existing

1 commercially-available technologies and in-
2 dustry-standard practices, without regard
3 to cost or policy.

4 (iii) Cost-qualified energy potential,
5 where the term “cost-qualified energy po-
6 tential” means the theoretical maximum
7 amount of technically-accessible energy po-
8 tential that could be profitably developed
9 and delivered as usable energy under cur-
10 rent or anticipated near-term economic
11 conditions, as determined using prevailing
12 market prices, technology costs, and indus-
13 try-standard practices, considering existing
14 ordinances and regulations and current in-
15 dustry practices for siting for energy
16 stocks and energy flows.

17 (iv) Market-viable energy potential,
18 where the term “market-viable energy po-
19 tential” means the amount of cost-qualified
20 energy potential that is already online or
21 likely to be developed and brought online
22 in practice, at the time of reporting in sub-
23 section (b)(1)(B)(ii).

24 (v) Secondary energy, where the term
25 “secondary energy”—

1 (I) means the amount of energy
2 resources that have been converted
3 into intermediate carriers electricity
4 generation;

5 (II) represents energy forms that
6 can be stored, transported, distrib-
7 uted, or further converted before final
8 consumption; and

9 (III) includes, but is not limited
10 to, electricity, refined fuels (such as
11 refined petroleum products, hydrogen,
12 or synthetic fuels), and district heat.

13 (vi) Final energy, where the term
14 “final energy”—

15 (I) means the amount of sec-
16 ondary energy in the form delivered
17 for end-use consumption for consump-
18 tion in buildings, transportation, in-
19 dustrial processes, or other sectors or
20 applications; and

21 (II) includes, but is not limited
22 to, electricity, refined fuels (such as
23 refined petroleum products, hydrogen,
24 or synthetic fuels), and district heat.

(vii) Useful energy, where the term “useful energy”—

(I) means the amount of final energy that is effectively converted into the desired service or output after accounting for energy losses during end-use conversion; and

(II) includes lighting, mechanical work and motion, heating and cooling, chemical process energy, and any other end-use services delivered to meet a desired function.

(viii) Exergy, where term “exergy” means the amount of usable energy and resulting work obtainable from a system or energy stream, accounting for both the quantity and quality of energy.

(ix) Exergy efficiency, where the term “exergy efficiency” means the extent to which the exergy is preserved and converted into valuable economic or societal services during their use for a given system, sector, or economy.

(B) INCORPORATION OF NEW INDICATORS
IN DEPARTMENT REPORTING.—

1 (i) IN GENERAL.—Not later than 2
2 years after the initial development of the
3 standardized methodologies under para-
4 graph (1), the Secretary of Energy shall,
5 as part the Department of Energy’s mod-
6 eling frameworks, scenario analysis tools,
7 and energy outlooks, collect, evaluate, as-
8 semble, analyze, and disseminate data and
9 other information related to the indicators
10 listed in clauses (i) through (ix) of sub-
11 paragraph (A).

12 (ii) COVERED REPORTING.—The mod-
13 eling frameworks, scenario analysis tools,
14 and energy outlooks described in clause (i)
15 include—

16 (I) the Annual Energy Outlook;
17 (II) to the maximum extent pos-
18 sible—

19 (aa) the Monthly Energy
20 Review;

21 (bb) the International En-
22 ergy Outlook;

23 (cc) the State Energy Data
24 System; and

1 (dd) the Short-Term Energy
2 Outlook; and

3 (III) any successor model or
4 analysis to a model or analysis de-
5 scribed in subclauses (I) and (II).

6 (C) TRANSPARENCY AND DOCUMENTA-
7 TION.—The Administrator of the Energy Infor-
8 mation Administration shall publish and main-
9 tain detailed documentation on how the Task
10 Force developed the methodologies under sub-
11 paragraph (A).

12 (2) STUDY ON PRIMARY ENERGY INDICA-
13 TORS.—

14 (A) REQUIRED STUDY.—The Secretary of
15 Energy, with support from the Administrator of
16 the Energy Information Administration, rel-
17 evant offices within the Department of Energy,
18 and the Task Force, shall conduct a com-
19 prehensive study on the validity, limitations,
20 and potential alternatives to the use of the indi-
21 cators for primary energy in national energy ac-
22 counting.

23 (B) SCOPE OF STUDY.—The study shall
24 include—

1 (i) an evaluation of the conceptual
2 basis and historical rationale for the cur-
3 rent indicator for primary energy cal-
4 culated and reported by the Energy Infor-
5 mation Administration;

6 (ii) an assessment of the limitations of
7 primary energy accounting in accurately
8 reflecting energy efficiency, energy transi-
9 tions, and the value and comparability of
10 combustible and non-combustible energy
11 sources;

12 (iii) an analysis of alternative indica-
13 tors, including secondary energy, final en-
14 ergy, useful energy, and exergy, and their
15 suitability for integration into national en-
16 ergy statistics;

17 (iv) a review of international best
18 practices for energy accounting, including
19 methodologies used by the International
20 Energy Agency and peer nations; and

21 (v) recommendations for improve-
22 ments or replacements to the primary en-
23 ergy indicator that better align with na-
24 tional goals for energy efficiency, elec-

trification, decarbonization, and economic productivity.

(C) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Secretary of Energy shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the findings and recommendations of the study required under subparagraph (A).

(c) ESTABLISHMENT OF ENERGY PRODUCTIVITY AND COST TASK FORCE.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall establish an advisory group, to be known as the “Energy Productivity and Value Task Force” (in this Act referred to as the “Task Force”), which shall be led by the Secretary of Energy.

(2) MEMBERSHIP.—

(A) FEDERAL AGENCIES.—The following heads of Federal agencies shall serve as members of the Task Force:

(i) The Secretary of Energy.

1 (ii) The Secretary of Commerce.

2 (iii) The Administrator of the Envi-
3 ronmental Protection Agency.

4 (iv) The Administrator of the Energy
5 Information Administration.

6 (v) The Chairman of the Federal En-
7 ergy Regulatory Commission.

8 (vi) The Administrator of the Na-
9 tional Oceanic and Atmospheric Adminis-
10 tration.

11 (vii) The Director of the United
12 States Geological Survey.

13 (viii) The Assistant Secretary for
14 Health of the Department of Health and
15 Human Services.

16 (ix) The Director of the Office of
17 Science and Technology Policy.

18 (B) INDEPENDENT TECHNICAL EX-
19 PERTS.—

20 (i) IN GENERAL.—The Secretary of
21 Energy, in consultation with the other
22 heads of Federal agencies listed in sub-
23 paragraph (A), shall appoint independent
24 technical experts as members of the Task
25 Force, which shall consist of independent

1 technical experts with a demonstrated ex-
2 pertise in—

3 (I) environmental and energy ec-
4 onomics;

5 (II) energy technologies, includ-
6 ing renewables, fossil fuel systems,
7 bioenergy, and energy storage;

8 (III) public health and environ-
9 mental epidemiology;

10 (IV) ecology and ecosystem serv-
11 ices;

12 (V) industrial engineering and
13 lifecycle assessment; and

14 (VI) any other field the Oversight
15 Board determines relevant for the
16 purposes of this Act.

17 (ii) NUMBER OF EXPERTS.—Under
18 subparagraph (A), the Secretary of Energy
19 shall appoint—

20 (I) at least 1 independent tech-
21 nical expert for each field under sub-
22 clauses (I) through (VI) of such sub-
23 paragraph; and

24 (II) separate independent tech-
25 nical experts for each such field.

1 (C) STAKEHOLDER REPRESENTATIVES.—

2 The Secretary of Energy, in consultation with
3 the other heads of Federal agencies listed in
4 subparagraph (A), shall appoint stakeholders as
5 members of the Task Force, which shall consist
6 of at least 1, but not more than two, stake-
7 holders that represent each of—

8 (i) the electric power sector;

9 (ii) the renewable energy sector;

10 (iii) the non-renewable energy sector;

11 (iv) consumer advocacy groups;

12 (v) energy-intensive industries;

13 (vi) environmental and public interest
14 advocacy organizations;

15 (vii) the National Academies of
16 Sciences, Engineering, and Medicine;

17 (viii) academic- and National Labora-
18 tory-based researchers with expertise in—

19 (I) energy and economics;

20 (II) climate and economics; or

21 (III) environmental systems and
22 economics; and

23 (ix) any other sectors or organizations
24 the Secretary of Energy determines rel-
25 evant for the purposes of this Act.

1 (3) TERMINATION.—Notwithstanding section
2 1013 of title 5, United States Code, the Task Force
3 shall terminate on the date that is 3 years after the
4 date of enactment of this section.

5 (d) LIFECYCLE IMPACT AND COSTS OF ENERGY
6 TECHNOLOGIES.—

7 (1) COMPREHENSIVE ANALYTICAL FRAMEWORK
8 AND DATASET.—The Secretary of Energy shall de-
9 velop and maintain a comprehensive analytical
10 framework and dataset based on the methodology
11 and guiding principles submitted to the Secretary of
12 Energy by the Task Force under paragraph (3).

13 (2) ASSESSMENT OF LIFECYCLE IMPACTS AND
14 COSTS.—

15 (A) DEVELOPMENT AND MAINTENANCE.—

16 The Secretary of Energy shall use the com-
17 prehensive analytical framework and dataset de-
18 veloped and maintained under subsection (a) to
19 prepare an assessment of the full lifecycle im-
20 pacts and costs of producing and delivering en-
21 ergy services from each major energy resource
22 or technology, including impacts and costs from
23 upstream, operational, and downstream stages
24 from extraction to end-use and waste manage-
25 ment.

1 (B) SCOPE OF ASSESSMENT.—The assess-
2 ment prepared under paragraph (1) shall in-
3 clude, for each major energy resource or tech-
4 nology, a complete quantification and character-
5 ization of the lifecycle impacts associated with
6 producing and delivering energy services using
7 the resource or technology, including, impacts
8 from—

9 (i) energy inputs and losses, from ex-
10 traction through end use and waste man-
11 agement, including embodied energy;

12 (ii) material use, including chemical
13 use, and waste generation;

14 (iii) water use, including withdrawals,
15 consumption, quality impacts, and other
16 risks to water availability, quality, and eco-
17 system function;

18 (iv) pollution and emissions, including
19 emissions of greenhouse gases and other
20 air pollutants, water pollutants, and land
21 disturbance; and

22 (v) indirect and direct costs to social,
23 environmental, and economic well-being re-
24 sulting from such impacts.

1 (C) USES OF ASSESSMENT.—The Sec-
2 retary of Energy shall use the assessment pre-
3 pared under paragraph (1)—

4 (i) to develop strategic planning, in-
5 vestment prioritization, policies and pro-
6 grams, and regulatory analysis to limit the
7 social, environmental, and economic costs
8 of energy production and use;

9 (ii) to inform the allocation of grants
10 and making loans and loan guarantees for
11 Federal energy research, development,
12 State and local programs, and demonstra-
13 tions; and

14 (iii) as a resource for future reports
15 and analyses of energy productivity, recog-
16 nizing the link between resource impacts
17 and social, economic, and environmental
18 well-being.

19 (D) UPDATES AND AVAILABILITY.—The
20 Secretary of Energy shall—

21 (i) update the assessment at regular
22 intervals, but not less frequently than once
23 every 3 years;

24 (ii) make the results of the assess-
25 ment publicly available in a transparent,

1 machine-readable format, including docu-
2 mentation of assumptions, data sources,
3 and methodologies used; and

4 (iii) publish a report describing the
5 lifecycle social, economic, and environ-
6 mental impacts and costs of producing and
7 delivering energy services from each major
8 renewable or nonrenewable energy resource
9 or technology.

10 (3) TASK FORCE METHODOLOGY AND GUIDING
11 PRINCIPLES.—

12 (A) IN GENERAL.—Not later than the date
13 that is 12 months after the date on which the
14 Task Force is established, the Task Force shall
15 submit to the Secretary of Energy a method-
16 ology and guiding principles for the analytical
17 framework and dataset developed and main-
18 tained by the Secretary of Energy under para-
19 graph (2), including definitions, the scope of
20 the analytical framework and dataset, data
21 sources, and procedures for periodic review, val-
22 idation, and updates to such methodology and
23 guiding principles.

24 (B) RECONVENING TASK FORCE FOR RE-
25 VIEW, VALIDATION, AND UPDATES.—If the Sec-

1 retary of Energy determines that the method-
2 ology and guiding principles submitted to the
3 Secretary of Energy under subparagraph (A)
4 are no longer suitable or otherwise require revi-
5 sion, including in response to new data, ad-
6 vances in analytical methods, or changes in
7 statutory or regulatory requirements, the Sec-
8 retary of Energy may reconvene the Task Force
9 for the sole purpose of submitting to the Sec-
10 retary of Energy an updated methodology and
11 guiding principles by not later than 90 days
12 after the date on which the Task Force is re-
13 convened. Any reconvened Task Force shall ter-
14 minate on the earlier of the date on which it
15 submits the updated methodology and guiding
16 principles to the Secretary or the date that is
17 90 days after the date on which it is recon-
18 vened.

19 (e) DEFINITIONS.—In this section:

20 (1) ENERGY PRODUCTIVITY.—The term “en-
21 ergy productivity” means a measure of how effi-
22 ciently an economy, region, or industry uses energy
23 to generate economic value.

1 (2) MAJOR ENERGY RESOURCE OR TECH-
2 NOLOGY.—The term “major energy resource or tech-
3 nology”—

4 (A) means an energy resource, carrier, or
5 technology and any associated systems for pro-
6 ducing, converting, storing, transmitting, or de-
7 livering energy services that contribute signifi-
8 cantly to the national energy supply, demand,
9 or infrastructure and materially affect energy
10 system performance, emissions, or economic
11 outcomes; and

12 (B) includes—

13 (i) fossil fuels (including coal, petro-
14 leum, and natural gas);

15 (ii) nuclear energy;

16 (iii) renewable energy (including solar,
17 wind, geothermal, hydroelectric, marine,
18 and biomass);

19 (iv) hydrogen and other chemical en-
20 ergy carriers and associated systems;

21 (v) energy storage technologies; and

22 (vi) any other energy resources, car-
23 riers, or technologies that the Secretary de-
24 termines may materially affect the per-
25 formance, emissions, resilience, reliability,

or economic outcomes of the national energy system.

SEC. 605. GRID PERFORMANCE DISCLOSURE.

(a) ELECTRICITY TRANSMISSION SCORECARD ELEMENTS AND VERIFICATION.—

(1) REPORTING REQUIREMENTS.—

(A) COVERED TRANSMISSION OWNER SCORECARDS.—

(i) IN GENERAL.—The Commission shall require each covered transmission owner to annually develop, publish, and submit to the Commission and the Secretary a report, to be known as a transmission owner scorecard, that includes metrics that are standardized as required under paragraph (2) and evaluate the following:

(I) Ratepayer affordability, which shall assess the cost of transmission services per unit of energy transmitted or other metrics that can be used to assess affordability of energy provided to ratepayers.

(II) Financing costs, which shall assess the financing structure and

1 cost of capital for a covered trans-
2 mission owner, and may include con-
3 sideration of capital structure and le-
4 verage ratios, reliance on formula
5 rates or other automatic adjustment
6 mechanisms, allowed and earned re-
7 turns on equity, the cost of debt and
8 preferred stock, the presence and
9 magnitude of incentive rate adders,
10 and other related metrics.

11 (III) Investment prudence and
12 cost recovery, which shall assess the
13 prudence of capital investments and
14 the transparency and structure of as-
15 sociated cost recovery mechanisms,
16 and may include the frequency and
17 magnitude of cost disallowances in
18 rate proceedings, the types of facilities
19 or investments associated with dis-
20 allowed costs, the degree of cost recov-
21 ery from ratepayers relative to share-
22 holder contributions, and the trans-
23 parency and accountability of cost al-
24 location frameworks.

1 (IV) Investment effectiveness,
2 which shall assess the value delivered
3 by covered transmission owner invest-
4 ments relative to their costs, including
5 how effectively the covered trans-
6 mission owner considered and de-
7 ployed the most economically efficient
8 solutions to reduce cost burden on
9 ratepayers and the accuracy of project
10 cost estimates, and may include
11 metrics such as benefit-cost ratios, in-
12 vestments in advanced technology de-
13 ployment, non-wires alternatives, ad-
14 vanced transmission technologies, or
15 other operational upgrades that avoid
16 higher cost capital investment, esti-
17 mated and actual cost for new or up-
18 dated assets, and other indicators of
19 prudent capital deployment.

20 (V) Capital expenditure tilt,
21 which shall assess the covered trans-
22 mission owner's balance of spending
23 on capital investment versus oper-
24 ational and maintenance activities.

1 (VI) System reliability and avail-
2 ability, which shall assess the oper-
3 ational performance of the trans-
4 mission facilities of the covered trans-
5 mission owner over the reporting year,
6 including information related to out-
7 ages, equipment availability, and resil-
8 ience to system disturbances, and may
9 be expressed using existing trans-
10 mission-specific reliability indicators,
11 as described by the North American
12 Electric Reliability Corporation or
13 other entity established to oversee and
14 administer reliability standards and
15 procedures for the bulk-power system,
16 metrics regarding the economic costs
17 of outages or lost reliability, or other
18 related metrics.

19 (VII) Physical system perform-
20 ance, which shall assess how effec-
21 tively the transmission facilities
22 owned, operated, or controlled by the
23 covered transmission owner are used
24 to deliver electricity, including both
25 physical and economic performance,

1 and may include technical and non-
2 technical losses, utilization relative to
3 rated capacity and design constraints,
4 age of system components, and other
5 indicators of transmission system uti-
6 lization, performance, and efficiency.

7 (VIII)(aa) Interconnection and
8 access fairness, which shall assess the
9 extent to which the interconnection
10 process for interregional interconnec-
11 tions and new facilities (including
12 generators, energy storage, load, and
13 merchant transmission projects) is
14 conducted in a timely and impartial
15 manner consistent with Commission
16 regulations, including comparisons be-
17 tween affiliated entities and unaffili-
18 ated entities, and may be expressed as
19 the difference in the number of days
20 from initial interconnection request to
21 execution of an Interconnection
22 Agreement, or through related meas-
23 ures of procedural equity.

24 (bb) For purposes of this
25 subclause:

1 (AA) The term “affili-
2 ated entity” means any enti-
3 ty that has a direct or indi-
4 rect relationship with a cov-
5 ered transmission owner or
6 its parent entity that could
7 reasonably influence inter-
8 connection treatment, in-
9 cluding an entity that shares
10 common ownership or con-
11 trolling interest with the
12 covered transmission owner
13 or its parent entity; is a di-
14 rect or indirect subsidiary of
15 the covered transmission
16 owner or its parent entity; is
17 engaged in a joint venture,
18 contractual partnership, or
19 strategic alliance with the
20 covered transmission owner
21 or its parent entity, where
22 such partnership includes
23 shared financial interest,
24 revenue sharing, or asset co-
25 development; or is otherwise

1 determined by the Commis-
2 sion to have a financial, gov-
3 ernance, or operational rela-
4 tionship that may reasonably
5 be expected to influence
6 interconnection
7 prioritization.

8 (BB) The term “unaf-
9 filiated entity” means any
10 entity that has logged an
11 interconnection request with
12 the covered transmission
13 owner and is not an affili-
14 ated entity.

15 (IX) Non-operational cost recov-
16 ery, which shall assess the amount of
17 covered transmission owner spending
18 on lobbying, advertising, penalties,
19 and advocacy activities recovered
20 through customer rates, and may be
21 expressed as a total sum of expendi-
22 tures on such activities, or related
23 metrics.

24 (X) Interregional and regional
25 planning integration, which shall as-

1 sess the extent to which the covered
2 transmission owner participates in co-
3 ordinated regional and interregional
4 transmission planning processes and
5 infrastructure development, and may
6 be expressed as the number and ca-
7 pacity of interregional transmission
8 ties, the share of projects subject to
9 regional or interregional planning re-
10 view, or related metrics.

11 (XI) Co-location and reuse of
12 rights-of-way, which shall report the
13 percentage of new circuit-miles placed
14 in service that are—

15 (aa) sited within the existing
16 corridor of linear infrastructure,
17 including transmission, pipeline,
18 rail, and highway infrastructure;
19 and

20 (bb) reconducted or right-
21 sized on existing structures.

22 (XII) Any additional matters
23 that may be evaluated using outcome-
24 based performance metrics the Com-
25 mission determines necessary to im-

1 prove transparency, affordability, reli-
2 ability, equity, or environmental per-
3 formance of the facilities owned, oper-
4 ated, or controlled by the covered
5 transmission owner.

6 (ii) EXEMPTIONS.—The Commission
7 may, by rule, exempt any category of cov-
8 ered transmission owners from the require-
9 ment to include a metric described in
10 clause (i) if the Commission determines
11 that the metric is inapplicable to the cov-
12 ered transmission owners in the category.

13 (iii) COORDINATION.—In preparing
14 and developing a transmission owner score-
15 card pursuant to this subparagraph, a cov-
16 ered transmission owner shall coordinate,
17 as necessary to obtain or estimate data re-
18 quired to be included in a scorecard under
19 this subsection, with any relevant entity,
20 including—

21 (I) regional grid operators, in-
22 cluding Independent System Opera-
23 tors, Regional Transmission Organiza-
24 tions, transmission planning entities,
25 and balancing authorities;

1 (II) interconnected electric utili-
2 ties, including load serving entities
3 and other transmission providers;

4 (III) owners of generation facili-
5 ties, including utility-scale and mer-
6 chant generators seeking interconnec-
7 tion or operating within the service
8 territory of the covered transmission
9 owner; and

10 (IV) regulatory and oversight en-
11 tities, including State public utility
12 commissions, and applicable Federal
13 or State energy, reliability, or environ-
14 mental agencies.

15 (B) REGIONAL TRANSMISSION SCORE-
16 CARDS.—The Commission shall require each
17 Independent System Operator, Regional Trans-
18 mission Organization, and transmission plan-
19 ning entity to annually develop, publish, and
20 submit to the Commission and the Secretary a
21 report, to be known as a regional transmission
22 scorecard, that uses metrics that are standard-
23 ized as required under paragraph (2) and in-
24 cludes the following:

1 (i) Aggregation of the metrics re-
2 ported for the year in the transmission
3 owner scorecards of the covered trans-
4 mission owners within the jurisdiction of
5 the applicable ISO, RTO, or transmission
6 planning entity, which shall consist of a
7 summary of such metrics that—

8 (I) reflects weighted or capacity-
9 adjusted averages of covered trans-
10 mission owner-reported metrics, as ap-
11 propriate; and

12 (II) highlights significant intra-
13 regional variation or performance
14 outliers.

15 (ii) Regional-specific metrics, which
16 shall consist of reporting on metrics spe-
17 cific to operational responsibilities of the
18 ISO, RTO, or transmission planning enti-
19 ty, including the following:

20 (I) Market efficiency, which shall
21 assess the extent to which the ISO,
22 RTO, or transmission planning entity
23 is successful in operating efficient
24 wholesale electricity markets, mini-
25 mizing system congestion, and maxi-

1 mizing the use of existing grid infra-
2 structure to deliver cost-effective out-
3 comes for consumers, and may be ex-
4 pressed as average energy and ancil-
5 lary service costs (system-wide and by
6 major zone), system and zonal capac-
7 ity costs where applicable, congestion
8 costs, out-of-market payments, fre-
9 quency of redispatch, implementation
10 of congestion-relieving technologies, or
11 related metrics.

12 (II) Regional interconnection per-
13 formance, which shall assess the effec-
14 tiveness and efficiency of interconnec-
15 tion processes, and may include
16 metrics that measure the duration of
17 queue processing, the rate of project
18 withdrawals, and the share of projects
19 that successfully reach commercial op-
20 eration, or related metrics.

21 (III) Regional and interregional
22 development, which shall assess the
23 extent and effectiveness of regional
24 and interregional transmission plan-
25 ning and buildout, and may be ex-

1 pressed in relation to the number and
2 total capacity of transmission lines de-
3 veloped through regional and inter-
4 regional planning processes, the pro-
5 portion of new transmission projects
6 selected through regional planning
7 processes versus those advanced out-
8 side of such processes (including local
9 or supplemental projects), the number
10 of projects selected through competi-
11 tive processes, the use and outcomes
12 of benefit-cost analysis in project se-
13 lection and development, the fre-
14 quency of stakeholder engagement,
15 the ratio of total investment in inter-
16 regional and regional transmission to
17 investment in local transmission, or
18 other related metrics.

19 (IV) Greenhouse gas emissions
20 intensity, which shall assess the emis-
21 sions profile of electricity delivered
22 within the service territory of the ISO,
23 RTO, or transmission planning entity
24 in the reporting year, and may be ex-
25 pressed as the emissions intensity of

1 delivered electricity in carbon dioxide
2 equivalents per megawatt-hour, or re-
3 lated metrics.

4 (V) Any additional outcome-
5 based performance metrics the Com-
6 mission determines necessary to im-
7 prove transparency, affordability, reli-
8 ability, equity, or environmental per-
9 formance of the transmission system
10 overseen by the RTO, ISO, or trans-
11 mission planning entity.

12 (C) DATA DISCLOSURE.—Each reporting
13 entity shall publish and submit to the Sec-
14 retary, with each scorecard published under this
15 paragraph, all non-confidential underlying data
16 supporting the metrics included in the score-
17 card, in a machine-readable, open-data format.

18 (D) INITIAL REPORTING.—Each reporting
19 entity shall publish and submit to the Secretary
20 its first annual scorecard not later than 2 years
21 after the date of enactment of this Act.

22 (2) METRIC AND METHODOLOGY STANDARDIZA-
23 TION.—Not later than 1 year after the date of en-
24 actment of this Act, the Commission, with input
25 from the Secretary, the Administrator, the National

1 Laboratories, and other stakeholders shall issue
2 guidance that, where appropriate, standardizes the
3 metrics required to be included in a scorecard under
4 paragraph (1) and the methodologies for calculating
5 such metrics.

6 (3) VERIFICATION REQUIREMENTS.—

7 (A) IN GENERAL.—The Commission shall
8 establish a process by which scorecards required
9 to be developed under paragraph (1) are
10 verified by independent evaluators to ensure ac-
11 curacy, consistency, and credibility prior to pub-
12 lication under such paragraph. The Commission
13 shall include in such process—

14 (i) requirements for the approval by
15 the Commission of independent evaluators,
16 including requirements that an inde-
17 pendent evaluator—

18 (I) possess demonstrated exper-
19 tise in electric transmission planning,
20 data validation, engineering analysis,
21 or grid performance evaluation; and

22 (II) be independent from the en-
23 tity being verified and have no finan-
24 cial, contractual, or governance con-
25 flicts of interest;

1 (ii) procedures for auditing the as-
2 sumptions and methodologies used in ap-
3 plying performance metrics, including to
4 detect selective reporting and ensure align-
5 ment with Commission-defined protocols;

6 (iii) requirements to ensure that no
7 single independent evaluator, or their par-
8 ent company or subsidiary, may evaluate a
9 reporting entity more than 4 years in a
10 row, and not more than 7 times in any 10-
11 year period;

12 (iv) requirements under which an
13 independent evaluator approved by the
14 Commission may verify the information in
15 the scorecard of the reporting entity, by re-
16 viewing supporting documentation, con-
17 ducting project inspections, and applying
18 standardized evaluation, measurement, and
19 verification protocols for the metrics in-
20 cluded in the scorecard;

21 (v) requirements for public disclosure
22 of the results of such verification, including
23 any adjustments to reported values, meth-
24 odologies used in the verification process,

1 and justifications for material discrep-
2 ancies; and

3 (vi) a process for reviewing and refin-
4 ing verification protocols at regular inter-
5 vals, in consultation with any relevant
6 stakeholder advisory group convened under
7 subsection (c), to incorporate advances in
8 data analytics, energy system modeling,
9 and grid performance assessment.

10 (B) ROLE OF NATIONAL LABORATORIES.—

11 In carrying out this paragraph, the Commission
12 shall—

13 (i) collaborate with National Labora-
14 tories that have the necessary expertise, in
15 coordination with the Secretary, to design
16 and publish standardized verification pro-
17 tocols, including templates, analytical tools,
18 and calibration datasets;

19 (ii) utilize the technical expertise of
20 National Laboratories to assist in the
21 training, evaluation, or approval of inde-
22 pendent evaluators;

23 (iii) engage National Laboratories in
24 conducting selective audits or quality as-
25 surance reviews of verified scorecards dur-

1 ing initial implementation of the scorecard
2 reporting and verification process and im-
3 plementation of any subsequent updates to
4 such scorecards; and

5 (iv) consult National Laboratories
6 during periodic updates to the verification
7 process, in coordination with any relevant
8 stakeholder advisory group convened under
9 subsection (c).

10 (4) INDEPENDENT AUDITS.—

11 (A) IN GENERAL.—The Commission, in
12 consultation with the Secretary, shall designate
13 National Laboratories with necessary expertise,
14 or other qualified institutions, to conduct inde-
15 pendent audits of scorecards published under
16 paragraph (1) on a periodic or as-needed basis
17 to ensure the accuracy, completeness, and in-
18 tegrity of reported data, methodologies, and
19 performance metrics.

20 (B) INITIATION.—An audit under this
21 paragraph may be initiated—

- 22 (i) at the discretion of the Secretary;
23 (ii) upon identification of material dis-
24 crepancies in reported metrics;

1 (iii) in response to concerns raised by
2 a stakeholder advisory group convened
3 under subsection (c); or

4 (iv) as part of a randomized, rotating
5 sample of reporting entities to support con-
6 tinuous oversight.

7 (C) RESULTS.—The results of an audit
8 conducted under this paragraph shall be made
9 publicly available not later than 2 months after
10 completion of the audit.

11 (5) RULEMAKING.—

12 (A) IN GENERAL.—Not later than 1 year
13 after the date of enactment of this Act, the
14 Commission shall issue a final rule to carry out
15 this subsection.

16 (B) DEPARTMENT OF ENERGY SUPPORT.—
17 Upon request by the Commission, the Secretary
18 shall provide technical assistance, subject-mat-
19 ter expertise, and access to relevant data and
20 tools to the Commission in developing the rule
21 required to be published under this paragraph.

22 (C) INCLUSIONS.—The Commission shall
23 include in the rule issued under this para-
24 graph—

1 (i) requirements to ensure timely and
2 consistent reporting, which may include re-
3 quirements for data-sharing agreements,
4 protocols for data access, and other mecha-
5 nisms as necessary to facilitate the comple-
6 tion of scorecards;

7 (ii) allowance for the use of reason-
8 able proxies, estimates, or approximations
9 based on best available data and trans-
10 parent methodologies where direct data is
11 unavailable; and

12 (iii) requirements that all reported
13 metrics reflect a good-faith effort to pro-
14 vide reasonably accurate representations of
15 transmission facility and system perform-
16 ance, subject to Commission review and
17 oversight.

18 (D) REVISIONS.—In issuing any revisions
19 to the rule under this subsection, the Commis-
20 sion shall ensure that—

21 (i) such revisions are based on the
22 outcomes of any applicable technical con-
23 ference held under subsection (c);

24 (ii) the period for public comment on
25 such revisions is not less than 90 days; and

1 (iii) the final rulemaking such revi-
2 sions is issued not later than 180 days
3 after the close of such period for public
4 comment.

5 (6) ENFORCEMENT.—With respect to any Inde-
6 pendent System Operator, Regional Transmission
7 Organization, or covered transmission owner subject
8 to the requirements of part II of the Federal Power
9 Act that is required to publish a scorecard under
10 paragraph (1), a violation of a requirement of this
11 subsection shall be considered a violation of a provi-
12 sion of such part II for purposes of section 316A of
13 such Act (16 U.S.C. 825o–1).

14 (7) REPORT.—The Secretary shall annually
15 publish a report that compiles and analyzes score-
16 cards submitted to the Secretary under paragraph
17 (1) and, for each metric—

18 (A) ranks the performance of reporting en-
19 tities, grouped by market type and governance
20 structure; and

21 (B) explains the metric and describes any
22 changes over time in the affordability, reli-
23 ability, equity, or environmental performance of
24 the transmission system, as evidenced by
25 changes in the information included by report-

1 ing entities in such scorecards with respect to
2 the metric.

3 (8) SCORECARD REVIEW.—Not later than 3
4 years after the date of enactment of this Act, and
5 every 3 years thereafter, the Secretary, in coordina-
6 tion with the Commission shall conduct a com-
7 prehensive review of the implementation of this sub-
8 section, including the administration of the sub-
9 section, data collection and coordination, reporting
10 entity compliance, stakeholder engagement, and the
11 effectiveness of the information included in score-
12 cards as a policy tool and issue a public report that
13 includes—

14 (A) an assessment and comparison of the
15 annual changes in utility performance regarding
16 the metrics required to be included in the score-
17 cards;

18 (B) evaluation of data quality, availability,
19 methodologies, and verification practices rel-
20 evant to the scorecards; and

21 (C) findings and recommendations regard-
22 ing the scorecards provided by the technical
23 conferences held and stakeholder advisory group
24 convened under subsection (c).

25 (b) ACCESSIBILITY AND PUBLIC TRANSPARENCY.—

1 (1) ESTABLISHMENT OF PUBLIC-FACING
2 SCORECARD PORTAL.—

3 (A) INITIATION.—Not later than 12
4 months after the date of enactment of this Act,
5 the Secretary, in collaboration with the Com-
6 mission and the Administrator, shall initiate the
7 establishment of a public, searchable online por-
8 tal housing scorecards and underlying data sub-
9 mitted to the Secretary under this Act.

10 (B) PORTAL AVAILABILITY.—Not later
11 than 27 months after the date of enactment of
12 this Act, the Secretary shall establish and make
13 available a public, searchable online portal
14 housing scorecards and underlying data sub-
15 mitted to the Secretary under this Act.

16 (2) INCLUSION IN PORTAL.—The Secretary
17 shall make public through the searchable online por-
18 tal established under this subsection each scorecard,
19 together with the underlying data associated with
20 each scorecard, that is submitted to the Secretary
21 under this Act.

22 (c) SCORECARD IMPROVEMENT.—

23 (1) TECHNICAL CONFERENCES.—The Commis-
24 sion shall hold public technical conferences not less

1 often than once every 3 years to solicit stakeholder
2 feedback on—

3 (A) the effectiveness of scorecard metrics
4 in conveying the performance of a given report-
5 ing entity;

6 (B) the sufficiency and quality of the data
7 disclosed in scorecards;

8 (C) the alignment of scorecards with Fed-
9 eral and State priorities, including affordability
10 and reliability of transmitted electricity; and

11 (D) opportunities to refine metrics in light
12 of emerging technologies, grid conditions, and
13 energy markets.

14 (2) STAKEHOLDER ADVISORY GROUPS.—For
15 purposes of a rulemaking under subsection (a) and
16 each technical conference held under paragraph (1),
17 the Commission shall convene a stakeholder advisory
18 group to provide advice to the Commission. Each
19 such stakeholder advisory group shall be composed
20 of 17 members, as follows:

21 (A) 2 members representing State public
22 utility commissions.

23 (B) 2 members representing covered trans-
24 mission owners.

1 (C) 1 member representing independent
2 power producers.

3 (D) 2 members representing Regional
4 Transmission Organizations.

5 (E) 2 members representing Independent
6 System Operators.

7 (F) 2 members representing transmission
8 planning entities that are not Regional Trans-
9 mission Organizations or Independent System
10 Operators.

11 (G) 2 members representing ratepayer ad-
12 vocacy organizations.

13 (H) 2 members with expertise in energy
14 data and grid analytics.

15 (I) 2 members with expertise in energy
16 systems performance, representing academic or
17 research institutions, including the National
18 Laboratories.

19 (3) RESPONSE REQUIRED.—Not later than 60
20 days after receiving any advice from a stakeholder
21 group convened under paragraph (2), the Commis-
22 sion shall respond in writing to such advice.

23 (d) DEFINITIONS.—In this section:

24 (1) ADMINISTRATOR.—The term “Adminis-
25 trator” means the Administrator of the Energy In-

1 formation Administration of the Department of En-
2 ergy.

3 (2) ADVANCED TRANSMISSION TECHNOLOGY.—

4 The term “advanced transmission technology”
5 means any hardware or software that—

6 (A) increases the capacity, efficiency, reli-
7 ability, resilience, or safety of transmission fa-
8 cilities and transmission technologies;

9 (B) is installed in addition to new or exist-
10 ing transmission facilities and transmission
11 technologies—

12 (i) to give operators of the trans-
13 mission facilities and transmission tech-
14 nologies more situational awareness and
15 control over the electric grid;

16 (ii) to make the transmission facilities
17 and transmission technologies more effi-
18 cient; or

19 (iii) to increase the transfer capacity
20 of the transmission facilities and trans-
21 mission technologies; and

22 (C) includes, but is not limited to, dynamic
23 line ratings, advanced conductors, topology opti-
24 mization, advanced power-flow controls, and

1 other digital or physical systems that increase
2 the usable transfer capability of the grid.

3 (3) BULK-POWER SYSTEM.—The term “bulk-
4 power system” has the meaning given that term in
5 section 215 of the Federal Power Act (16 U.S.C.
6 824o).

7 (4) COMMISSION.—The term “Commission”
8 means the Federal Energy Regulatory Commission.

9 (5) COVERED TRANSMISSION OWNER.—The
10 term “covered transmission owner” means any enti-
11 ty, other than an Independent System Operator, Re-
12 gional Transmission Organization, or transmission
13 planning entity, that—

14 (A) owns, operates, or controls trans-
15 mission facilities that are part of, or connected
16 to, the bulk-power system;

17 (B) provides, or is capable of providing,
18 transmission service for the movement of elec-
19 tric energy, whether in interstate or intrastate
20 commerce; and

21 (C) if the entity owns, operates, or controls
22 transmission facilities that are not part of, or
23 connected to, the bulk-power system, the total
24 transmission capacity under peak demand con-
25 ditions of all transmission facilities owned, op-

1 erated, or controlled by the entity is 100
2 megawatts or greater.

3 (6) INDEPENDENT SYSTEM OPERATOR; ISO; RE-
4 GIONAL TRANSMISSION ORGANIZATION; RTO; TRANS-
5 MITTING UTILITY.—The terms “Independent System
6 Operator”, “ISO”, “Regional Transmission Organi-
7 zation”, “RTO”, and “transmitting utility” have the
8 meanings given those terms in section 3 of the Fed-
9 eral Power Act (16 U.S.C. 796).

10 (7) INTERREGIONAL INTERCONNECTION.—The
11 term “interregional interconnection” means a trans-
12 mission facility or interconnection project that en-
13 ables the transfer of electric energy between 2 or
14 more transmission planning regions, including con-
15 nections between any of the Western Interconnec-
16 tion, the Eastern Interconnection, and the Electric
17 Reliability Council of Texas.

18 (8) REPORTING ENTITY.—The term “reporting
19 entity” means an entity required to submit a score-
20 card under this Act.

21 (9) SCORECARD.—The term “scorecard” means
22 an annual report required to be submitted by a cov-
23 ered transmission owner, Independent System Oper-
24 ator, Regional Transmission Organization, or trans-
25 mission planning entity pursuant to subsection (a).

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

3 (11) TRANSMISSION PLANNING ENTITY.—The
4 term “transmission planning entity” means an enti-
5 ty, other than a RTO or an ISO, that is responsible
6 for planning for the deployment of electric trans-
7 mission for a transmission planning region.

8 (12) TRANSMISSION PLANNING REGION.—The
9 term “transmission planning region” means a geo-
10 graphic area determined by the Commission to sat-
11 isfy the requirements for the scope of regional trans-
12 mission planning, as established in or in compliance
13 with the following orders issued by the Commission:

14 (A) “Transmission Planning and Cost Al-
15 location by Transmission Owning and Oper-
16 ating Public Utilities” published in the Federal
17 Register on October 24, 2012 (77 Fed. Reg.
18 64890).

19 (B) “Building for the Future Through
20 Electric Regional Transmission Planning and
21 Cost Allocation” published in the Federal Reg-
22 ister on June 11, 2024 (89 Fed. Reg. 49280).

1 **TITLE VII—COLLABORATING**
2 **WITH COMMUNITIES FOR**
3 **SUCCESSFUL DEPLOYMENT**

4 **SEC. 701. FEDERAL PERMITTING CAPACITY.**

5 (a) IN GENERAL.—To the maximum extent prac-
6 ticable, the head of each agency listed under section
7 41002(b)(2)(B) of the FAST Act (42 U.S.C. 4370m–
8 1(b)(2)(B)), including the head of any agency invited pur-
9 suant to clause (xiv) of such subparagraph (B), shall
10 maintain adequate personnel capacity and expertise to
11 process authorizations and environmental documents for
12 projects in a timely manner, including in compliance with
13 sections 107(g) and 112(a)(4) of the National Environ-
14 mental Policy Act of 1969 (42 U.S.C. 4336a(g) and
15 4336f(a)(4)).

16 (b) ASSESSMENT.—Not later than 90 days after the
17 date of enactment of this section, the head of each agency
18 described in subsection (a) shall submit to the Director
19 of the Office of Personnel Management, the Committee
20 on Natural Resources, and the Environment and Public
21 Works Committee a report on the personnel capacity of
22 the agency to process authorizations and environmental
23 documents for projects in a timely manner, which shall
24 include—

1 (1) the number of employees—broken down by
2 field office—responsible for processing such author-
3 izations and environmental documents as of the date
4 on which the report is submitted;

5 (2) the number of employees—broken down by
6 field office—responsible for processing such author-
7 izations and environmental documents as of January
8 1, 2025;

9 (3) the number of employees—broken down by
10 field office—necessary for the agency to complete
11 environmental documents in compliance with sec-
12 tions 107(g) and 112(a)(4) of the National Environ-
13 mental Policy Act of 1969 (42 U.S.C. 4336a(g) and
14 4336f(a)(4));

15 (4) the capacity of the agency—broken down by
16 field office—to engage with communities affected by
17 projects when preparing environmental documents,
18 including dedicated Tribal consultation capacity, lan-
19 guage access services, and designated community en-
20 gagement personnel as described in section 706;

21 (5) the adequacy of the training available to
22 employees related to processing such authorizations
23 and environmental documents; and

24 (6) a finding by the agency whether there are
25 a sufficient number of employees of the agency to

1 comply with sections 107(g) and 112(a)(4) of the
2 National Environmental Policy Act of 1969 (42
3 U.S.C. 4336a(g) and 4336f(a)(4)) and engage with
4 communities.

5 (c) IMPLEMENTATION PLAN.—Upon receipt of the
6 report, if an agency finds under subsection (b)(5) that
7 there are an insufficient number of employees—broken
8 down by field office—of the agency to comply with sections
9 107(g) and 112(a)(4) of the National Environmental Pol-
10 icy Act of 1969 (42 U.S.C. 4336a(g) and 4336f(a)(4)) and
11 engage with communities, or insufficient training opportu-
12 nities available, the Director of the Office of Personnel
13 Management shall develop and execute a plan to increase
14 personnel capacity and expertise at the agency.

15 (d) DIRECT HIRE AUTHORITY.—

16 (1) IN GENERAL.—Notwithstanding section
17 3304 of title 5, United States Code, and without re-
18 gard to the provisions of sections 3309 through
19 3318 of such title 5, if the head of an agency de-
20 scribed in subsection (a) issues or renews a certifi-
21 cation that there is a severe shortage of candidates
22 or a critical hiring need for covered positions to
23 carry out the responsibilities and activities of the
24 agency with respect to processing authorizations and
25 environmental documents for infrastructure projects

1 in a timely manner, the agency head may, subject to
2 paragraphs (2) and (3), recruit and directly appoint
3 highly qualified individuals into the competitive serv-
4 ice.

5 (2) LIMITATION.—The recruiting and appoint-
6 ment of highly qualified individuals under paragraph
7 (1) shall be consistent with the merit principles of
8 section 2301 of title 5, United States Code, and the
9 agency shall comply with the public notice require-
10 ments of section 3327 of such title 5.

11 (3) TERMINATION.—A certification issued or
12 renewed under this subsection shall terminate on the
13 earlier of—

14 (A) the date that is 5 years after the cer-
15 tification is issued or renewed; or

16 (B) the date on which the agency head de-
17 termines that there is no longer a severe short-
18 age of candidates or a critical hiring need for
19 covered positions to carry out the responsibil-
20 ities and activities of the agency related to per-
21 mitting.

22 (e) AUTHORIZATION OF APPROPRIATIONS.—In addi-
23 tion to amounts otherwise available, there is authorized
24 to be appropriated such sums as is necessary to conduct
25 more efficient, accurate, and timely reviews for planning,

1 permitting and approval processes through the hiring and
2 training of personnel, and the purchase of technical and
3 scientific services and new equipment, and to improve
4 agency transparency, accountability, and public engage-
5 ment.

6 (f) DEFINITIONS.—In this section:

7 (1) AUTHORIZATION.—The term “authoriza-
8 tion” means any license, permit, approval, finding,
9 determination, or other administrative decision
10 issued by an agency and any interagency consulta-
11 tion that is required or authorized under Federal
12 law in order to site, construct, reconstruct, or com-
13 mence operations of an infrastructure project.

14 (2) COVERED POSITION.—The term “covered
15 position” means a position in which an employee is
16 responsible for conducting work of a scientific, tech-
17 nical, engineering, mathematical, legal, or otherwise
18 highly specialized or skilled nature related to proc-
19 essing authorizations and environmental documents
20 for infrastructure projects in a timely manner.

21 (3) ENVIRONMENTAL DOCUMENT.—The term
22 “environmental document” has the meaning given
23 such term in section 111 of the National Environ-
24 mental Policy Act of 1969 (42 U.S.C. 4336e).

1 **SEC. 702. INTERAGENCY ENVIRONMENTAL DATA SYSTEM.**

2 (a) ESTABLISHMENT OF DATA STANDARDS.—

3 (1) IN GENERAL.—Not later than 60 days after
4 the date of enactment of this section, the Chair of
5 the Council on Environmental Quality, in consulta-
6 tion with the Federal Permitting Improvement
7 Steering Council, the Chief Information Officers
8 Council, the Office of Management and Budget, and
9 other relevant stakeholders and Federal agencies,
10 shall develop, publish, and iteratively update data
11 standards for the collection and curation of author-
12 ization data by Federal agencies, which shall be used
13 to—

14 (A) assist with environmental reviews and
15 authorizations;

16 (B) organize, define, and standardize var-
17 ious concepts, formats, and protocols that are
18 included in environmental reviews and author-
19 izations; and

20 (C) reduce the need for redundant environ-
21 mental reviews by creating a shared vocabulary
22 and software systems that will support vendor
23 neutrality, data interoperability, workflow auto-
24 mation, and automatic data exchange between
25 Federal agencies.

1 (2) INCLUSIONS.—The data standards devel-
2 oped, published, and iteratively updated under para-
3 graph (1) shall include the following:

4 (A) A standardized taxonomy that allows
5 Federal agencies to identify and track data
6 types, relationships, and values.

7 (B) Comprehensive categories for data,
8 such as—

- 9 (i) projects;
- 10 (ii) processes;
- 11 (iii) environmental documents;
- 12 (iv) public comments;
- 13 (v) geospatial information;
- 14 (vi) public engagement events, as ap-
15 plicable by process or Federal agency;
- 16 (vii) case events; and
- 17 (viii) milestones to ensure clarity and
18 uniformity.

19 (b) DEVELOPMENT OF PROTOTYPE TOOLS.—The
20 Chair of the Council on Environmental Quality, in con-
21 sultation with the Administrator of General Services, the
22 Federal Permitting Improvement Steering Council, the
23 Chief Information Officers Council, the Director of the Of-
24 fice of Management and Budget, and other relevant stake-
25 holders and Federal agencies, shall design, test, and build

1 prototype tools for environmental reviews and authoriza-
2 tions that will assist Federal agencies in implementing the
3 minimum functional requirements described in subsection
4 (c). The Chair of the Council on Environmental Quality
5 shall prioritize designing, testing, and building tools under
6 this subsection that—

7 (1) support authorization case or project man-
8 agement systems that manage tasks, milestones, and
9 activities associated with environmental reviews and
10 authorizations, and provide Federal agencies more
11 data and insight into such reviews and authoriza-
12 tions;

13 (2) enable—

14 (A) application submission and tracking
15 portals used by project sponsors, enabling
16 greater transparency; and

17 (B) public comment opportunity tracking
18 portals to increase transparency;

19 (3) facilitate automated applications, environ-
20 mental reviews, and authorizations;

21 (4) allow data exchange between Federal agen-
22 cy systems; and

23 (5) accelerate complex environmental reviews.

1 (c) PUBLICATION OF GUIDANCE FOR IMPLEMENTA-
2 TION OF DATA STANDARDS AND MINIMUM FUNCTIONAL
3 REQUIREMENTS.—

4 (1) PUBLICATION.—Not later than 120 days
5 after the date of enactment of this section, the Chair
6 of the Council on Environmental Quality shall pub-
7 lish guidance for how each Federal agency respon-
8 sible for environmental reviews or authorizations im-
9 plements—

10 (A) the data standards published under
11 subsection (a); and

12 (B) the following minimum functional re-
13 quirements:

14 (i) Application data sharing that en-
15 ables automated transfer of relevant envi-
16 ronmental review and authorization data
17 among Federal agencies.

18 (ii) Automated project screening to
19 assist frontline staff with reviewing project
20 sponsor provided information for complete-
21 ness and accuracy and determining if a
22 categorical exclusion or other general au-
23 thorization applies to an action. Automated
24 project screening may not be used by the
25 Council on Environmental Quality or a

1 Federal agency to unlawfully restrict any
2 activities on Federal lands.

3 (iii) Public availability of screening
4 criteria and related decision models.

5 (iv) Automated case or project man-
6 agement tools which include a repository of
7 relevant data and metadata that enable ad-
8 vanced tracking, reporting, and optimiza-
9 tion to aid workflows.

10 (v) Integrated geographic information
11 system analysis tools which incorporate
12 geospatial data layers and models for each
13 resource analyzed as part of an environ-
14 mental review or authorization for a given
15 study area.

16 (vi) Document management tools that
17 preserve metadata associated with
18 geospatial analysis, modeling, and other
19 analytic processes conducted during an en-
20 vironmental review or authorization, to
21 support future reviews and enable Artifi-
22 cial Intelligence-assisted analysis of past
23 decisions.

24 (vii) Automated comment compilation
25 and analysis tools, including services for

comment categorization and response that handle the lifecycle of comment submission, analysis, categorization and response with Artificial Intelligence support where appropriate.

(viii) Administrative record management tools that maintain both portable document formats and data-rich repositories accessible to both machine and human users.

(ix) Common or interoperable Federal agency services that integrate shared services, shared applications, and common user experiences for Federal agency staff, project sponsors, and the public.

(2) INCLUSIONS.—The guidance published under this subsection shall include the following:

(A) Guidelines for cloud-based storage, data sharing protocols, and application programming interfaces to enable the Council on Environmental Quality to work with Federal agencies to use authorization data to aid Federal agencies in modernizing their environmental reviews and authorizations and for

1 iterative development of the authorization por-
2 tal.

3 (B) Provisions that support scalability and
4 adaptability of the minimum requirements to
5 emerging technologies.

6 (d) IMPLEMENTATION OF DATA STANDARDS AND
7 MINIMUM FUNCTIONAL REQUIREMENTS.—

8 (1) IMPLEMENTATION.—The head of each Fed-
9 eral agency responsible for environmental reviews or
10 authorizations shall—

11 (A) not later than 90 days after the date
12 of enactment of this section—

13 (i) compare existing Federal agency
14 systems for environmental reviews and au-
15 thorizations under their authority with the
16 data standards published under subsection
17 (a) and the minimum functional require-
18 ments described in subsection (c)(1)(B)
19 and report findings from such comparison
20 to the Council on Environmental Quality;

21 (ii) assess whether existing Federal
22 agency technological capabilities are con-
23 sistent with the data standards published
24 under subsection (a) and the minimum

1 functional requirements described in sub-
2 section (c)(1)(B);

3 (iii) submit to the Council on Envi-
4 ronmental Quality a report that estimates
5 the completion dates for implementing the
6 data standards published under subsection
7 (a) and the minimum functional require-
8 ments described in subsection (c)(1)(B);
9 and

10 (iv) submit to the Council on Environ-
11 mental Quality, in consultation with the
12 Council on Environmental Quality, an im-
13 plementation plan that—

14 (I) describes how the Federal
15 agency will implement the data stand-
16 ards published under subsection (a)
17 and the minimum functional require-
18 ments described in subsection
19 (c)(1)(B); and

20 (II) describes how, to the extent
21 the Federal agency determines nec-
22 essary to meet relevant statutory re-
23 quirements, the Federal agency will
24 adopt or implement the prototype

1 tools tested, designed, and built under
2 subsection (b); and

3 (B) not later than 180 days after the date
4 of enactment of this section, begin imple-
5 menting the data standards published under
6 subsection (a) and the minimum functional re-
7 quirements described in subsection (c)(1)(B).

8 (2) REPORT.—Not less frequently than twice
9 each year, the Chief Information Officer of each
10 Federal agency, in consultation with the Chief Envi-
11 ronmental Review and Permitting Officer of each
12 Federal agency, shall submit to the Council on Envi-
13 ronmental Quality and the Director of the Office of
14 Management and Budget a report on the progress of
15 the Federal agency towards meeting the require-
16 ments of paragraph (1).

17 (e) UNIFIED INTERAGENCY DATA SYSTEM.—

18 (1) IN GENERAL.—

19 (A) UNIFIED INTERAGENCY DATA SYS-
20 TEM.—To the maximum extent practicable, the
21 Chair of the Council of Environmental Quality
22 and the head of each Federal agency respon-
23 sible for environmental reviews or authoriza-
24 tions shall iteratively develop and maintain a
25 unified interagency data system consisting of

1 interconnected Federal agency systems and
2 shared services for environmental reviews and
3 authorizations.

4 (B) AUTHORIZATION PORTAL.—

5 (i) IN GENERAL.—The shared services
6 developed and maintained under subpara-
7 graph (A) shall include a common inter-
8 active, digital, cloud-based authorization
9 portal, which shall—

10 (I) be designed in a manner con-
11 sistent with—

12 (aa) the recommendations of
13 the Council on Environmental
14 Quality included in the study
15 submitted pursuant to section
16 110 of the National Environ-
17 mental Policy Act of 1969 (42
18 U.S.C. 4336d) entitled “Council
19 on Environmental Quality Report
20 to Congress on the Potential for
21 Online and Digital Technologies
22 to Address Delays in Reviews
23 and Improve Public Accessibility
24 and Transparency under 42
25 U.S.C. 4332(2)(C)”; and

1 (bb) the minimum functional
2 requirements described in sub-
3 section (c)(1)(B);

4 (II) serve as a platform for
5 tracking and displaying real-time data
6 on environmental reviews and author-
7 izations made available through appli-
8 cation programming interfaces or
9 other reporting mechanisms from
10 Federal agency systems that are com-
11 pliant with the data standards and
12 data architecture described in this
13 section;

14 (III) be supported by a decentral-
15 ized, cross-network digital infrastruc-
16 ture software that ensures vendor
17 neutrality and interoperability of data
18 and models across Federal agencies;

19 (IV) include a mechanism for the
20 dissemination of relevant information
21 (such as a notice of intent for public
22 comment, public meetings, project
23 statuses, or a notice of intent to begin
24 an environmental review) to local com-
25 munities, as applicable;

1 (V) allow a project sponsor to
2 submit all necessary documentation
3 for environmental reviews and author-
4 izations in 1 unified and secure por-
5 tal;

6 (VI) support interactive, digital,
7 and cloud-based tools enabling appli-
8 cants to edit documents and collabo-
9 rate with relevant Federal agencies in
10 real time;

11 (VII) support visual features, in-
12 cluding video, animation, geographic
13 information system displays, inter-
14 active maps, and three-dimensional
15 renderings;

16 (VIII) provide for the exchange
17 of information to and from Federal
18 agency data systems via an applica-
19 tion programming interface or another
20 reporting mechanisms;

21 (IX) allow for the submission of
22 geospatial data associated with project
23 location, footprint, and impact;

1 (X) support automatic docu-
2 mentation of submission and process
3 timelines; and

4 (XI) allow the following metrics
5 to be tracked over time—

6 (aa) estimates of achieved
7 efficiencies, such as reductions in
8 the time between receipt of appli-
9 cations and final authorization
10 decisions;

11 (bb) comparisons of author-
12 ization timelines before and after
13 the implementation of this sec-
14 tion;

15 (cc) usage of the authoriza-
16 tion portal and other statistics
17 from the Digital Analytics Pro-
18 gram;

19 (dd) metrics on the number
20 of public comments received, re-
21 sponses provided, and community
22 meetings held;

23 (ee) the number of projects
24 subject to litigation based on au-

1 authorization deficiencies or ineffi-
2 ciencies;

3 (ff) a list of Federal agen-
4 cies that are not yet fully compli-
5 ant with the data standards pub-
6 lished under subsection (a) and
7 the minimum functional require-
8 ments described in subsection
9 (c)(1)(B), along with their
10 progress toward compliance; and

11 (gg) examples or repositories
12 of Federal agency-developed dig-
13 ital workflows enabled by the im-
14 plementation of this section, in-
15 cluding visualizations of data
16 sharing, authorizations and deci-
17 sion logic, and environmental re-
18 views.

19 (ii) ADMINISTRATIVE SUPPORT.—The
20 Administrator of General Services shall
21 host the authorization portal as a shared
22 service for Congress, Federal agencies, and
23 the public.

24 (iii) ACCESSABILITY.—The authoriza-
25 tion portal shall be accessible to Congress,

1 Federal agencies, and the public, with ap-
2 propriate safeguards to protect sensitive or
3 classified information and information re-
4 stricted by user type as appropriate.

5 (iv) PUBLIC ACCESSIBILITY.—To the
6 extent practicable and consistent with
7 other law, the authorization portal shall
8 provide public access to non-sensitive data,
9 including authorization timelines, location,
10 project type, environmental reviews, and
11 mitigation measures.

12 (v) CONGRESSIONAL ACCESS AND
13 OVERSIGHT.—

14 (I) IN GENERAL.—The authoriza-
15 tion portal shall provide Congress
16 with direct access to aggregated per-
17 formance data and other analytics to
18 enable real-time oversight of Federal
19 agencies.

20 (II) ARTIFICIAL INTELLIGENCE
21 SUPPORT SYSTEMS AND TRAINING MA-
22 TERIALS.—Congress shall have access
23 to the data, fine-tuning procedures,
24 and prompt configurations specifically
25 created or adapted for Artificial Intel-

1 ligence systems used to support envi-
2 ronmental review or authorization ac-
3 tivities, excluding proprietary or gen-
4 eral pretraining materials unrelated to
5 such agency-specific customization.

6 (III) TECHNICAL ASSISTANCE.—

7 The Council on Environmental Qual-
8 ity shall provide to Congress technical
9 assistance upon request to ensure ef-
10 fective use of the authorization portal
11 and Artificial Intelligence systems for
12 oversight purposes.

13 (C) CYBERSECURITY AND COMPLIANCE

14 CONSIDERATIONS.—The authorization portal
15 shall be designed to promote vendor neutral
16 interoperability, reduce redundancy, and ensure
17 compliance and coordination with other laws,
18 including—

19 (i) section 552a of title 5, United
20 States Code (commonly referred to as the
21 Privacy Act of 1974), and subchapter II of
22 chapter 35 of title 44, United States Code;

23 (ii) the Federal Risk and Authoriza-
24 tion Management Program established

1 under section 3608 of title 44, United
2 States Code; and

3 (iii) the Cybersecurity and Infrastruc-
4 ture Security Agency of the Department of
5 Homeland Security, for a case in which the
6 project is in coordination with a Federal
7 agency with stringent security require-
8 ments.

9 (2) DEADLINES.—

10 (A) SHARED SERVICES PILOT.—Not later
11 than 1 year after the date of enactment of this
12 section, the Council on Environmental Quality
13 shall oversee piloting of shared services for envi-
14 ronmental reviews and authorizations, including
15 the authorization portal under paragraph
16 (1)(B).

17 (B) UNIFIED SYSTEM DEVELOPMENT AND
18 IMPLEMENTATION.—To the maximum extent
19 practicable, not later than December 1, 2027,
20 the Chair of the Council on Environmental
21 Quality shall develop and implement the unified
22 interagency data system required under para-
23 graph (1)(A).

24 (3) REPORT.—Not less frequently than annu-
25 ally, the Chair of the Council on Environmental

1 Quality, in consultation with the Federal Permitting
2 Improvement Steering Council, the Chief Informa-
3 tion Officers Council, and other relevant stake-
4 holders and Federal agencies, shall submit to the
5 Committee on Natural Resources of the House of
6 Representatives and the Committee on Environment
7 and Public Works of the Senate a report on the
8 Council on Environmental Quality's progress on de-
9 veloping a unified interagency data system under
10 paragraph (1).

11 (f) AUTHORITY TO ENTER INTO CONTRACTS.—Sub-
12 ject to the availability of appropriations, the Council on
13 Environmental Quality may enter into contracts and other
14 arrangements for analyses, services, and products with
15 Federal agencies, private organizations, and businesses,
16 and make such payments as determined necessary by the
17 Council on Environmental Quality to carry out the provi-
18 sions of this section.

19 (g) CLARIFYING RULEMAKING AUTHORITY.—Noth-
20 ing in this section shall be construed to authorize the
21 Council on Environmental Quality or a Federal agency to
22 impose additional regulatory processes or requirements be-
23 yond those expressly stipulated under the National Envi-
24 ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
25 or any other law.

1 (h) SAVINGS CLAUSE.—To the extent that a data sys-
2 tem, technology, or tool developed or incorporated into a
3 unified interagency data system under this section is not
4 limited by project type, the data system, technology, or
5 tool shall not have its use be restricted by project type.

6 (i) DEFINITIONS.—In this section:

7 (1) AUTHORIZATION.—The term “authoriza-
8 tion” means any license, permit, approval, finding,
9 determination, or other administrative decision
10 issued by an agency and any interagency consulta-
11 tion that is required or authorized under Federal
12 law in order to site, construct, reconstruct, or com-
13 mence operations of a project administered by a
14 Federal agency.

15 (2) AUTHORIZATION DATA.—The term “author-
16 ization data” means—

17 (A) any data relevant for a Federal agency
18 to—

19 (i) determine the effect on the envi-
20 ronment of an action for which an author-
21 ization is required by the Federal agency;
22 and

23 (ii) determine whether to issue such
24 authorization; and

1 (B) any community input or public com-
2 ment on such determinations.

3 (3) DATA ARCHITECTURE.—The term “data ar-
4 chitecture” means the design and organization of
5 data systems, including frameworks for data storage,
6 processing, and exchange.

7 (4) DATA STANDARDS.—The term “data stand-
8 ards” means agreed-upon specifications for data for-
9 mats, structures, and definitions to ensure consist-
10 ency and vendor neutral interoperability.

11 (5) ENVIRONMENTAL REVIEW.—The term “en-
12 vironmental review” means any Federal agency pro-
13 cedures or processes for—

14 (A) applying a categorical exclusion; or

15 (B) preparing an environmental assess-
16 ment, an environmental impact statement, or
17 another document required under the National
18 Environmental Policy Act of 1969 (42 U.S.C.
19 4321 et seq.).

20 (6) FEDERAL AGENCY.—The term “Federal
21 agency” has the meaning given the term “agency”
22 in section 551 of title 5, United States Code.

23 (7) FEDERAL PERMITTING IMPROVEMENT
24 STEERING COUNCIL.—The term “Federal Permitting
25 Improvement Steering Council” has the meaning

1 given the term “Council” in section 41001 of the
2 FAST Act (42 U.S.C. 4370m).

3 **SEC. 703. TIMELY PUBLIC RELEASE OF NEPA DOCUMENTA-**
4 **TION.**

5 (a) IN GENERAL.—To achieve the goals described in
6 section 1507.4 of title 40, Code of Federal Regulations
7 (or a successor regulation), to allow agencies and the pub-
8 lic to efficiently and effectively access timely information
9 relating to environmental reviews required under the Na-
10 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
11 et seq.), the lead agency for a proposed major Federal ac-
12 tion shall make the documents identified under subsection
13 (b) with respect to such proposed major Federal action
14 available to the public in a searchable, digital format when
15 such documents are completed by the lead agency, or in
16 the case of final documents, finalized by the agency. The
17 lead agency shall make such documents available to the
18 public in a searchable, digital format by—

19 (1) publishing and maintaining such documents
20 on the public website or websites of the applicable
21 agency or agencies; and

22 (2) uploading such documents to the E-NEPA
23 online permitting portal established under subsection
24 (b) of section 110 of the National Environmental

1 Policy Act of 1969 (as added by section 702(b) of
2 this Act).

3 (b) DOCUMENTS.—The documents identified under
4 this subsection are the following:

5 (1) Any notice of intent and other scoping no-
6 tices.

7 (2) Any draft and final environmental assess-
8 ments and findings of no significant impacts.

9 (3) Any draft, final, and supplemental environ-
10 mental impact statements.

11 (4) Any records of decision.

12 (5) Any documentation associated with a deter-
13 mination to proceed with the proposed major Fed-
14 eral action under a categorical exclusion.

15 (6) Any additional related documentation.

16 (c) TIMING.—The lead agency shall make the docu-
17 ments identified under subsection (b) available to the pub-
18 lic in a searchable, digital format under subsection (a) by
19 not later than the earlier of—

20 (1) 3 days after the date on which the lead
21 agency completes the document; and

22 (2) 3 days after the date on the document is
23 published in the Federal Register.

24 (d) COOPERATING AGENCIES.—A cooperating agency
25 shall publish a link to the location on the website of the

1 lead agency to the documents identified under subsection
2 (b) on which the agency was a cooperating agency.

3 **SEC. 704. COMMUNITY BENEFITS AGREEMENTS.**

4 (a) **PRIORITIZATION IN NEPA.**—If a project sponsor
5 has entered into a community benefits agreement de-
6 scribed in subsection (b) with respect to an eligible project,
7 the applicable lead agency shall prioritize the completion
8 of the required environmental documents for the eligible
9 project.

10 (b) **COMMUNITY BENEFITS AGREEMENT (CBA).**—A
11 project sponsor and a CBA partner may enter into an
12 agreement that—

13 (1) relates to an eligible project for which an
14 authorization is sought;

15 (2) may include the disbursement of funds, in-
16 cluding commitments, for social, economic, or envi-
17 ronmental benefits that will—

18 (A) ensure benefits from the construction,
19 modification, and operation of the eligible
20 project are shared with nearby residents;

21 (B) offset adverse impacts resulting from
22 such construction, modification, or operation; or

23 (C) address legacy or historical harm or
24 adverse cumulative social, economic, or environ-

1 mental impacts in the location in which the eli-
2 gible project is to be carried out;

3 (3) includes commitments by a project sponsor
4 to hire members of the local workforce during con-
5 struction, modification, operation, or maintenance of
6 the eligible project;

7 (4) includes commitments to provide edu-
8 cational opportunities and training for workforce
9 and skills development, if it is determined that there
10 is an insufficient local workforce;

11 (5) may include commitments by a project
12 sponsor to procure materials and services from local
13 businesses, when possible;

14 (6) is negotiated through a process that in-
15 cludes meaningful engagement by the project spon-
16 sor with the CBA partner;

17 (7) details specific, measurable, and legally en-
18 forceable CBA commitments;

19 (8) includes a detailed plan, with clear metrics,
20 milestones, and timelines for accomplishing such
21 commitments;

22 (9) establishes specific roles, responsibilities,
23 and processes for tracking and reporting progress
24 with respect to commitments agreed to in the CBA;

1 (10) establishes clear enforcement processes to
2 address a failure to fulfill a commitment that was
3 agreed to;

4 (11) addresses the mechanism through which
5 any disbursement agreed to in the CBA will be held
6 and dispersed, such as through a trust fund or simi-
7 lar instrument; and

8 (12) if the CBA involves tribal lands or inter-
9 ests—

10 (A) it must be negotiated on a govern-
11 ment-to-government basis, in recognition of
12 trust obligations and tribal sovereignty; and

13 (B) the CBA may include compensation to
14 a Tribe for legal costs incurred during negotia-
15 tion (including legal, staffing, and consulting
16 expenses).

17 (c) TECHNICAL ASSISTANCE.—

18 (1) Upon request by a CBA partner, the lead
19 agency may provide technical assistance to the CBA
20 partner in developing and negotiating a community
21 benefits agreement.

22 (2) In providing technical assistance, the agen-
23 cy must utilize technical assistance providers who
24 are neutral, culturally competent, third parties with
25 experience developing CBAs.

1 (d) DEFINITIONS.—In this section:

2 (1) AUTHORIZATION.—The term “authoriza-
3 tion” means any license, permit, approval, finding,
4 determination, or other administrative decision
5 issued by an agency and any interagency consulta-
6 tion that is required or authorized under Federal
7 law in order to site, construct, reconstruct, or com-
8 mence operations of an infrastructure project.

9 (2) CBA PARTNER.—The term “CBA partner”
10 means a State, a local unit of government, an Indian
11 Tribe, a labor organization, or a community benefits
12 organization.

13 (3) COMMUNITY BENEFITS ORGANIZATION.—
14 The term “community benefits organization” means
15 an organization that—

16 (A) is described in section 501(c)(3) of the
17 Internal Revenue Code of 1986 and is exempt
18 from taxation under section 501(a) of such
19 Code; and

20 (B) is formed to protect the human health
21 and environment of communities in the area in
22 which a proposed the eligible project is to be
23 carried out.

1 (4) ELIGIBLE PROJECT.—The term “eligible
2 project” means a project for the construction, modi-
3 fication, or operation of a clean energy facility.

4 (5) ENVIRONMENTAL DOCUMENT; LEAD AGEN-
5 CY.—The terms “environmental document” and
6 “lead agency” have the meanings given such terms,
7 respectively, in section 111 of the National Environ-
8 mental Policy Act of 1969 (42 U.S.C. 4336e).

9 (6) CLEAN ENERGY FACILITY.—The term
10 “clean energy facility” means a facility that—

11 (A) uses wind, solar, or geothermal energy
12 to generate energy;

13 (B) transmits electricity to support wind,
14 solar, or geothermal energy generation; or

15 (C) stores energy.

16 **SEC. 705. INTERVENOR FUNDING AT FERC OFFICE OF PUB-**
17 **LIC PARTICIPATION.**

18 (a) IN GENERAL.—Section 319(b)(2) of the Federal
19 Power Act (16 U.S.C. 825q–l(b)(2)) is amended by strik-
20 ing “The Commission may” and inserting “The Commis-
21 sion shall”.

22 (b) RULEMAKING.—Not later than 180 days after the
23 date of enactment of this Act, the Federal Energy Regu-
24 latory Commission shall promulgate a final rule to provide
25 compensation under section 319(b)(2) of the Federal

1 Power Act (16 U.S.C. 825q–1(b)(2)), as amended by this
2 section. Under such rule the Commission shall require that
3 each intervenor or participant file a disclosure form of
4 earned and unearned income to identify conflicts of inter-
5 est. Such form shall not be overly burdensome.

6 **SEC. 706. SENIOR COMMUNITY ENGAGEMENT OFFICERS**
7 **AND TRIBAL COMMUNITY ENGAGEMENT OF-**
8 **FICERS.**

9 (a) DESIGNATION OF SENIOR COMMUNITY ENGAGE-
10 MENT OFFICERS AND TRIBAL COMMUNITY ENGAGEMENT
11 OFFICERS.—

12 (1) IN GENERAL.—The head of each Federal
13 agency required or authorized to complete an envi-
14 ronmental document or an authorization for a major
15 Federal action shall designate—

16 (A) 1 or more appropriate employees or of-
17 ficials of the applicable Federal agency to serve
18 as a senior community engagement officer (re-
19 ferred to in this section as an “SCO”); and

20 (B) 1 or more appropriate employees or of-
21 ficials of the applicable Federal agency (other
22 than an employee or official designated as an
23 SCO under subparagraph (A)) to serve as a
24 Tribal community engagement officer (referred
25 to in this section as a “TEO”).

1 (2) RESPONSIBILITIES OF AN SCO AND TEO.—

2 An SCO and a TEO shall—

3 (A) oversee community or Tribal, as appli-
4 cable, engagement in environmental review and
5 authorization processes carried out by the Fed-
6 eral agency;

7 (B) advise the applicable head of the Fed-
8 eral agency on matters relating to community
9 or Tribal, as applicable, engagement in such re-
10 views and processes;

11 (C) identify, recommend, and implement
12 approaches to expand and improve early, mean-
13 ingful community or Tribal, as applicable, en-
14 gagement relating to the environmental review
15 and authorization processes carried out by the
16 Federal agency, including to ensure timely pub-
17 lic access to all information relevant to inform
18 such engagement;

19 (D) identify and avoid or resolve conflicts
20 with communities or Indian Tribes affected by
21 the environmental review or authorization proc-
22 esses, as applicable—

23 (i) to align Federal actions with the
24 needs and interests of those communities
25 or Indian Tribes, as applicable; and

1 (ii) to minimize the potential for delay
2 of environmental review and authorization
3 processes carried out by the Federal agen-
4 cy;

5 (E) identify opportunities with affected
6 communities or Indian Tribes to accelerate the
7 environmental review and authorization proc-
8 esses carried out by the Federal agency;

9 (F) provide technical support and capacity
10 building, on request of a community or an In-
11 dian Tribe to enhance the ability of commu-
12 nities and Indian Tribes to engage construc-
13 tively in Federal agency decision making;

14 (G) assist in developing and negotiating
15 community benefits agreements consistent with
16 section 704; and

17 (H) coordinate with the Council on Envi-
18 ronmental Quality to develop interagency train-
19 ing modules, data sharing protocols, and com-
20 munity engagement standards to ensure con-
21 sistency and accountability across Federal agen-
22 cies.

23 (3) REPORTING.—An SCO and a TEO shall re-
24 port directly to a Deputy Secretary (or equivalent)

1 or higher position in the Federal agency in which
2 the SCO or TEO serves.

3 (4) GUIDANCE.—The Director of the Office of
4 Management and Budget shall establish any guid-
5 ance necessary to establish SCO and TEO positions
6 not later than 2 years of the date of enactment of
7 this Act.

8 (b) REGIONAL COMMUNITY ENGAGEMENT OFFI-
9 CERS.—A Federal agency may appoint regional commu-
10 nity engagement officers to support community and Tribal
11 engagement in environmental review and authorization
12 processes carried out by the Federal agency within a re-
13 gion impacted by a proposed major Federal project, in-
14 cluding by carrying out activities—

15 (1) to identify and implement approaches to ex-
16 pand and improve early, meaningful community and
17 Tribal engagement relating to the environmental re-
18 view and authorization processes carried out by the
19 Federal agency;

20 (2) to identify and avoid or resolve conflicts
21 with affected communities and Indian Tribes that
22 have the potential to delay environmental review and
23 authorization processes carried out by the Federal
24 agency;

1 (3) to identify opportunities with affected com-
2 munities and Indian Tribes to accelerate the envi-
3 ronmental review and authorization processes car-
4 ried out by the Federal agency;

5 (4) to provide technical support and capacity
6 building, on request of a community or an Indian
7 Tribe, to enhance the ability of communities or In-
8 dian Tribes to engage constructively in Federal
9 agency decision making; and

10 (5) to assist in developing and negotiating com-
11 munity benefits agreements consistent with section
12 704.

13 (c) APPLICATION.—Notwithstanding any other provi-
14 sion of law, chapter 10 of title 5, United States Code
15 (commonly known as the “Federal Advisory Committee
16 Act”), shall not apply to stakeholder engagement proc-
17 esses or public comment activities that are required under
18 or proceeding from a Federal environmental permitting
19 process and led by an SCO, a TEO, or a regional commu-
20 nity engagement officer appointed under subsection (b).

21 (d) FAST 41.—

22 (1) DEFINITION OF AGENCY SCO.—Section
23 41001 of the FAST Act (42 U.S.C. 4370m) is
24 amended—

1 (A) by redesignating paragraphs (2)
2 through (18) as paragraphs (3) through (19),
3 respectively; and

4 (B) by inserting after paragraph (1) the
5 following:

6 “(2) AGENCY SCO.—The term ‘agency SCO’
7 means the senior community engagement officer of
8 an agency, as designated by the head of the agency
9 under section 706(a)(1)(A) of the Energy Bills Re-
10 lief Act.”.

11 (2) DISPUTE RESOLUTION.—Section
12 41003(c)(2)(C)(i) of the FAST Act (42 U.S.C.
13 4370m–2(c)(2)(C)(i)) is amended by striking “agen-
14 cy CERPOs” and inserting “agency CERPOs, agen-
15 cy SCOs,”.

16 (3) ENVIRONMENTAL REVIEW IMPROVEMENT
17 FUND.—Section 41009(d)(3) of the FAST Act (42
18 U.S.C. 4370m–8(d)(3)) is amended—

19 (A) by striking “facilitate timely” and in-
20 serting “facilitate early, meaningful community
21 engagement and timely”; and

22 (B) by inserting “and agency SCOs” after
23 “agency CERPOs”.

24 (e) DEFINITIONS.—In this section:

1 (1) AUTHORIZATION.—The term “authoriza-
2 tion” means any license, permit, approval, finding,
3 determination, or other administrative decision
4 issued by an agency and any interagency consulta-
5 tion that is required or authorized under Federal
6 law in order to site, construct, reconstruct, or com-
7 mence operations of an infrastructure project.

8 (2) ENVIRONMENTAL DOCUMENT.—The term
9 “environmental document” has the meaning given
10 such term in section 111 of the National Environ-
11 mental Policy Act of 1969 (42 U.S.C. 4336e).

12 **SEC. 707. CAPACITY GRANTS FOR PERMITTING AND COM-**
13 **MUNITY ENGAGEMENT.**

14 (a) IN GENERAL.—The Administrator of the Envi-
15 ronmental Protection Agency shall make grants to States,
16 units of local government, and Indian Tribes which shall
17 be used for purposes of—

18 (1) increasing the capacity of such organiza-
19 tions to conduct activities related to proposed major
20 Federal actions, and State, local, and Tribal envi-
21 ronmental reviews, permits, and consultations, in-
22 cluding by—

23 (A) compiling data and conducting anal-
24 yses, planning, and environmental review;

1 (B) determining potential economic, social,
2 public health, and environmental impacts; or

3 (C) identifying opportunities to mitigate
4 such impacts;

5 (2) coordinating with relevant Federal agencies
6 in order to establish shared permitting information
7 portals in association with the linked interagency en-
8 vironmental data collection systems established
9 under section 702 through which project developers
10 can—

11 (A) acquire all relevant information re-
12 garding pertinent Federal, State and local per-
13 mitting requirements;

14 (B) submit all required permit applica-
15 tions; and

16 (C) request and receive assistance in com-
17 pleting relevant permit applications;

18 (3) identifying and minimizing redundancy be-
19 tween relevant Federal, State and local permitting
20 requirements;

21 (4) enhancing community engagement opportu-
22 nities related to environmental reviews;

23 (5) identifying zones for renewable energy de-
24 velopment;

1 (6) facilitating the siting of renewable energy-
2 related facilities and infrastructure;

3 (7) establishing local zoning ordinances that
4 promote the development of renewable energy; and

5 (8) training and hiring personnel, and other ac-
6 tivities to increase the capacity of States, units of
7 local government, Indian Tribes, and nonprofit asso-
8 ciations, as applicable, to carry out activities de-
9 scribed in paragraphs (1) through (7).

10 (b) FUNDING.—There is authorized to be appro-
11 priated to the Administrator of the Environmental Protec-
12 tion Agency to make grants under subsection (a)
13 \$500,000,000 for each of fiscal years 2026 through 2031.

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