

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 8
OFFERED BY M . _____

Amend the table of contents to read as follows:

Sec. 1. Short title; table of contents.

TITLE I—MODERNIZING AND PROTECTING INFRASTRUCTURE

Subtitle A—Energy Delivery, Reliability, and Security

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

Subtitle B—Hydropower Regulatory Modernization

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

TITLE II—ENERGY SECURITY AND DIPLOMACY

- Sec. 2001. Sense of Congress.
- Sec. 2002. Energy security valuation.
- Sec. 2003. North American energy security plan.

- Sec. 2004. Collective energy security.
- Sec. 2005. Authorization to export natural gas.

TITLE III—ENERGY EFFICIENCY AND ACCOUNTABILITY

Subtitle A—Energy Efficiency

CHAPTER 1—FEDERAL AGENCY ENERGY EFFICIENCY

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- Sec. 3113. Report on energy and water savings potential from thermal insulation.
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CHAPTER 2—ENERGY EFFICIENT TECHNOLOGY AND MANUFACTURING

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- Sec. 3122. Voluntary verification programs for air conditioning, furnace, boiler, heat pump, and water heater products.
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- Sec. 3126. Internet of Things report.

CHAPTER 3—SCHOOL BUILDINGS

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

CHAPTER 4—BUILDING ENERGY CODES

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

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

CHAPTER 6—ENERGY AND WATER EFFICIENCY

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

Subtitle B—Accountability

CHAPTER 1—MARKET MANIPULATION, ENFORCEMENT, AND COMPLIANCE

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

CHAPTER 2—MARKET REFORMS

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

CHAPTER 3—CODE MAINTENANCE

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

CHAPTER 4—USE OF EXISTING FUNDS

- Sec. 3261. Use of existing funds.

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

- 1 “(7) DISCLOSURE OF PROTECTED INFORMA-
- 2 TION.—In implementing this section, the Commis-
- 3 sion shall segregate critical electric infrastructure in-
- 4 formation or information that reasonably could be
- 5 expected to lead to the disclosure of the critical elec-
- 6 tric infrastructure information within documents and
- 7 electronic communications, wherever feasible, to fa-

1 facilitate disclosure of information that is not des-
2 igned as critical electric infrastructure informa-
3 tion.

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

4 (e) DISCLOSURE OF INFORMATION.—Any informa-
5 tion included in the Strategic Transformer Reserve plan,
6 or shared in the preparation and development of such
7 plan, the disclosure of which could cause harm to critical
8 electric infrastructure, shall be deemed to be critical elec-
9 tric infrastructure information for purposes of section
10 215A(d) of the Federal Power Act.

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

11 (e) DISCLOSURE OF INFORMATION.—Any vulner-
12 ability reported pursuant to regulations promulgated
13 under subsection (b)(3), the disclosure of which could
14 cause harm to critical electric infrastructure (as defined
15 in section 215A of the Federal Power Act), shall be
16 deemed to be critical electric infrastructure information
17 for purposes of section 215A(d) of the Federal Power Act.

Amend section 1109 to read as follows:

1 **SEC. 1109. INCREASED ACCOUNTABILITY WITH RESPECT**
2 **TO CARBON CAPTURE, UTILIZATION, AND SE-**
3 **QUESTRATION PROJECTS.**

4 (a) DOE EVALUATION.—

5 (1) IN GENERAL.—The Secretary of Energy (in
6 this section referred to as the “Secretary”) shall, in
7 accordance with this section, annually conduct an
8 evaluation, and make recommendations, with respect
9 to each project conducted by the Secretary for re-
10 search, development, demonstration, or deployment
11 of carbon capture, utilization, and sequestration
12 technologies (also known as carbon capture and stor-
13 age and utilization technologies).

14 (2) SCOPE.—For purposes of this section, a
15 project includes any contract, lease, cooperative
16 agreement, or other similar transaction with a public
17 agency or private organization or person, entered
18 into or performed, or any payment made, by the
19 Secretary for research, development, demonstration,
20 or deployment of carbon capture, utilization, and se-
21 questration technologies.

22 (b) REQUIREMENTS FOR EVALUATION.—In con-
23 ducting an evaluation of a project under this section, the
24 Secretary shall—

25 (1) examine if the project has made advance-
26 ments toward achieving any specific goal of the

1 project with respect to a carbon capture, utilization,
2 and sequestration technology; and

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

6 (c) RECOMMENDATIONS.—For each evaluation of a
7 project conducted under this section, if the Secretary de-
8 termines that—

9 (1) significant progress in advancing a carbon
10 capture, utilization, and sequestration technology
11 has been made, the Secretary shall assess the fund-
12 ing of the project and make a recommendation as to
13 whether increased funding is necessary to advance
14 the project; or

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

18 (A) assess the funding of the project and
19 make a recommendation as to whether in-
20 creased funding is necessary to advance the
21 project;

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

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

1 (d) REPORTS.—

2 (1) REPORT ON EVALUATIONS AND REC-
3 OMMENDATIONS.—Not later than 2 years after the
4 date of enactment of this Act, and every 2 years
5 thereafter, the Secretary shall—

6 (A) issue a report on the evaluations con-
7 ducted and recommendations made during the
8 previous year pursuant to this section; and

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

11 (2) REPORT.—Not later than 2 years after the
12 date of enactment of this Act, and every 3 years
13 thereafter, the Secretary shall submit to the Sub-
14 committee on Energy and Power of the Committee
15 on Energy and Commerce and the Committee on
16 Science, Space, and Technology of the House of
17 Representatives and the Committee on Energy and
18 Natural Resources and the Committee on Com-
19 merce, Science, and Transportation of the Senate a
20 report on—

21 (A) the evaluations conducted and rec-
22 ommendations made during the previous 3
23 years pursuant to this section; and

24 (B) the progress of the Department of En-
25 ergy in advancing carbon capture, utilization,

1 and sequestration technologies, including
2 progress in achieving the Department of Ener-
3 gy’s goal of having an array of advanced carbon
4 capture and sequestration technologies ready by
5 2020 for large-scale demonstration.

Insert after section 1110 the following:

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

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

10 (1) In subsection (b)—

11 (A) by striking “(b)(1) For the purposes of
12 this section ‘Federal lands’ means” and insert-
13 ing the following:

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

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

18 (B) by striking the period at the end of
19 paragraph (1) and inserting “; and” and by
20 adding at the end of paragraph (1) the fol-
21 lowing:

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

1 “(i) such lands held in trust for an Indian
2 or Indian tribe; and

3 “(ii) lands on the Outer Continental
4 Shelf.”.

5 (2) By redesignating subsection (b), as so
6 amended, as subsection (z), and transferring such
7 subsection to appear after subsection (y) of that sec-
8 tion.

9 (3) By inserting after subsection (a) the fol-
10 lowing:

11 “(b) NATIONAL ENERGY SECURITY CORRIDORS.—

12 “(1) DESIGNATION.—In addition to other au-
13 thorities under this section, the Secretary shall—

14 “(A) identify and designate suitable Fed-
15 eral lands as National Energy Security Cor-
16 ridors (in this subsection referred to as a ‘Cor-
17 ridor’), which shall be used for construction, op-
18 eration, and maintenance of natural gas trans-
19 mission facilities; and

20 “(B) incorporate such Corridors upon des-
21 ignation into the relevant agency land use and
22 resource management plans or equivalent plans.

23 “(2) CONSIDERATIONS.—In evaluating Federal
24 lands for designation as a National Energy Security
25 Corridor, the Secretary shall—

1 “(A) employ the principle of multiple use
2 to ensure route decisions balance national en-
3 ergy security needs with existing land use prin-
4 ciples;

5 “(B) seek input from other Federal coun-
6 terparts, State, local, and tribal governments,
7 and affected utility and pipeline industries to
8 determine the best suitable, most cost-effective,
9 and commercially viable acreage for natural gas
10 transmission facilities;

11 “(C) focus on transmission routes that im-
12 prove domestic energy security through increas-
13 ing reliability, relieving congestion, reducing
14 natural gas prices, and meeting growing de-
15 mand for natural gas; and

16 “(D) take into account technological inno-
17 vations that reduce the need for surface dis-
18 turbance.

19 “(3) PROCEDURES.—The Secretary shall estab-
20 lish procedures to expedite and approve applications
21 for rights-of-way for natural gas pipelines across
22 National Energy Security Corridors, that—

23 “(A) ensure a transparent process for re-
24 view of applications for rights-of-way on such
25 corridors;

1 “(B) require an approval time of not more
2 than 1 year after the date of receipt of an ap-
3 plication for a right-of-way; and

4 “(C) require, upon receipt of such an ap-
5 plication, notice to the applicant of a predict-
6 able timeline for consideration of the applica-
7 tion, that clearly delineates important mile-
8 stones in the process of such consideration.

9 “(4) STATE INPUT.—

10 “(A) REQUESTS AUTHORIZED.—The Gov-
11 ernor of a State may submit requests to the
12 Secretary of the Interior to designate Corridors
13 on Federal land in that State.

14 “(B) CONSIDERATION OF REQUESTS.—
15 After receiving such a request, the Secretary
16 shall respond in writing, within 30 days—

17 “(i) acknowledging receipt of the re-
18 quest; and

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

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

1 “(A) minimize the proliferation of duplica-
2 tive natural gas pipeline rights-of-way on Fed-
3 eral lands where feasible;

4 “(B) ensure Corridors can connect effec-
5 tively across Federal lands; and

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

11 “(6) NOT A MAJOR FEDERAL ACTION.—Des-
12 ignation of a Corridor under this subsection, and in-
13 corporation of Corridors into agency plans under
14 paragraph (1)(B), shall not be treated as a major
15 Federal action for purpose of section 102 of the Na-
16 tional Environmental Policy Act of 1969 (42 U.S.C.
17 4332).

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

22 “(8) OTHER AUTHORITY NOT AFFECTED.—
23 Nothing in this subsection affects the authority of
24 the Secretary to issue rights-of-way on Federal land

1 that is not located in a Corridor designated under
2 this subsection.

3 “(9) NEPA CLARIFICATION.—All applications
4 for rights-of-way for natural gas transmission facili-
5 ties across Corridors designated under this sub-
6 section shall be subject to the environmental protec-
7 tions outlined in subsection (h).”.

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

16 (c) DEADLINE.—Within 2 years after the date of the
17 enactment of this Act, the Secretary of the Interior shall
18 designate at least 10 National Energy Security Corridors
19 under the amendment made by subsection (a) in States
20 referred to in section 368(b) of the Energy Policy Act of
21 2005 (42 U.S.C. 15926(b)).

1 **SEC. 1112. VEGETATION MANAGEMENT, FACILITY INSPEC-**
2 **TION, AND OPERATION AND MAINTENANCE**
3 **ON FEDERAL LANDS CONTAINING ELECTRIC**
4 **TRANSMISSION AND DISTRIBUTION FACILI-**
5 **TIES.**

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

9 **“SEC. 512. VEGETATION MANAGEMENT, FACILITY INSPEC-**
10 **TION, AND OPERATION AND MAINTENANCE**
11 **RELATING TO ELECTRIC TRANSMISSION AND**
12 **DISTRIBUTION FACILITY RIGHTS-OF-WAY.**

13 “(a) GENERAL DIRECTION.—In order to enhance the
14 reliability of the electric grid and reduce the threat of
15 wildfires to and from electric transmission and distribu-
16 tion rights-of-way and related facilities and adjacent prop-
17 erty, the Secretary, with respect to public lands and other
18 lands under the jurisdiction of the Secretary, and the Sec-
19 retary of Agriculture, with respect to National Forest Sys-
20 tem lands, shall provide direction to ensure that all exist-
21 ing and future rights-of-way, however established (includ-
22 ing by grant, special use authorization, and easement), for
23 electric transmission and distribution facilities on such
24 lands include provisions for utility vegetation manage-
25 ment, facility inspection, and operation and maintenance
26 activities that, while consistent with applicable law—

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

3 “(2) enable the owner or operator of an electric
4 transmission and distribution facility to operate and
5 maintain the facility in good working order and to
6 comply with Federal, State, and local electric system
7 reliability and fire safety requirements, including re-
8 liability standards established by the North Amer-
9 ican Electric Reliability Corporation and plans to
10 meet such reliability standards;

11 “(3) minimize the need for case-by-case or an-
12 nual approvals for—

13 “(A) routine vegetation management, facil-
14 ity inspection, and operation and maintenance
15 activities within existing electric transmission
16 and distribution rights-of-way; and

17 “(B) utility vegetation management activi-
18 ties that are necessary to control hazard trees
19 within or adjacent to electric transmission and
20 distribution rights-of-way; and

21 “(4) when review is required, provide for expe-
22 dited review and approval of utility vegetation man-
23 agement, facility inspection, and operation and
24 maintenance activities, especially activities requiring

1 prompt action to avoid an adverse impact on human
2 safety or electric reliability to avoid fire hazards.

3 “(b) VEGETATION MANAGEMENT, FACILITY INSPEC-
4 TION, AND OPERATION AND MAINTENANCE PLANS.—

5 “(1) DEVELOPMENT AND SUBMISSION.—Con-
6 sistent with subsection (a), the Secretary and the
7 Secretary of Agriculture shall provide owners and
8 operators of electric transmission and distribution
9 facilities located on lands described in such sub-
10 section with the option to develop and submit a
11 vegetation management, facility inspection, and op-
12 eration and maintenance plan, that at each owner or
13 operator’s discretion may cover some or all of the
14 owner or operator’s electric transmission and dis-
15 tribution rights-of-way on Federal lands, for ap-
16 proval to the Secretary with jurisdiction over the
17 lands. A plan under this paragraph shall enable the
18 owner or operator of an electric transmission and
19 distribution facility, at a minimum, to comply with
20 applicable Federal, State, and local electric system
21 reliability and fire safety requirements, as provided
22 in subsection (a)(2). The Secretaries shall not have
23 the authority to modify those requirements.

24 “(2) REVIEW AND APPROVAL PROCESS.—The
25 Secretary and the Secretary of Agriculture shall

1 jointly develop a consolidated and coordinated pro-
2 cess for review and approval of—

3 “(A) vegetation management, facility in-
4 spection, and operation and maintenance plans
5 submitted under paragraph (1) that—

6 “(i) assures prompt review and ap-
7 proval not to exceed 90 days;

8 “(ii) includes timelines and bench-
9 marks for agency comments on submitted
10 plans and final approval of such plans;

11 “(iii) is consistent with applicable law;
12 and

13 “(iv) minimizes the costs of the pro-
14 cess to the reviewing agency and the entity
15 submitting the plans; and

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

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

21 “(A) include notification by the agency of
22 any changed conditions that warrant a modi-
23 fication to a plan;

24 “(B) provide an opportunity for the owner
25 or operator to submit a proposed plan amend-

1 ment to address directly the changed condition;
2 and

3 “(C) allow the owner or operator to con-
4 tinue to implement those elements of the ap-
5 proved plan that do not directly and adversely
6 affect the condition precipitating the need for
7 modification.

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

15 “(5) IMPLEMENTATION.—A plan approved
16 under this subsection shall become part of the au-
17 thorization governing the covered right-of-way and
18 hazard trees adjacent to the right-of-way. If a vege-
19 tation management plan is proposed for an existing
20 electric transmission and distribution facility concu-
21 rent with the siting of a new electric transmission or
22 distribution facility, necessary reviews shall be com-
23 pleted as part of the siting process or sooner. Once
24 the plan is approved, the owner or operator shall
25 provide the agency with only a notification of activi-

1 ties anticipated to be undertaken in the coming year,
2 a description of those activities, and certification
3 that the activities are in accordance with the plan.

4 “(c) RESPONSE TO EMERGENCY CONDITIONS.—If
5 vegetation on Federal lands within, or hazard trees on
6 Federal lands adjacent to, an electric transmission or dis-
7 tribution right-of-way granted by the Secretary or the Sec-
8 retary of Agriculture has contacted or is in imminent dan-
9 ger of contacting one or more electric transmission or dis-
10 tribution lines, the owner or operator of the electric trans-
11 mission or distribution lines—

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

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

18 “(d) COMPLIANCE WITH APPLICABLE RELIABILITY
19 AND SAFETY STANDARDS.—If vegetation on Federal
20 lands within or adjacent to an electric transmission or dis-
21 tribution right-of-way under the jurisdiction of each Sec-
22 retary does not meet clearance requirements under stand-
23 ards established by the North American Electric Reli-
24 ability Corporation, or by State and local authorities, and
25 the Secretary having jurisdiction over the lands has failed

1 to act to allow an electric transmission or distribution fa-
2 cility owner or operator to conduct vegetation manage-
3 ment activities within 3 business days after receiving a
4 request to allow such activities, the owner or operator
5 may, after notifying the Secretary, conduct such vegeta-
6 tion management activities to meet those clearance re-
7 quirements.

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

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

16 “(1) the Secretary or the Secretary of Agri-
17 culture fails to allow the owner or operator to oper-
18 ate consistently with an approved vegetation man-
19 agement, facility inspection, and operation and
20 maintenance plan on Federal lands under the rel-
21 evant Secretary’s jurisdiction within or adjacent to
22 a right-of-way to comply with Federal, State, or
23 local electric system reliability and fire safety stand-
24 ards, including standards established by the North
25 American Electric Reliability Corporation; or

1 “(2) the Secretary or the Secretary of Agri-
2 culture fails to allow the owner or operator of the
3 electric transmission or distribution facility to per-
4 form appropriate vegetation management activities
5 in response to an identified hazard tree, or a tree in
6 imminent danger of contacting the owner’s or opera-
7 tor’s electric transmission or distribution facility.

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

15 “(1) understand electric system reliability and
16 fire safety requirements, including reliability stand-
17 ards established by the North American Electric Re-
18 liability Corporation;

19 “(2) assist owners and operators of electric
20 transmission and distribution facilities to comply
21 with applicable electric reliability and fire safety re-
22 quirements; and

23 “(3) encourage and assist willing owners and
24 operators of electric transmission and distribution
25 facilities to incorporate on a voluntary basis vegeta-

1 tion management practices to enhance habitats and
2 forage for pollinators and for other wildlife so long
3 as the practices are compatible with the integrated
4 vegetation management practices necessary for reli-
5 ability and safety.

6 “(h) IMPLEMENTATION.—The Secretary and the Sec-
7 retary of Agriculture shall—

8 “(1) not later than one year after the date of
9 the enactment of this section, propose regulations, or
10 amended existing regulations, to implement this sec-
11 tion; and

12 “(2) not later than two years after the date of
13 the enactment of this section, finalize regulations, or
14 amended existing regulations, to implement this sec-
15 tion.

16 “(i) EXISTING VEGETATION MANAGEMENT, FACIL-
17 ITY INSPECTION, AND OPERATION AND MAINTENANCE
18 PLANS.—Nothing in this section requires an owner or op-
19 erator to develop and submit a vegetation management,
20 facility inspection, and operation and maintenance plan if
21 one has already been approved by the Secretary or Sec-
22 retary of Agriculture before the date of the enactment of
23 this section.

24 “(j) DEFINITIONS.—In this section:

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

10 “(2) OWNER OR OPERATOR.—The terms
11 ‘owner’ and ‘operator’ include contractors or other
12 agents engaged by the owner or operator of an elec-
13 tric transmission and distribution facility.

14 “(3) VEGETATION MANAGEMENT, FACILITY IN-
15 SPECTION, AND OPERATION AND MAINTENANCE
16 PLAN.—The term ‘vegetation management, facility
17 inspection, and operation and maintenance plan’
18 means a plan that—

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

23 “(B) provides for the long-term, cost-effec-
24 tive, efficient, and timely management of facili-
25 ties and vegetation within the width of the

1 right-of-way and adjacent Federal lands to en-
2 hance electric reliability, promote public safety,
3 and avoid fire hazards.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 for the Federal Land Policy and Management Act of 1976
6 (43 U.S.C. 1761 et seq.), is amended by inserting after
7 the item relating to section 511 the following new item:

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

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

Strike section 1301.

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

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

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

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

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

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

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

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

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

Strike section 3005.

Redesignate section 3006 as section 2005.

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

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

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

Strike section 4124.

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

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

Redesignate section 4141 as section 3131.

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

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

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

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

Redesignate section 4211 as section 3211.

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

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

Redesignate section 4261 as section 3261.

Page 238, beginning on line 24, strike “, other than section 1201,”.

Strike titles V and VI.

