

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

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

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

## R E P O R T

[To accompany H. Res. \_\_]

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

### SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for further consideration of H.R. 8, the North American Energy Security and Infrastructure Act of 2015, under a structured rule. The resolution provides that no further general debate shall be in order. The resolution makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-36 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided

and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

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

#### EXPLANATION OF WAIVERS

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

- Clause 7 of rule XVI, which requires that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and
- Clause 4 of rule XXI, which prohibits reporting a bill or joint resolution carrying an appropriation from a committee not having jurisdiction to report an appropriation.

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

- Clause 9 of rule XXI, which requires a list of all earmarks, limited tax benefits, or limited tariff benefits contained in the measure, or a certification that the measure does not contain any of those items. It is important to note that while the waiver is necessary the Chair of the Committee on Education and the Workforce has submitted a statement for the record stating that the conference report does not contain earmarks, limited tax benefits or limited tariff benefits;
- Clause 9 of rule XXII, which prohibits the inclusion of matter in a conference report not committed to the conference by either House; and
- Clause 11 of rule XXII, which prohibits consideration of a conference report that proposes to amend the Internal Revenue Code of 1986 unless the required the tax complexity analysis is included. It is important to note that while this waiver is necessary because the conference report did not include the required statement, the conference report makes only conforming changes (not substantive) to the Code.

COMMITTEE VOTES

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

Rules Committee Record Vote No. 127

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

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

Rules Committee Record Vote No. 128

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

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

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

1. Upton (MI): Strikes a number of provisions, some of which have already been enacted into law, and makes technical and conforming changes to the reported text of H.R. 8, H.R. 2295, and H.R. 2358. (10 minutes)
2. Tonko (NY): Strikes Section 1101. (10 minutes)
3. Peters, Scott (CA): Includes energy storage as a form of energy that DOE should consider to enhance emergency preparedness for energy supply disruptions during natural disasters (10 minutes)
4. Franks (AZ): Secures the most critical components of America's electrical infrastructure against the threat posed by a potentially catastrophic electromagnetic pulse. (10 minutes)
5. Poliquin (ME): Clarifies that electric plants can be considered reliable without having to enter into supply contracts that are greater than one year. (10 minutes)
6. Veasey (TX): Requires the Department of Energy to submit a report to Congress on the potential effects commercial utilization of Carbon Capture and Sequestration could have on the economy, energy infrastructure and greenhouse gas emission goals. (10 minutes)
7. McKinley (WV): Directs the Secretary of Energy and the Secretary of Commerce, in consultation with other relevant agencies and stakeholders, to conduct a study on the feasibility of establishing an ethane storage and distribution hub in the United States. (10 minutes)
8. Ellmers (NC), McNerney (CA): Makes a statement of policy on grid modernization. (10 minutes)
9. Jackson Lee (TX): Directs the Secretary of Energy to submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on methods to increase electric grid resilience with respect to all threats, including cyber attacks, vandalism, terrorism, and severe weather, no later than 120 days after the date of enactment of the Act. (10 minutes)
10. Kildee (MI): Instructs the GAO to study ways to improve the National Response Center. (10 minutes)
11. Duffy (WI): Requires the Secretary of Energy to collaborate with the Secretariat of Energy in Mexico and the Ministry of Natural Resources in Canada when developing guidelines to develop skill for an energy and manufacturing industry workforce. (10 minutes)
12. Garamendi (CA): Includes energy transportation in the list of considerations for the Energy Security Valuation report in Sec. 3002. (10 minutes)
13. McKinley (WV), Zinke (MT): Ensures that no permit for the construction, operation, or maintenance of an export facility can be denied until all reviews required under the National Environmental Policy Act of 1969 are complete. (10 minutes)
14. Green, Gene (TX): Creates a permitting process through the

Department of Energy, FERC, and Department of State for cross-border infrastructure projects. (10 minutes)

15. Norcross (NJ): Directs the Secretary of Energy to develop recommendations for the creation of an "Energy Tradesmen Corp", a volunteer corp of professional tradesmen who respond to critical energy infrastructure problems during disasters/states of emergency. (10 minutes)
16. Takano (CA), Honda (CA), Collins, Chris (NY): Requires a GAO Report to be submitted to Congress on the potential of battery energy storage. (10 minutes)
17. Beyer (VA): Strikes the repeal of Section 433 of the Energy Independence and Security Act which establishes targets for reducing energy from fossil fuels in federal buildings. (10 minutes)
18. Peters, Scott (CA): Requires the Secretary of Energy to report on energy savings and greenhouse gas emissions reduction from conversion of captured methane to energy. (10 minutes)
19. Schakowsky (IL): Strips Section 4125 from the bill. Section 4125 eliminates an existing consumer right to recover costs due to manufacturer misrepresentation of EnergyStar products. (10 minutes)
20. Brooks, Susan (IN): Calls on the Department of Energy to review and update the data used for a 9 year old federal study on re-refined oil, and requires the development of a strategy to increase its collections and sustainability. (10 minutes)
21. Ellmers (NC), Pompeo (KS), DeGette (CO), Dent (PA): Makes a technical fix to DOE's External Power Supply Rule. (10 minutes)
22. Tonko (NY): Reauthorizes the Weatherization Assistance Program and the State Energy Program through Fiscal Year 2020. (10 minutes)
23. Castor (FL): Strengthens energy infrastructure resiliency and improves energy efficiency by incentivizing local renewable thermal (heating and cooling) energy and waste heat such as combined heat and power and by providing technical assistance to eligible entities to establish distributed energy systems. (10 minutes)
24. Polis (CO): Requires the Secretary of Interior to notify landowners, and any adjacent landholders, when federally owned minerals beneath their land have been leased for oil and gas development. (10 minutes)
25. Barton (TX), Cuellar (TX), McCaul (TX), Flores (TX), Conaway (TX): Repeals restrictions on the export of crude oil and includes provisions of HR 702 as passed by the House. (10 minutes)
26. Cramer, Kevin (ND): Authorizes voluntary vegetation management within 150 feet of the exterior boundary of the right-of-way near structures. Prevents sale of vegetation and limits legal liability. (10 minutes)
27. Duffy (WI): Requires the EPA to satisfy regulatory planning and review requirements established by the Clinton and Obama Administrations. (10 minutes)
28. Gosar (AZ), Bridenstine (OK), Yoho (FL): Ensures timely review for legal challenges of energy projects on federal land and limits attorney fees in order to discourage frivolous lawsuits and foster energy

production. (10 minutes)

29. Jenkins, Evan (WV): Requires the Department of Energy and Department of Commerce to conduct a study regarding the legal and regulatory barriers that delay, prohibit, or impede the export of natural energy resources. (10 minutes)
30. Rouzer (NC), Smith, Jason (MO): Repeals the March 2015 EPA final rule establishing federal standards for residential wood heaters. (10 minutes)
31. Castor (FL): Allows community solar projects to be connected to their power distribution system and allows the electricity produced by the community solar facility to be credited directly to each of the consumers that owns a share of the system. (10 minutes)
32. DeSaulnier (CA), Lowey (NY), Garamendi (CA): Requires the Department of Energy to study the maximum level of volatility that is consistent with the safest practicable shipment of crude oil. (10 minutes)
33. Deutch (FL), Takai (HI): Promotes the research, development, and demonstration of marine hydrokinetic energy technologies and improves the regulatory process for such programs. (10 minutes)
34. Grayson (FL): Establishes minimum privacy standards for “Smart Meters” and their use in the smart grid. (10 minutes)
35. Jackson Lee (TX): Directs the Secretaries of Energy and Commerce to jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science, technology, engineering, and math, especially as those fields relate to energy. (10 minutes)
36. Meng (NY), Royce (CA): Strikes terms such as “Oriental” and “Negro” from two sections of title 42 of the U.S. Code, and replaces them with culturally appropriate terms. (10 minutes)
37. Pallone (NJ): Prohibits the Act from taking effect until after the Energy Information Administration analyzed and published a report on the carbon impacts of the Act's provisions. (10 minutes)
38. Norcross (NJ): Directs the Secretary of Energy to study weaknesses in the security architecture of certain smart meters currently available. (10 minutes)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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DESAULNIER OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES

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

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

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

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

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

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

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

Amend the table of contents to read as follows:

Sec. 1. Short title; table of contents.

**TITLE I—MODERNIZING AND PROTECTING INFRASTRUCTURE**

**Subtitle A—Energy Delivery, Reliability, and Security**

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

**Subtitle B—Hydropower Regulatory Modernization**

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

**TITLE II—ENERGY SECURITY AND DIPLOMACY**

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

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

TITLE III—ENERGY EFFICIENCY AND ACCOUNTABILITY

Subtitle A—Energy Efficiency

CHAPTER 1—FEDERAL AGENCY ENERGY EFFICIENCY

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

CHAPTER 2—ENERGY EFFICIENT TECHNOLOGY AND MANUFACTURING

- Sec. 3121. Inclusion of Smart Grid capability on Energy Guide labels.
- Sec. 3122. Voluntary verification programs for air conditioning, furnace, boiler, heat pump, and water heater products.
- Sec. 3123. Facilitating consensus furnace standards.
- Sec. 3124. No warranty for certain certified Energy Star products.
- Sec. 3125. Clarification to effective date for regional standards.
- Sec. 3126. Internet of Things report.

CHAPTER 3—SCHOOL BUILDINGS

- Sec. 3131. Coordination of energy 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.

CHAPTER 5—EPCA TECHNICAL CORRECTIONS AND CLARIFICATIONS

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

CHAPTER 6—ENERGY AND WATER EFFICIENCY

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

Subtitle B—Accountability

CHAPTER 1—MARKET MANIPULATION, ENFORCEMENT, AND COMPLIANCE

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

CHAPTER 2—MARKET REFORMS

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

## CHAPTER 3—CODE MAINTENANCE

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

## CHAPTER 4—USE OF EXISTING FUNDS

- Sec. 3261. Use of existing funds.

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

- 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 the agency reasonably fore-  
8 sees would cause harm to critical electric infrastructure,  
9 shall be deemed to be critical electric infrastructure infor-  
10 mation for purposes of section 215A(d) of the Federal  
11 Power Act.

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

12 (e) DISCLOSURE OF INFORMATION.—Any vulner-  
13 ability reported pursuant to regulations promulgated  
14 under subsection (b)(3), the disclosure of which the agency  
15 reasonably foresees would cause harm to critical electric  
16 infrastructure (as defined in section 215A of the Federal  
17 Power Act), shall be deemed to be critical electric infra-  
18 structure information for purposes of section 215A(d) of  
19 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 proc-  
2 ess 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 proc-  
14 ess 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 concur-  
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.

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

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

Redesignate section 4211 as section 3211.

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

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

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

1           **CHAPTER 4—AUTHORIZATION**

2   **SEC. 3261 AUTHORIZATION.**

3           There are authorized to be appropriated, out of funds  
4 authorized under previously enacted laws, amounts re-  
5 quired for carrying out this Act and the amendments  
6 made by this Act.

Strike titles V and VI.



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

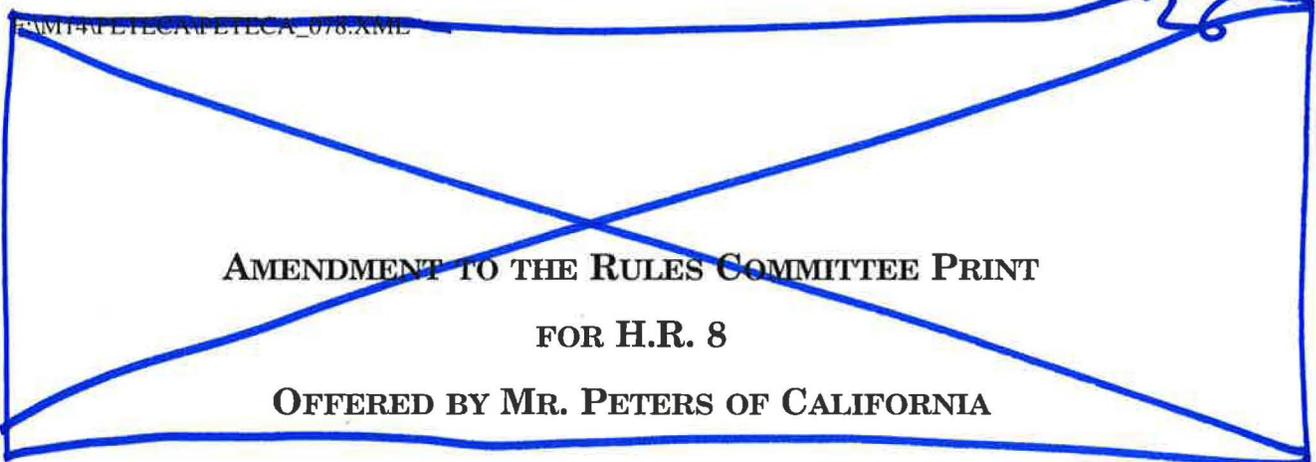
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**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. TONKO OF NEW YORK**

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



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



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

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

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



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. FRANKS OF ARIZONA**

93R

Page 17, after line 12, insert the following:

1           “(8) GRID SECURITY VULNERABILITY.—The  
2           term ‘grid security vulnerability’ means a weakness  
3           that, in the event of a malicious act using an electro-  
4           magnetic pulse, would pose a substantial risk of dis-  
5           ruption to the operation of those electrical or elec-  
6           tronic devices or communications networks, includ-  
7           ing hardware, software, and data, that are essential  
8           to the reliability of the bulk-power system.

Page 26, after line 14, insert the following:

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

11           “(1) COMMISSION AUTHORITY.—

12           “(A) RELIABILITY STANDARDS.—If the  
13           Commission, in consultation with appropriate  
14           Federal agencies, identifies a grid security vul-  
15           nerability that the Commission determines has  
16           not adequately been addressed through a reli-  
17           ability standard developed and approved under

1 section 215, the Commission shall, after notice  
2 and opportunity for comment and after con-  
3 sultation with the Secretary, other appropriate  
4 Federal agencies, and appropriate governmental  
5 authorities in Canada and Mexico, issue an  
6 order directing the Electric Reliability Organi-  
7 zation to submit to the Commission for ap-  
8 proval under section 215, not later than 30  
9 days after the issuance of such order, a reli-  
10 ability standard requiring implementation, by  
11 any owner, operator, or user of the bulk-power  
12 system in the United States, of measures to  
13 protect the bulk-power system against such vul-  
14 nerability. Any such standard shall include a  
15 protection plan, including automated hardware-  
16 based solutions. The Commission shall approve  
17 a reliability standard submitted pursuant to  
18 this subparagraph, unless the Commission de-  
19 termines that such reliability standard does not  
20 adequately protect against such vulnerability or  
21 otherwise does not satisfy the requirements of  
22 section 215.

23 “(B) MEASURES TO ADDRESS GRID SECUR-  
24 ITY VULNERABILITIES.—If the Commission,  
25 after notice and opportunity for comment and

1 after consultation with the Secretary, other ap-  
2 propriate Federal agencies, and appropriate  
3 governmental authorities in Canada and Mex-  
4 ico, determines that the reliability standard  
5 submitted by the Electric Reliability Organiza-  
6 tion to address a grid security vulnerability  
7 identified under subparagraph (A) does not  
8 adequately protect the bulk-power system  
9 against such vulnerability, the Commission shall  
10 promulgate a rule or issue an order requiring  
11 implementation, by any owner, operator, or user  
12 of the bulk-power system in the United States,  
13 of measures to protect the bulk-power system  
14 against such vulnerability. Any such rule or  
15 order shall include a protection plan, including  
16 automated hardware-based solutions. Before  
17 promulgating a rule or issuing an order under  
18 this subparagraph, the Commission shall, to the  
19 extent practicable in light of the urgency of the  
20 need for action to address the grid security vul-  
21 nerability, request and consider recommenda-  
22 tions from the Electric Reliability Organization  
23 regarding such rule or order. The Commission  
24 may establish an appropriate deadline for the  
25 submission of such recommendations.

1           “(2) RESCISSION.—The Commission shall ap-  
2           prove a reliability standard developed under section  
3           215 that addresses a grid security vulnerability that  
4           is the subject of a rule or order under paragraph  
5           (1)(B), unless the Commission determines that such  
6           reliability standard does not adequately protect  
7           against such vulnerability or otherwise does not sat-  
8           isfy the requirements of section 215. Upon such ap-  
9           proval, the Commission shall rescind the rule pro-  
10          mulgated or order issued under paragraph (1)(B)  
11          addressing such vulnerability, effective upon the ef-  
12          fective date of the newly approved reliability stand-  
13          ard.

14          “(3) GEOMAGNETIC STORMS AND ELECTRO-  
15          MAGNETIC PULSE.—Not later than 6 months after  
16          the date of enactment of this section, the Commis-  
17          sion shall, after notice and an opportunity for com-  
18          ment and after consultation with the Secretary and  
19          other appropriate Federal agencies, issue an order  
20          directing the Electric Reliability Organization to  
21          submit to the Commission for approval under section  
22          215, not later than 6 months after the issuance of  
23          such order, reliability standards adequate to protect  
24          the bulk-power system from any reasonably foresee-  
25          able geomagnetic storm or electromagnetic pulse

1 event. The Commission's order shall specify the na-  
2 ture and magnitude of the reasonably foreseeable  
3 events against which such standards must protect.  
4 Such standards shall appropriately balance the risks  
5 to the bulk-power system associated with such  
6 events, including any regional variation in such  
7 risks, the costs of mitigating such risks, and the pri-  
8 orities and timing associated with implementation. If  
9 the Commission determines that the reliability  
10 standards submitted by the Electric Reliability Or-  
11 ganization pursuant to this paragraph are inad-  
12 equate, the Commission shall promulgate a rule or  
13 issue an order adequate to protect the bulk-power  
14 system from geomagnetic storms or electromagnetic  
15 pulse as required under paragraph (1)(B).

16 “(4) LARGE TRANSFORMER AVAILABILITY.—  
17 Not later than 1 year after the date of enactment  
18 of this section, the Commission shall, after notice  
19 and an opportunity for comment and after consulta-  
20 tion with the Secretary and other appropriate Fed-  
21 eral agencies, issue an order directing the Electric  
22 Reliability Organization to submit to the Commis-  
23 sion for approval under section 215, not later than  
24 1 year after the issuance of such order, reliability  
25 standards addressing availability of large trans-

1 formers. Such standards shall require entities that  
2 own or operate large transformers to ensure, individ-  
3 ually or jointly, adequate availability of large trans-  
4 formers to promptly restore the reliable operation of  
5 the bulk-power system in the event that any such  
6 transformer is destroyed or disabled as a result of  
7 a geomagnetic storm event or electromagnetic pulse  
8 event. The Commission's order shall specify the na-  
9 ture and magnitude of the reasonably foreseeable  
10 events that shall provide the basis for such stand-  
11 ards. Such standards shall—

12 “(A) provide entities subject to the stand-  
13 ards with the option of meeting such standards  
14 individually or jointly; and

15 “(B) appropriately balance the risks asso-  
16 ciated with a reasonably foreseeable event, in-  
17 cluding any regional variation in such risks, and  
18 the costs of ensuring adequate availability of  
19 spare transformers.

20 “(5) CERTAIN FEDERAL ENTITIES.—For the  
21 11-year period commencing on the date of enact-  
22 ment of this section, the Tennessee Valley Authority  
23 and the Bonneville Power Administration shall be  
24 exempt from any requirement under this subsection.



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

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**[Discussion Draft]**

**AMENDMENT TO THE RULES COMMITTEE PRINT**

**FOR H.R. 8**

**OFFERED BY MR. POLIQUIN OF MAINE**

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



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. VEASEY OF TEXAS**

Page 58, after line 22, insert the following new sub-paragraph:

1                   (C) ADDITIONAL REPORT.—The Secretary  
2                   of Energy shall transmit to Congress a report  
3                   on the potential commercial use of carbon cap-  
4                   ture, utilization, and storage technologies (in-  
5                   cluding enhanced oil recovery), its potential ef-  
6                   fects on the economy and gross domestic prod-  
7                   uct (GDP), and its contributions to the United  
8                   States greenhouse gas emission reduction goals  
9                   if widely utilized at major carbon dioxide-emit-  
10                  ting power plants.

☒

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

4

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. MCKINLEY OF WEST VIRGINIA**

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

1 **SEC. 1111. ETHANE STORAGE STUDY.**

2 (a) IN GENERAL.—The Secretary of Energy and the  
3 Secretary of Commerce, in consultation with other rel-  
4 evant agencies and stakeholders, shall conduct a study on  
5 the feasibility of establishing an ethane storage and dis-  
6 tribution hub in the United States.

7 (b) CONTENTS.—The study conducted under sub-  
8 section (a) shall include—

9 (1) an examination of—

- 10 (A) potential locations;
- 11 (B) economic feasibility;
- 12 (C) economic benefits;
- 13 (D) geological storage capacity capabilities;
- 14 (E) above ground storage capabilities;
- 15 (F) infrastructure needs; and
- 16 (G) other markets and trading hubs, par-  
17 ticularly related to ethane; and

1           (2) identification of potential additional benefits  
2           to energy security.

3           (c) PUBLICATION OF RESULTS.—Not later than 2  
4 years after the date of enactment of this Act, the Secre-  
5 taries of Energy and Commerce shall publish the results  
6 of the study conducted under subsection (a) on the  
7 websites of the Departments of Energy and Commerce,  
8 respectively, and shall submit such results to the Com-  
9 mittee on Energy and Commerce of the House of Rep-  
10 resentatives and the Committees on Energy and Natural  
11 Resources and Commerce, Science, and Transportation of  
12 the Senate.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MRS. ELLMERS OF NORTH  
CAROLINA**

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

1 **SEC. 11\_\_ . STATEMENT OF POLICY ON GRID MODERNIZA-**  
2 **TION.**

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

5 (1) the modernization of the energy delivery in-  
6 frastructure of the United States, and bolster the re-  
7 liability, affordability, diversity, efficiency, security,  
8 and resiliency of domestic energy supplies, through  
9 advanced grid technologies;

10 (2) the modernization of the electric grid to en-  
11 able a robust multi-directional power flow that  
12 leverages centralized energy resources and distrib-  
13 uted energy resources, enables robust retail trans-  
14 actions, and facilitates the alignment of business and  
15 regulatory models to achieve a grid that optimizes  
16 the entire electric delivery system;

17 (3) relevant research and development in ad-  
18 vanced grid technologies, including—

1 (A) energy storage;

2 (B) predictive tools and requisite real-time  
3 data to enable the dynamic optimization of grid  
4 operations;

5 (C) power electronics, including smart in-  
6 verters, that ease the challenge of intermittent  
7 renewable resources and distributed generation;

8 (D) real-time data and situational aware-  
9 ness tools and systems; and

10 (E) tools to increase data security, physical  
11 security, and cybersecurity awareness and pro-  
12 tection;

13 (4) the leadership of the United States in basic  
14 and applied sciences to develop a systems approach  
15 to innovation and development of cyber-secure ad-  
16 vanced grid technologies, architectures, and control  
17 paradigms capable of managing diverse supplies and  
18 loads;

19 (5) the safeguarding of the critical energy deliv-  
20 ery infrastructure of the United States and the en-  
21 hanced resilience of the infrastructure to all hazards,  
22 including—

23 (A) severe weather events;

24 (B) cyber and physical threats; and

1 (C) other factors that affect energy deliv-  
2 ery;

3 (6) the coordination of goals, investments to op-  
4 timize the grid, and other measures for energy effi-  
5 ciency, advanced grid technologies, interoperability,  
6 and demand response-side management resources;

7 (7) partnerships with States and the private  
8 sector—

9 (A) to facilitate advanced grid capabilities  
10 and strategies; and

11 (B) to provide technical assistance, tools,  
12 or other related information necessary to en-  
13 hance grid integration, particularly in connec-  
14 tion with the development at the State and local  
15 levels of strategic energy, energy surety and as-  
16 surance, and emergency preparedness, response,  
17 and restoration planning;

18 (8) the deployment of information and commu-  
19 nications technologies at all levels of the electric sys-  
20 tem;

21 (9) opportunities to provide consumers with  
22 timely information and advanced control options;

23 (10) sophisticated or advanced control options  
24 to integrate distributed energy resources and associ-  
25 ated ancillary services;

- 1           (11) open-source communications, database ar-  
2           chitectures, and common information model stand-  
3           ards, guidelines, and protocols that enable interoper-  
4           ability to maximize efficiency gains and associated  
5           benefits among—
- 6                   (A) the grid;
- 7                   (B) energy and building management sys-  
8           tems; and
- 9                   (C) residential, commercial, and industrial  
10          equipment;
- 11          (12) private sector investment in the energy de-  
12          livery infrastructure of the United States through  
13          targeted demonstration and validation of advanced  
14          grid technologies; and
- 15          (13) establishment of common valuation meth-  
16          ods and tools for cost-benefit analysis of grid inte-  
17          gration paradigms.



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

842

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MS. JACKSON LEE OF TEXAS**

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

1 **SEC. 11\_\_ . GRID RESILIENCE REPORT.**

2 Not later than 120 days after the date of enactment  
3 of this Act, the Secretary of Energy shall submit to the  
4 Committees on Energy and Commerce and Natural Re-  
5 sources of the House of Representatives and the Com-  
6 mittee on Energy and Natural Resources of the Senate  
7 a report on methods to increase electric grid resilience  
8 with respect to all threats, including cyber attacks, van-  
9 dalism, terrorism, and severe weather.



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

812

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. KILDEE OF MICHIGAN**

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

1 **SEC. 11\_\_\_. GAO REPORT ON IMPROVING NATIONAL RE-**  
2 **SPONSE CENTER.**

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



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. DUFFY OF WISCONSIN**

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

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



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. GARAMENDI OF CALIFORNIA**

Page 118, line 2, insert "transportation," after "distribution,".



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

SR

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. MCKINLEY OF WEST VIRGINIA**

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

1 **SEC. 3007. ENVIRONMENTAL REVIEW FOR ENERGY EXPORT**  
2 **FACILITIES.**

3 Notwithstanding any other provision of law, including  
4 any other provision of this Act and any amendment made  
5 by this Act, to the extent that the National Environmental  
6 Policy Act of 1969 (42 U.S.C. 4321 et seq.) applies to  
7 the issuance of a permit for the construction, operation,  
8 or maintenance of a facility for the export of bulk com-  
9 modities, no such permit may be denied until each applica-  
10 ble Federal agency has completed all reviews required for  
11 the facility under such Act.

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

45

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. GENE GREEN OF TEXAS**

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

1 **SEC. 3007. AUTHORIZATION OF CROSS-BORDER INFRA-**  
2 **STRUCTURE PROJECTS.**

3 (a) **FINDING.**—Congress finds that the United States  
4 should establish a more uniform, transparent, and modern  
5 process for the construction, connection, operation, and  
6 maintenance of pipelines and electric transmission facilities  
7 for the import and export of liquid products, including  
8 water and petroleum, and natural gas and the transmission  
9 of electricity to and from Canada and Mexico.

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

13 (1) **REQUIREMENT.**—No person may construct,  
14 connect, operate, or maintain a cross-border segment  
15 of a pipeline or electric transmission facility for the  
16 import or export of liquid products or natural gas,  
17 or the transmission of electricity, to or from Canada  
18 or Mexico without obtaining a certificate of crossing

1 for such construction, connection, operation, or  
2 maintenance under this subsection.

3 (2) CERTIFICATE OF CROSSING.—

4 (A) ISSUANCE.—

5 (i) IN GENERAL.—Not later than 120  
6 days after final action is taken under the  
7 National Environmental Policy Act of  
8 1969 (42 U.S.C. 4321 et seq.) with respect  
9 to a cross-border segment described in  
10 paragraph (1), the relevant official identi-  
11 fied under subparagraph (B), in consulta-  
12 tion with appropriate Federal agencies,  
13 shall issue a certificate of crossing for the  
14 cross-border segment unless the relevant  
15 official finds that the construction, connec-  
16 tion, operation, or maintenance of the  
17 cross-border segment is not in the public  
18 interest of the United States.

19 (ii) NATURAL GAS.—For the purposes  
20 of natural gas pipelines, a finding with re-  
21 spect to the public interest under section  
22 3(a) of the Natural Gas Act (15 U.S.C.  
23 717b(a)) shall serve as a finding under  
24 clause (i) of this subparagraph.

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

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

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

8 (iii) the Secretary of Energy with re-  
9 spect to electric transmission facilities.

10 (C) ADDITIONAL REQUIREMENT FOR  
11 ELECTRIC TRANSMISSION FACILITIES.—The  
12 Secretary of Energy shall require, as a condi-  
13 tion of issuing a certificate of crossing for an  
14 electric transmission facility, that the cross-bor-  
15 der segment be constructed, connected, oper-  
16 ated, or maintained consistent with all applica-  
17 ble policies and standards of—

18 (i) the Electric Reliability Organiza-  
19 tion and the applicable regional entity; and

20 (ii) any Regional Transmission Orga-  
21 nization or Independent System Operator  
22 with operational or functional control over  
23 the cross-border segment of the electric  
24 transmission facility.

1 (3) MODIFICATIONS TO EXISTING PROJECTS.—

2 No certificate of crossing shall be required under  
3 this subsection for a change in ownership, volume  
4 expansion, downstream or upstream interconnection,  
5 or adjustment to maintain flow (such as a reduction  
6 or increase in the number of pump or compressor  
7 stations) with respect to a liquid or natural gas pipe-  
8 line or electric transmission facility unless such  
9 modification would result in a significant impact at  
10 the national boundary.

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

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

1 (d) TRANSMISSION OF ELECTRIC ENERGY TO CAN-  
2 ADA AND MEXICO.—

3 (1) REPEAL OF REQUIREMENT TO SECURE  
4 ORDER.—Section 202(e) of the Federal Power Act  
5 (16 U.S.C. 824a(e)) is repealed.

6 (2) CONFORMING AMENDMENTS.—

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

13 (B) SEASONAL DIVERSITY ELECTRICITY  
14 EXCHANGE.—Section 602(b) of the Public Util-  
15 ity Regulatory Policies Act of 1978 (16 U.S.C.  
16 824a-4(b)) is amended by striking “the Com-  
17 mission has conducted hearings and made the  
18 findings required under section 202(e) of the  
19 Federal Power Act” and all that follows  
20 through the period at the end and inserting  
21 “the Secretary has conducted hearings and  
22 finds that the proposed transmission facilities  
23 would not impair the sufficiency of electric sup-  
24 ply within the United States or would not im-  
25 pede or tend to impede the coordination in the

1 public interest of facilities subject to the juris-  
2 diction of the Secretary”.

3 (e) EFFECTIVE DATE; RULEMAKING DEADLINES.—

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

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

9 (A) not later than 180 days after the date  
10 of enactment of this Act, publish in the Federal  
11 Register notice of a proposed rulemaking to  
12 carry out the applicable requirements of sub-  
13 section (b); and

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

18 (f) DEFINITIONS.—In this section—

19 (1) the term “cross-border segment” means the  
20 portion of a liquid or natural gas pipeline or electric  
21 transmission facility that is located at the national  
22 boundary of the United States with either Canada or  
23 Mexico;

24 (2) the terms “Electric Reliability Organiza-  
25 tion” and “regional entity” have the meanings given

1 those terms in section 215 of the Federal Power Act  
2 (16 U.S.C. 824o);

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

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

10 (5) the term “natural gas” has the meaning  
11 given that term in section 2 of the Natural Gas Act  
12 (15 U.S.C. 717a).



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

20

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. NORCROSS OF NEW JERSEY**

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

1 **SEC. 3007. ENERGY TRADESMEN CORPS.**

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

9 (b) RECOMMENDATIONS.—The recommendations de-  
10 scribed in subsection (a) shall include—

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

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

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

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

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



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. TAKANO OF CALIFORNIA**

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

**1 SEC. 4114. BATTERY STORAGE REPORT.**

2 Not later than 1 year after the date of enactment  
3 of this Act, the Comptroller General shall transmit to Con-  
4 gress a report on the potential of battery energy storage  
5 that answers the following questions:

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

9 (2) What are the benefits of using existing bat-  
10 tery storage technology, and what challenges exist to  
11 their widespread use? What are some examples of  
12 existing battery storage projects providing these ben-  
13 efits?

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

1 (4) What is the potential of battery technology  
2 for grid-scale use nationwide? What is the potential  
3 impact of battery technology on the national grid ca-  
4 pabilities?

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

9 (6) What policies other than the Renewable En-  
10 ergy Investment Tax Credit have research and avail-  
11 able data shown to promote renewable energy use  
12 and storage technology deployment by State and  
13 local governments or private end-users?



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

FSC

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY *MR. Beyer of VA***

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



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. PETERS OF CALIFORNIA**

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

1 **SEC. \_\_\_\_\_. REPORT ON ENERGY SAVINGS AND GREEN-**  
2 **HOUSE GAS EMISSIONS REDUCTION FROM**  
3 **CONVERSION OF CAPTURED METHANE TO**  
4 **ENERGY.**

5 (a) REPORT.—Not later than 1 year after the date  
6 of enactment of this Act, the Secretary of Energy, in con-  
7 sultation with appropriate Federal agencies and relevant  
8 stakeholders, shall submit to the Committee on Energy  
9 and Natural Resources of the Senate and the Committee  
10 on Energy and Commerce of the House of Representatives  
11 a report on the impact of captured methane converted for  
12 energy and power generation on Federal lands, Federal  
13 buildings, and relevant municipalities that use such gen-  
14 eration, and the return on investment and reduction in  
15 greenhouse gas emissions of utilizing such power genera-  
16 tion.

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

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

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



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

12

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MS. SCHAKOWSKY OF ILLINOIS**

Strike section 4125.



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

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**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MRS. BROOKS OF INDIANA**

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

1 **SEC. 4128. ENERGY SAVINGS FROM LUBRICATING OIL.**

2 Not later than one year after the date of enactment  
3 of this Act, the Secretary of Energy, in cooperation with  
4 the Administrator of the Environmental Protection Agen-  
5 cy and the Director of Management and Budget, shall—

6 (1) review and update the report prepared pur-  
7 suant to section 1838 of the Energy Policy Act of  
8 2005;

9 (2) after consultation with relevant Federal,  
10 State, and local agencies and affected industry and  
11 stakeholder groups, update data that was used in  
12 preparing that report; and

13 (3) prepare and submit to Congress a coordi-  
14 nated Federal strategy to increase the beneficial  
15 reuse of used lubricating oil, that—

16 (A) is consistent with national policy as es-  
17 tablished pursuant to section 2 of the Used Oil

1 Recycling Act of 1980 (Public Law 96-463);  
2 and  
3 (B) addresses measures needed to—  
4 (i) increase the responsible collection  
5 of used oil;  
6 (ii) disseminate public information  
7 concerning sustainable reuse options for  
8 used oil; and  
9 (iii) promote sustainable reuse of used  
10 oil by Federal agencies, recipients of Fed-  
11 eral grant funds, entities contracting with  
12 the Federal Government, and the general  
13 public.



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

7

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MRS. ELLMERS OF NORTH  
CAROLINA**

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

1 **SEC. \_\_\_\_\_. DEFINITION OF EXTERNAL POWER SUPPLY.**

2 Section 321(36)(A) of the Energy Policy and Con-  
3 servation Act (42 U.S.C. 6291(36)(A)) is amended—

4 (1) by striking the subparagraph designation  
5 and all that follows through “The term” and insert-  
6 ing the following:

7 “(A) EXTERNAL POWER SUPPLY.—

8 “(i) IN GENERAL.—The term”; and

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

10 “(ii) EXCLUSION.—The term ‘external  
11 power supply’ does not include a power  
12 supply circuit, driver, or device that is de-  
13 signed exclusively to be connected to, and  
14 power—

15 “(I) light-emitting diodes provid-  
16 ing illumination; or

1                                   “(II) organic light-emitting di-  
2                                   odes providing illumination.”.

3 **SEC. \_\_\_\_\_ . STANDARDS FOR POWER SUPPLY CIRCUITS**  
4                                   **CONNECTED TO LEDS OR OLEDS.**

5           (a) **IN GENERAL.**—Section 325(u) of the Energy Pol-  
6 icy and Conservation Act (42 U.S.C. 6295(u)) is amended  
7 by adding at the end the following:

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

17           (b) **ENERGY CONSERVATION STANDARDS.**—Section  
18 346 of the Energy Policy and Conservation Act (42 U.S.C.  
19 6317) is amended by adding at the end the following:

20                   “(g) **ENERGY CONSERVATION STANDARD FOR**  
21 **POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR**  
22 **OLEDs.**—Not earlier than 1 year after applicable testing  
23 requirements are prescribed under section 343, the Sec-  
24 retary may prescribe an energy conservation standard for  
25 a power supply circuit, driver, or device that is designed

1 primarily to be connected to, and power, light-emitting di-  
2 odes or organic light-emitting diodes providing illumina-  
3 tion.”.



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

49

**AMENDMENT TO THE RULES COMMITTEE H.R. 8  
OFFERED BY MR. TONKO OF NEW YORK**

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

**1 SEC. 4128. WEATHERIZATION ASSISTANCE AND STATE EN-  
2 ERGY PROGRAMS.**

3 (a) REAUTHORIZATION OF WEATHERIZATION AS-  
4 SISTANCE PROGRAM.—Section 422 of the Energy Con-  
5 servation and Production Act (42 U.S.C. 6872) is amend-  
6 ed by striking “appropriated—” and all that follows  
7 through the period at the end and inserting “appropriated  
8 \$450,000,000 for each of fiscal years 2016 through  
9 2020.”.

10 (b) REAUTHORIZATION OF STATE ENERGY PRO-  
11 GRAMS.—Section 365(f) of the Energy Policy and Con-  
12 servation Act (42 U.S.C. 6325(f)) is amended by striking  
13 “\$125,000,000 for each of fiscal years 2007 through  
14 2012” and inserting “\$75,000,000 for each of fiscal years  
15 2016 through 2020”.

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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MS. CASTOR OF FLORIDA**

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

**1 CHAPTER 8—LOCAL ENERGY SUPPLY AND  
2 RESILIENCY**

**3 SEC. 4181. DEFINITIONS.**

4 In this chapter:

5 (1) COMBINED HEAT AND POWER SYSTEM.—

6 The term “combined heat and power system” means  
7 generation of electric energy and heat in a single, in-  
8 tegrated system that meets the efficiency criteria in  
9 clauses (ii) and (iii) of section 48(c)(3)(A) of the In-  
10 ternal Revenue Code of 1986, under which heat that  
11 is conventionally rejected is recovered and used to  
12 meet thermal energy requirements.

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

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

1 (B) incentive payments designed to induce  
2 lower electricity use at times of high wholesale  
3 market prices or when system reliability is jeop-  
4 ardized.

5 (3) DISTRIBUTED ENERGY.—The term “distrib-  
6 uted energy” means energy sources and systems  
7 that—

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

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

13 (C) distribute electricity in microgrids;

14 (D) store electric or thermal energy; or

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

18 (4) DISTRICT ENERGY SYSTEM.—The term  
19 “district energy system” means a system that pro-  
20 vides thermal energy to buildings and other energy  
21 consumers from 1 or more plants to individual build-  
22 ings to provide space heating, air conditioning, do-  
23 mestic hot water, industrial process energy, and  
24 other end uses.

1           (5) ISLANDING.—The term “islanding” means  
2 a distributed generator or energy storage device con-  
3 tinuing to power a location in the absence of electric  
4 power from the primary source.

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

8           (7) MICROGRID.—The term “microgrid” means  
9 an integrated energy system consisting of inter-  
10 connected loads and distributed energy resources, in-  
11 cluding generators and energy storage devices, with-  
12 in clearly defined electrical boundaries that—

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

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

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

- 20                   (A) biomass;  
21                   (B) geothermal energy;  
22                   (C) hydropower;  
23                   (D) landfill gas;  
24                   (E) municipal solid waste;

- 1 (F) ocean (including tidal, wave, current,
- 2 and thermal) energy;
- 3 (G) organic waste;
- 4 (H) photosynthetic processes;
- 5 (I) photovoltaic energy;
- 6 (J) solar energy; and
- 7 (K) wind.

8 (9) RENEWABLE THERMAL ENERGY.—The term  
9 “renewable thermal energy” means heating or cool-  
10 ing energy derived from a renewable energy re-  
11 source.

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

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

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

19 (B) cooling energy in the form of chilled  
20 water, ice, or other media that is used to pro-  
21 vide air conditioning, or process cooling.

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

24 (A) is contained in—

1 (i) exhaust gases, exhaust steam, con-  
2 denser water, jacket cooling heat, or lubri-  
3 cating oil in power generation systems;

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

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

9 (iv) a pressure drop in any gas, ex-  
10 cluding any pressure drop to a condenser  
11 that subsequently vents the resulting heat;

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

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

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

18 (ii) in the case of a new facility, is not con-  
19 ventionally used in comparable systems.

20 **SEC. 4182. DISTRIBUTED ENERGY LOAN PROGRAM.**

21 (a) LOAN PROGRAM.—

22 (1) IN GENERAL.—Subject to the provisions of  
23 this subsection and subsections (b) and (c), the Sec-  
24 retary shall establish a program to provide to eligible  
25 entities—

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

3 (B) loans to provide funding for programs  
4 to finance the deployment of multiple distrib-  
5 uted energy systems through a revolving loan  
6 fund, credit enhancement program, or other fi-  
7 nancial assistance program.

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

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

12 (B) a State energy office;

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

16 (D) an institution of higher education (as  
17 defined in section 101 of the Higher Education  
18 Act of 1965 (20 U.S.C. 1001)); and

19 (E) an electric utility, including—

20 (i) a rural electric cooperative;

21 (ii) a municipally owned electric util-  
22 ity; and

23 (iii) an investor-owned utility.

24 (3) SELECTION REQUIREMENTS.—In selecting  
25 eligible entities to receive loans under this section,

1 the Secretary shall, to the maximum extent prac-  
2 ticable, ensure—

3 (A) regional diversity among eligible enti-  
4 ties to receive loans under this section, includ-  
5 ing participation by rural States and small  
6 States; and

7 (B) that specific projects selected for  
8 loans—

9 (i) expand on the existing technology  
10 deployment program of the Department of  
11 Energy; and

12 (ii) are designed to achieve 1 or more  
13 of the objectives described in paragraph  
14 (4).

15 (4) OBJECTIVES.—Each deployment selected  
16 for a loan under paragraph (1) shall include 1 or  
17 more of the following objectives:

18 (A) Improved security and resiliency of en-  
19 ergy supply in the event of disruptions caused  
20 by extreme weather events, grid equipment or  
21 software failure, or terrorist acts.

22 (B) Implementation of distributed energy  
23 in order to increase use of local renewable en-  
24 ergy resources and waste thermal energy  
25 sources.

1 (C) Enhanced feasibility of microgrids, de-  
2 mand response, or islanding;

3 (D) Enhanced management of peak loads  
4 for consumers and the grid.

5 (E) Enhanced reliability in rural areas, in-  
6 cluding high energy cost rural areas.

7 (5) RESTRICTION ON USE OF FUNDS.—Any eli-  
8 gible entity that receives a loan under paragraph (1)  
9 may only use the loan to fund programs relating to  
10 the deployment of distributed energy systems.

11 (b) LOAN TERMS AND CONDITIONS.—

12 (1) TERMS AND CONDITIONS.—Notwithstanding  
13 any other provision of law, in providing a loan under  
14 this section, the Secretary shall provide the loan on  
15 such terms and conditions as the Secretary deter-  
16 mines, after consultation with the Secretary of the  
17 Treasury, in accordance with this section.

18 (2) SPECIFIC APPROPRIATION.—No loan shall  
19 be made unless an appropriation for the full amount  
20 of the loan has been specifically provided for that  
21 purpose.

22 (3) REPAYMENT.—No loan shall be made un-  
23 less the Secretary determines that there is reason-  
24 able prospect of repayment of the principal and in-  
25 terest by the borrower of the loan.

1           (4) INTEREST RATE.—A loan provided under  
2 this section shall bear interest at a fixed rate that  
3 is equal or approximately equal, in the determination  
4 of the Secretary, to the interest rate for Treasury  
5 securities of comparable maturity.

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

9                   (A) 20 years; or

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

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

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

17                   (B) remain available until expended, sub-  
18 ject to such conditions as are contained in an-  
19 nual appropriations Acts.

20           (7) NO PENALTY ON EARLY REPAYMENT.—The  
21 Secretary may not assess any penalty for early re-  
22 payment of a loan provided under this section.

23           (8) RETURN OF UNUSED PORTION.—In order to  
24 receive a loan under this section, an eligible entity  
25 shall agree to return to the general fund of the

1 Treasury any portion of the loan amount that is un-  
2 used by the eligible entity within a reasonable period  
3 of time after the date of the disbursement of the  
4 loan, as determined by the Secretary.

5 (9) COMPARABLE WAGE RATES.—Each laborer  
6 and mechanic employed by a contractor or subcon-  
7 tractor in performance of construction work fi-  
8 nanced, in whole or in part, by the loan shall be paid  
9 wages at rates not less than the rates prevailing on  
10 similar construction in the locality as determined by  
11 the Secretary of Labor in accordance with sub-  
12 chapter IV of chapter 31 of title 40, United States  
13 Code.

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

16 (1) RULES AND PROCEDURES.—Not later than  
17 180 days after the date of enactment of this Act, the  
18 Secretary shall adopt rules and procedures for car-  
19 rying out the loan program under subsection (a).

20 (2) DISBURSEMENT OF LOANS.—Not later than  
21 1 year after the date on which the rules and proce-  
22 dures under paragraph (1) are established, the Sec-  
23 retary shall disburse the initial loans provided under  
24 this section.

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

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

11 **SEC. 4183. TECHNICAL ASSISTANCE AND GRANT PROGRAM.**

12 (a) ESTABLISHMENT.—

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

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

21 (B) to make grants to eligible entities so  
22 that the eligible entities may contract to obtain  
23 technical assistance to identify, evaluate, plan,  
24 and design distributed energy systems.

1           (2) TECHNICAL ASSISTANCE.—The technical  
2 assistance described in paragraph (1) shall include  
3 assistance with 1 or more of the following activities  
4 relating to distributed energy systems:

5           (A) Identification of opportunities to use  
6 distributed energy systems.

7           (B) Assessment of technical and economic  
8 characteristics.

9           (C) Utility interconnection.

10          (D) Permitting and siting issues.

11          (E) Business planning and financial anal-  
12 ysis.

13          (F) Engineering design.

14           (3) INFORMATION DISSEMINATION.—The infor-  
15 mation disseminated under paragraph (1)(A) shall  
16 include—

17           (A) information relating to the topics de-  
18 scribed in paragraph (2), including case studies  
19 of successful examples;

20           (B) computer software and databases for  
21 assessment, design, and operation and mainte-  
22 nance of distributed energy systems; and

23           (C) public databases that track the oper-  
24 ation and deployment of existing and planned  
25 distributed energy systems.

1 (b) ELIGIBILITY.—Any nonprofit or for-profit entity  
2 shall be eligible to receive technical assistance and grants  
3 under the program.

4 (c) APPLICATIONS.—

5 (1) IN GENERAL.—An eligible entity desiring  
6 technical assistance or grants under the program  
7 shall submit to the Secretary an application at such  
8 time, in such manner, and containing such informa-  
9 tion as the Secretary may require.

10 (2) APPLICATION PROCESS.—The Secretary  
11 shall seek applications for technical assistance and  
12 grants under the program—

13 (A) on a competitive basis; and

14 (B) on a periodic basis, but not less fre-  
15 quently than once every 12 months.

16 (3) PRIORITIES.—In selecting eligible entities  
17 for technical assistance and grants under the pro-  
18 gram, the Secretary shall give priority to eligible en-  
19 tities with projects that have the greatest potential  
20 for—

21 (A) facilitating the use of renewable energy  
22 resources;

23 (B) strengthening the reliability and resil-  
24 iency of energy infrastructure to the impact of

1 extreme weather events, power grid failures,  
2 and interruptions in supply of fossil fuels;

3 (C) improving the feasibility of microgrids  
4 or islanding, particularly in rural areas, includ-  
5 ing high energy cost rural areas;

6 (D) minimizing environmental impact, in-  
7 cluding regulated air pollutants and greenhouse  
8 gas emissions; and

9 (E) maximizing local job creation.

10 (d) GRANTS.—On application by an eligible entity,  
11 the Secretary may award grants to the eligible entity to  
12 provide funds to cover not more than—

13 (1) 100 percent of the costs of the initial as-  
14 sessment to identify opportunities;

15 (2) 75 percent of the cost of feasibility studies  
16 to assess the potential for the implementation;

17 (3) 60 percent of the cost of guidance on over-  
18 coming barriers to implementation, including finan-  
19 cial, contracting, siting, and permitting issues; and

20 (4) 45 percent of the cost of detailed engineer-  
21 ing.

22 (e) RULES AND PROCEDURES.—

23 (1) RULES.—Not later than 180 days after the  
24 date of enactment of this Act, the Secretary shall

1       adopt rules and procedures for carrying out the pro-  
2       gram.

3           (2) GRANTS.—Not later than 120 days after  
4       the date of issuance of the rules and procedures for  
5       the program, the Secretary shall issue grants under  
6       this chapter.

7       (f) REPORTS.—The Secretary shall submit to Con-  
8       gress and make available to the public—

9           (1) not less frequently than once every 2 years,  
10       a report describing the performance of the program  
11       under this section, including a synthesis and analysis  
12       of the information provided in the reports submitted  
13       to the Secretary under section 4181(c); and

14           (2) on termination of the program under this  
15       section, an assessment of the success of, and edu-  
16       cation provided by, the measures carried out by eli-  
17       gible entities during the term of the program.

18       (g) AUTHORIZATION OF APPROPRIATIONS.—There is  
19       authorized to be appropriated to carry out this section  
20       \$250,000,000 for the period of fiscal years 2016 through  
21       2020, to remain available until expended.



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

**AMENDMENT TO THE RULES COMMITTEE H.R. 8**  
**OFFERED BY MR. POLIS OF COLORADO**

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

1     **CHAPTER 8—SURFACE ESTATE OWNER**

2                     **NOTIFICATION**

3     **SEC. 4181. SURFACE ESTATE OWNER NOTIFICATION.**

4         The Secretary of the Interior shall—

5             (1) notify surface estate owners and all owners  
6         of land located within 1 mile of a proposed oil or gas  
7         lease tract in writing at least 45 days in advance of  
8         lease sales;

9             (2) within 10 working days after a lease is  
10         issued, notify surface estate owners and all owners  
11         of land located within 1 mile of a lease tract, regard-  
12         ing the identity of the lessee;

13             (3) notify surface estate owners and all owners  
14         of land located within 1 mile of a lease tract in writ-  
15         ing within 10 working days concerning any subse-  
16         quent decisions regarding the lease, such as modi-  
17         fying or waiving stipulations and approving rights-  
18         of-way; and

1           (4) notify surface estate owners and all owners  
2           of land located within 1 mile of a lease tract, within  
3           5 business days after issuance of a drilling permit  
4           under a lease.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. BARTON OF TEXAS, MR.  
CUELLAR OF TEXAS, MR. MCCAUL OF TEXAS,  
AND MR. FLORES OF TEXAS**

At the end of the bill, add the following:

1 **TITLE VII—CHANGING CRUDE**  
2 **OIL MARKET CONDITIONS**

3 **SEC. 7001. FINDINGS.**

4 The Congress finds the following:

5 (1) The United States has enjoyed a renais-  
6 sance in energy production, establishing the United  
7 States as the world's leading oil producer.

8 (2) By authorizing crude oil exports, the Con-  
9 gress can spur domestic energy production, create  
10 and preserve jobs, help maintain and strengthen our  
11 independent shipping fleet that is essential to na-  
12 tional defense, and generate State and Federal reve-  
13 nues.

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

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

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

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

19           (7) The United States has reduced its oil con-  
20 sumption over the past decade, and increasing in-  
21 vestment in clean energy technology and energy effi-  
22 ciency will lower energy prices, reduce greenhouse  
23 gas emissions, and increase national security.

1 **SEC. 7002. REPEAL.**

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

5 **SEC. 7003. NATIONAL POLICY ON OIL EXPORT RESTRIC-**  
6 **TIONS.**

7 Notwithstanding any other provision of law, to pro-  
8 mote the efficient exploration, production, storage, supply,  
9 marketing, pricing, and regulation of energy resources, in-  
10 cluding fossil fuels, no official of the Federal Government  
11 shall impose or enforce any restriction on the export of  
12 crude oil.

13 **SEC. 7004. STUDIES.**

14 (a) **GREENHOUSE GAS EMISSIONS.**—Not later than  
15 120 days after the date of enactment of this Act, the Sec-  
16 retary of Energy shall conduct, and transmit to the Com-  
17 mittee on Energy and Commerce of the House of Rep-  
18 resentatives and the Committee on Energy and Natural  
19 Resources of the Senate the results of, a study on the net  
20 greenhouse gas emissions that will result from the repeal  
21 of the crude oil export ban under section 7002.

22 (b) **CRUDE OIL EXPORT STUDY.**—

23 (1) **IN GENERAL.**—The Department of Com-  
24 merce, in consultation with the Department of En-  
25 ergy, and other departments as appropriate, shall  
26 conduct a study of the State and national implica-

1 tions of lifting the crude oil export ban with respect  
2 to consumers and the economy.

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

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

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

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

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

18 (3) REPORT TO CONGRESS.—Not later than 1  
19 year after the date of enactment of this Act, the Bu-  
20 reau of Industry and Security shall submit to Con-  
21 gress a report containing the results of the study  
22 conducted under paragraph (1).

23 **SEC. 7005. SAVINGS CLAUSE.**

24 Nothing in this title limits the authority of the Presi-  
25 dent under the Constitution, the International Emergency

1 Economic Powers Act (50 U.S.C. 1701 et seq.), the Na-  
2 tional Emergencies Act (50 U.S.C. 1601 et seq.), part B  
3 of title II of the Energy Policy and Conservation Act (42  
4 U.S.C. 6271 et seq.), the Trading With the Enemy Act  
5 (50 U.S.C. App. 1 et seq.), or any other provision of law  
6 that imposes sanctions on a foreign person or foreign gov-  
7 ernment (including any provision of law that prohibits or  
8 restricts United States persons from engaging in a trans-  
9 action with a sanctioned person or government), including  
10 a foreign government that is designated as a state sponsor  
11 of terrorism, to prohibit exports.

12 **SEC. 7006. PARTNERSHIPS WITH MINORITY SERVING INSTI-**  
13 **TUTIONS.**

14 (a) **IN GENERAL.**—The Department of Energy shall  
15 continue to develop and broaden partnerships with minor-  
16 ity serving institutions, including Hispanic Serving Insti-  
17 tutions (HSI) and Historically Black Colleges and Univer-  
18 sities (HBCUs) in the areas of oil and gas exploration,  
19 production, midstream, and refining.

20 (b) **PUBLIC-PRIVATE PARTNERSHIPS.**—The Depart-  
21 ment of Energy shall encourage public-private partner-  
22 ships between the energy sector and minority serving insti-  
23 tutions, including Hispanic Serving Institutions and His-  
24 torically Black Colleges and Universities.

1 **SEC. 7007. REPORT.**

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

8 **SEC. 7008. REPORT TO CONGRESS.**

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

15 **SEC. 7009. PROHIBITION ON EXPORTS OF CRUDE OIL, RE-**  
16 **FINED PETROLEUM PRODUCTS, AND PETRO-**  
17 **CHEMICAL PRODUCTS TO THE ISLAMIC RE-**  
18 **PUBLIC OF IRAN.**

19 Nothing in this title shall be construed to authorize  
20 the export of crude oil, refined petroleum products, and  
21 petrochemical products by or through any entity or per-  
22 son, wherever located, subject to the jurisdiction of the  
23 United States to any entity or person located in, subject  
24 to the jurisdiction of, or sponsored by the Islamic Republic  
25 of Iran.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. CRAMER OF NORTH DAKOTA**

At the end of the bill, add the following:

1 **TITLE \_\_\_\_\_ —OTHER MATTERS**

2 **SEC. \_\_\_\_\_. VOLUNTARY VEGETATION MANAGEMENT**  
3 **OUTSIDE RIGHTS-OF-WAY.**

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

10 (b) **STATUS OF REMOVED VEGETATION.**—Any vege-  
11 tation removed pursuant to this section shall be the prop-  
12 erty of the United States and not available for sale by  
13 the owner or operator.

14 (c) **LIMITATION ON LIABILITY.**—An owner or oper-  
15 ator of an electric transmission or distribution facility  
16 shall not be held liable for wildlife damage, loss, or injury,  
17 including the cost of fire suppression, resulting from ac-  
18 tivities carried out pursuant to subsection (a) except in

- 1 the case of harm resulting from the owner or operator's
- 2 gross negligence or criminal misconduct.



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

Heck

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. DUFFY OF WISCONSIN**

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

**1 TITLE VII—OTHER MATTERS**

**2 SEC. 7001. ASSESSMENT OF REGULATORY REQUIREMENTS.**

3 (a) IN GENERAL.—Not later than 30 days after the  
4 date of enactment of this Act, the Administrator of the  
5 Environmental Protection Agency shall ensure that the re-  
6 quirements described in subsection (b) are satisfied.

7 (b) REQUIREMENTS.—The Administrator shall sat-  
8 isfy—

9 (1) section 4 of Executive Order 12866 (5  
10 U.S.C. 601 note) (relating to regulatory planning  
11 and review) and Executive Order 13563 (5 U.S.C.  
12 601 note) (relating to improving regulation and reg-  
13 ulatory review) (or any successor Executive order es-  
14 tablishing requirements applicable to the uniform re-  
15 porting of regulatory and deregulatory agendas);

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

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

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



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

65

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. GOSAR OF ARIZONA**

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

1       **TITLE VII—OTHER MATTERS**

2       **SEC. 7001. DEFINITIONS.**

3       In this title:

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

10          (2) COVERED ENERGY PROJECT.—

11           (A) IN GENERAL.—The term “covered en-  
12       ergy project” means—

13           (i) the leasing of Federal land for the  
14       exploration, development, production, proc-  
15       essing, or transmission of oil, natural gas,  
16       coal, geothermal, hydroelectric, biomass,  
17       solar, or any other source of energy; and

18           (ii) any action under the lease.

1 (B) EXCLUSION.—The term “covered en-  
2 ergy project” does not include any dispute be-  
3 tween the parties to a lease regarding the obli-  
4 gations under the lease, including any alleged  
5 breach of the lease.

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

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

11 **SEC. 7003. TIMELY FILING.**

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

16 **SEC. 7004. EXPEDITION IN HEARING AND DETERMINING**  
17 **THE ACTION.**

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

20 **SEC. 7005. LIMITATION ON INJUNCTION AND PROSPECTIVE**  
21 **RELIEF.**

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

25 (1) is narrowly drawn;

1 (2) extends no further than necessary to correct  
2 the violation of a legal requirement; and

3 (3) is the least intrusive means necessary to  
4 correct the violation.

5 (b) DURATION.—

6 (1) IN GENERAL.—A court shall limit the dura-  
7 tion of preliminary injunctions to halt covered en-  
8 ergy projects to not more than 60 days, unless the  
9 court finds clear reasons to extend the injunction.

10 (2) ADMINISTRATION.—In the case of an exten-  
11 sion, the extension shall—

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

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

15 (a) IN GENERAL.—Sections 504 of title 5 and 2412  
16 of title 28, United States Code (commonly known as the  
17 “Equal Access to Justice Act”), shall not apply to a cov-  
18 ered civil action.

19 (b) COURT COSTS.—A party to a covered civil action  
20 shall not receive payment from the Federal Government  
21 for the attorneys’ fees, expenses, or other court costs in-  
22 curred by the party.

23 **SEC. 7006. LEGAL STANDING.**

24 A challenger that files an appeal with the Department  
25 of the Interior Board of Land Appeals shall meet the same

- 1 standing requirements as a challenger before a United
- 2 States district court.



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

51

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. JENKINS OF WEST VIRGINIA**

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

**1 TITLE VII—OTHER MATTERS**

**2 SEC. 7001. STUDY TO IDENTIFY LEGAL AND REGULATORY  
3 BARRIERS THAT DELAY, PROHIBIT, OR IM-  
4 PEDE THE EXPORT OF NATURAL ENERGY RE-  
5 SOURCES.**

6 Not later than 1 year after the date of enactment  
7 of this Act, the Secretary of Energy and the Secretary  
8 of Commerce shall jointly transmit to the Committee on  
9 Energy and Commerce and the Committee on Natural Re-  
10 sources of the House of Representatives, and the Com-  
11 mittee on Commerce, Science, and Transportation and the  
12 Committee on Energy and Natural Resources of the Sen-  
13 ate, the results of a study to—

- 14 (1) identify legal and regulatory barriers that  
15 delay, prohibit, or impede the export of natural en-  
16 ergy resources, including government and technical  
17 (physical or market) barriers that hinder coal, nat-  
18 ural gas, oil, and other energy exports; and

- 1 (2) estimate the economic impacts of such bar-
- 2 riers.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. ROUZER OF NORTH CAROLINA**

At the end of the bill, add the following:

- 1     **TITLE \_\_\_\_ —OTHER MATTERS**  
2     **SEC. \_\_\_\_ . REPEAL OF RULE FOR NEW RESIDENTIAL**  
3             **WOOD HEATERS.**  
4         The final rule entitled “Standards of Performance for  
5 New Residential Wood Heaters, New Residential Hydronic  
6 Heaters and Forced-Air Furnaces” published at 80 Fed.  
7 Reg. 13672 (March 16, 2015) shall have no force or effect  
8 and shall be treated as if such rule had never been issued.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MS. CASTOR OF FLORIDA**

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

1 **TITLE VII—OTHER MATTERS**

2 **SEC. 7001. SHORT TITLE.**

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

5 **SEC. 7002. PROVISION OF INTERCONNECTION SERVICE AND**  
6 **NET BILLING SERVICE FOR COMMUNITY**  
7 **SOLAR FACILITIES.**

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

11 “(20) COMMUNITY SOLAR FACILITIES.—

12 “(A) DEFINITIONS.—In this paragraph:

13 “(i) COMMUNITY SOLAR FACILITY.—

14 The term ‘community solar facility’ means  
15 a solar photovoltaic system that—

16 “(I) allocates electricity to mul-  
17 tiple individual electric consumers of  
18 an electric utility;

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

3 “(III) is—

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

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

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

13 “(ii) INTERCONNECTION SERVICE.—  
14 The term ‘interconnection service’ means a  
15 service provided by an electric utility to an  
16 electric consumer, in accordance with the  
17 standards described in paragraph (15),  
18 through which a community solar facility is  
19 connected to an applicable local distribu-  
20 tion facility.

21 “(iii) NET BILLING SERVICE.—The  
22 term ‘net billing service’ means a service  
23 provided by an electric utility to an electric  
24 consumer through which electric energy  
25 generated for that electric consumer from

1 a community solar facility may be used to  
2 offset electric energy provided by the elec-  
3 tric utility to the electric consumer during  
4 the applicable billing period.

5 “(B) REQUIREMENT.—On receipt of a re-  
6 quest of an electric consumer served by the  
7 electric utility, each electric utility shall make  
8 available to the electric consumer interconnec-  
9 tion service and net billing service for a commu-  
10 nity solar facility.”.

11 (b) COMPLIANCE.—

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

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

24 “(B) Not later than 2 years after the date of  
25 enactment of this paragraph, each State regulatory

1 authority (with respect to each electric utility for  
2 which the State has ratemaking authority), and each  
3 nonregulated electric utility shall complete the con-  
4 sideration and make the determination under section  
5 111 with respect to the standard established by  
6 paragraph (20) of section 111(d).”.

7 (2) FAILURE TO COMPLY.—

8 (A) IN GENERAL.—Section 112(c) of the  
9 Public Utility Regulatory Policies Act of 1978  
10 (16 U.S.C. 2622(c)) is amended—

11 (i) by striking “such paragraph (14)”  
12 and all that follows through “paragraphs  
13 (16)” and inserting “such paragraph (14).  
14 In the case of the standard established by  
15 paragraph (15) of section 111(d), the ref-  
16 erence contained in this subsection to the  
17 date of enactment of this Act shall be  
18 deemed to be a reference to the date of en-  
19 actment of that paragraph (15). In the  
20 case of the standards established by para-  
21 graphs (16)”;

22 (ii) by adding at the end the fol-  
23 lowing: “In the case of the standard estab-  
24 lished by paragraph (20) of section 111(d),  
25 the reference contained in this subsection

1 to the date of enactment of this Act shall  
2 be deemed to be a reference to the date of  
3 enactment of that paragraph (20).”.

4 (B) TECHNICAL CORRECTION.—

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

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

19 (3) PRIOR STATE ACTIONS.—

20 (A) IN GENERAL.—Section 112 of the  
21 Public Utility Regulatory Policies Act of 1978  
22 (16 U.S.C. 2622) is amended by adding at the  
23 end the following:

24 “(g) PRIOR STATE ACTIONS.—Subsections (b) and  
25 (c) shall not apply to the standard established by para-

1 graph (20) of section 111(d) in the case of any electric  
2 utility in a State if, before the date of enactment of this  
3 subsection—

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

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

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

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



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

341

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. DESAULNIER OF CALIFORNIA**

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

1     **TITLE VII—OTHER MATTERS**

2     **SEC. 7001. STUDY OF VOLATILITY OF CRUDE OIL.**

3         Not later than 1 year after the date of enactment  
4 of this Act, the Secretary of Energy shall transmit to Con-  
5 gress the results of a study to determine the maximum  
6 level of volatility that is consistent with the safest prac-  
7 ticable shipment of crude oil by rail.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. DEUTCH OF FLORIDA**

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

1                   **TITLE VII—MARINE**  
2                   **HYDROKINETIC**  
3   **SEC. 7001. DEFINITION OF MARINE AND HYDROKINETIC RE-**  
4                   **NEWABLE ENERGY.**  
5           Section 632 of the Energy Independence and Security  
6 Act of 2007 (42 U.S.C. 17211) is amended in the matter  
7 preceding paragraph (1) by striking “electrical”.  
8   **SEC. 7002. MARINE AND HYDROKINETIC RENEWABLE EN-**  
9                   **ERGY RESEARCH AND DEVELOPMENT.**  
10          Section 633 of the Energy Independence and Security  
11 Act of 2007 (42 U.S.C. 17212) is amended to read as  
12 follows:  
13   **“SEC. 633. MARINE AND HYDROKINETIC RENEWABLE EN-**  
14                   **ERGY RESEARCH AND DEVELOPMENT.**  
15          “The Secretary, in consultation with the Secretary of  
16 the Interior, the Secretary of Commerce, and the Federal  
17 Energy Regulatory Commission, shall carry out a program  
18 of research, development, demonstration, and commercial  
19 application to accelerate the introduction of marine and

1 hydrokinetic renewable energy production into the United  
2 States energy supply, giving priority to fostering acceler-  
3 ated research, development, and commercialization of  
4 technology, including—

5           “(1) to assist technology development to im-  
6 prove the components, processes, and systems used  
7 for power generation from marine and hydrokinetic  
8 renewable energy resources;

9           “(2) to establish critical testing infrastructure  
10 necessary—

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

14           “(B) to accelerate the technological readi-  
15 ness and commercialization of those devices;

16           “(3) to support efforts to increase the efficiency  
17 of energy conversion, lower the cost, increase the  
18 use, improve the reliability, and demonstrate the ap-  
19 plicability of marine and hydrokinetic renewable en-  
20 ergy technologies by participating in demonstration  
21 projects;

22           “(4) to investigate variability issues and the ef-  
23 ficient and reliable integration of marine and  
24 hydrokinetic renewable energy with the utility grid;

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

5           “(6) to increase the reliability and survivability  
6 of marine and hydrokinetic renewable energy tech-  
7 nologies;

8           “(7) to verify the performance, reliability, main-  
9 tainability, and cost of new marine and hydrokinetic  
10 renewable energy device designs and system compo-  
11 nents in an operating environment;

12           “(8) to coordinate and avoid duplication of ac-  
13 tivities across programs of the Department and  
14 other applicable Federal agencies, including National  
15 Laboratories, and to coordinate public-private col-  
16 laboration in all programs under this section;

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

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

22           “(B) other renewable energy and fossil en-  
23 ergy programs, offshore oil and gas production  
24 activities, and activities of the Department of  
25 Defense; and

1           “(10) to support in-water technology develop-  
2           ment with international partners using existing co-  
3           operative procedures (including memoranda of un-  
4           derstanding)—

5           “(A) to allow cooperative funding and  
6           other support of value to be exchanged and le-  
7           veraged; and

8           “(B) to encourage international research  
9           centers and international companies to partici-  
10          pate in the development of water technology in  
11          the United States and to encourage United  
12          States research centers and United States com-  
13          panies to participate in water technology  
14          projects abroad.”.

15 **SEC. 7003. NATIONAL MARINE RENEWABLE ENERGY RE-**  
16 **SEARCH, DEVELOPMENT, AND DEMONSTRA-**  
17 **TION CENTERS.**

18          Section 634(b) of the Energy Independence and Se-  
19          curity Act of 2007 (42 U.S.C. 17213(b)) is amended to  
20          read as follows:

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

23                 “(1) advance research, development, demonstra-  
24                 tion, and commercial application of marine and  
25                 hydrokinetic renewable energy technologies;

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

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

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

9                   “(C) arrays of technology devices; and

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

16 **SEC. 7004. AUTHORIZATION OF APPROPRIATIONS.**

17           Section 636 of the Energy Independence and Security  
18           Act of 2007 (42 U.S.C. 17215) is amended by striking  
19           “2008 through 2012” and inserting “2016 through  
20           2019”.



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

64

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. GRAYSON OF FLORIDA**

At the end of the bill, add the following:

1 **TITLE \_\_\_\_ —OTHER MATTERS**

2 **SEC. \_\_\_\_ . SMART METER PRIVACY RIGHTS.**

3 (a) ELECTRICAL CORPORATION OR GAS CORPORA-  
4 TIONS.—

5 (1) For purposes of this section, “electrical or  
6 gas consumption data” means data about a cus-  
7 tomer’s electrical or natural gas usage that is made  
8 available as part of an advanced metering infrastruc-  
9 ture, and includes the name, account number, or  
10 residence of the customer.

11 (2)(A) An electrical corporation or gas corpora-  
12 tion shall not share, disclose, or otherwise make ac-  
13 cessible to any third party a customer’s electrical or  
14 gas consumption data, except as provided in sub-  
15 section (a) (5) or upon the consent of the customer.

16 (B) An electrical corporation or gas corporation  
17 shall not sell a customer’s electrical or gas consump-  
18 tion data or any other personally identifiable infor-  
19 mation for any purpose.

1           (C) The electrical corporation or gas corpora-  
2           tion or its contractors shall not provide an incentive  
3           or discount to the customer for accessing the cus-  
4           tomer's electrical or gas consumption data without  
5           the prior consent of the customer.

6           (D) An electrical or gas corporation that uti-  
7           lizes an advanced metering infrastructure that al-  
8           lows a customer to access the customer's electrical  
9           and gas consumption data shall ensure that the cus-  
10          tomer has an option to access that data without  
11          being required to agree to the sharing of his or her  
12          personally identifiable information, including elec-  
13          trical or gas consumption data, with a third party.

14          (3) If an electrical corporation or gas corpora-  
15          tion contracts with a third party for a service that  
16          allows a customer to monitor his or her electricity or  
17          gas usage, and that third party uses the data for a  
18          secondary commercial purpose, the contract between  
19          the electrical corporation or gas corporation and the  
20          third party shall provide that the third party promi-  
21          nently discloses that secondary commercial purpose  
22          to the customer.

23          (4) An electrical corporation or gas corporation  
24          shall use reasonable security procedures and prac-  
25          tices to protect a customer's unencrypted electrical

1 or gas consumption data from unauthorized access,  
2 destruction, use, modification, or disclosure.

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

9 (B) Nothing in this section shall preclude an  
10 electrical corporation or gas corporation from dis-  
11 closing a customer's electrical or gas consumption  
12 data to a third party for system, grid, or operational  
13 needs, or the implementation of demand response,  
14 energy management, or energy efficiency programs,  
15 provided that, for contracts entered into after Janu-  
16 ary 1, 2016, the utility has required by contract that  
17 the third party implement and maintain reasonable  
18 security procedures and practices appropriate to the  
19 nature of the information, to protect the personal in-  
20 formation from unauthorized access, destruction,  
21 use, modification, or disclosure, and prohibits the  
22 use of the data for a secondary commercial purpose  
23 not related to the primary purpose of the contract  
24 without the customer's consent.

1 (C) Nothing in this section shall preclude an  
2 electrical corporation or gas corporation from dis-  
3 closing electrical or gas consumption data as re-  
4 quired or permitted under State or Federal law or  
5 by an order of a State public utility commission.

6 (6) If a customer chooses to disclose his or her  
7 electrical or gas consumption data to a third party  
8 that is unaffiliated with, and has no other business  
9 relationship with, the electrical or gas corporation,  
10 the electrical or gas corporation shall not be respon-  
11 sible for the security of that data, or its use or mis-  
12 use.

13 (b) LOCAL PUBLICLY OWNED ELECTRIC UTILI-  
14 TIES.—

15 (1) For purposes of this section, “electrical con-  
16 sumption data” means data about a customer’s elec-  
17 trical usage that is made available as part of an ad-  
18 vanced metering infrastructure, and includes the  
19 name, account number, or residence of the customer.

20 (2)(A) A local publicly owned electric utility  
21 shall not share, disclose, or otherwise make acces-  
22 sible to any third party a customer’s electrical con-  
23 sumption data, except as provided in subsection (b)  
24 (5) or upon the consent of the customer.

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

5 (C) The local publicly owned electric utility or  
6 its contractors shall not provide an incentive or dis-  
7 count to the customer for accessing the customer's  
8 electrical consumption data without the prior con-  
9 sent of the customer.

10 (D) A local publicly owned electric utility that  
11 utilizes an advanced metering infrastructure that al-  
12 lows a customer to access the customer's electrical  
13 consumption data shall ensure that the customer has  
14 an option to access that data without being required  
15 to agree to the sharing of his or her personally iden-  
16 tifiable information, including electrical consumption  
17 data, with a third party.

18 (3) If a local publicly owned electric utility con-  
19 tracts with a third party for a service that allows a  
20 customer to monitor his or her electricity usage, and  
21 that third party uses the data for a secondary com-  
22 mercial purpose, the contract between the local pub-  
23 licly owned electric utility and the third party shall  
24 provide that the third party prominently discloses  
25 that secondary commercial purpose to the customer.

1           (4) A local publicly owned electric utility shall  
2 use reasonable security procedures and practices to  
3 protect a customer's unencrypted electrical consump-  
4 tion data from unauthorized access, destruction, use,  
5 modification, or disclosure, and prohibits the use of  
6 the data for a secondary commercial purpose not re-  
7 lated to the primary purpose of the contract without  
8 the customer's consent.

9           (5)(A) Nothing in this section shall preclude a  
10 local publicly owned electric utility from using cus-  
11 tomer aggregate electrical consumption data for  
12 analysis, reporting, or program management if all  
13 information has been removed regarding the indi-  
14 vidual identity of a customer.

15           (B) Nothing in this section shall preclude a  
16 local publicly owned electric utility from disclosing a  
17 customer's electrical consumption data to a third  
18 party for system, grid, or operational needs, or the  
19 implementation of demand response, energy manage-  
20 ment, or energy efficiency programs, provided, for  
21 contracts entered into after January 1, 2016, that  
22 the utility has required by contract that the third  
23 party implement and maintain reasonable security  
24 procedures and practices appropriate to the nature  
25 of the information, to protect the personal informa-

1       tion from unauthorized access, destruction, use,  
2       modification, or disclosure.

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

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



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

86L

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MS. JACKSON LEE OF TEXAS**

At the end of the bill, add the following:

- 1     **TITLE \_\_\_\_—OTHER MATTERS**  
2     **SEC. \_\_\_\_ . YOUTH ENERGY ENTERPRISE COMPETITION.**  
3         The Secretaries of Energy and Commerce shall joint-  
4 ly establish an energy enterprise competition to encourage  
5 youth to propose solutions to the energy challenges of the  
6 United States and to promote youth interest in careers  
7 in science, technology, engineering, and math, especially  
8 as those fields relate to energy.



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

16

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MS. MENG OF NEW YORK**

At the end of the bill, add the following:

1 **TITLE \_\_\_\_ —OTHER MATTERS**

2 **SEC. \_\_\_\_ . MODERNIZATION OF TERMS RELATING TO MI-**  
3 **NORITIES.**

4 (a) OFFICE OF MINORITY ECONOMIC IMPACT.—Sec-  
5 tion 211(f)(1) of the Department of Energy Organization  
6 Act (42 U.S.C. 7141(f)(1)) is amended by striking “a  
7 Negro, Puerto Rican, American Indian, Eskimo, Oriental,  
8 or Aleut or is a Spanish speaking individual of Spanish  
9 descent” and inserting “Asian American, African Amer-  
10 ican, Hispanic, Puerto Rican, Native American, or an  
11 Alaska Native”.

12 (b) MINORITY BUSINESS ENTERPRISES.—Section  
13 106(f)(2) of the Local Public Works Capital Development  
14 and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is  
15 amended by striking “Negroes, Spanish-speaking, Ori-  
16 entals, Indians, Eskimos, and Aleuts” and inserting  
17 “Asian American, African American, Hispanic, Native  
18 American, or Alaska Natives”.



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

68

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. PALLONE OF NEW JERSEY**

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

1 **TITLE VII—EFFECTIVE DATE**

2 **SEC. 7001. EFFECTIVE DATE.**

3 This Act shall not take effect until the Energy Infor-  
4 mation Administration has analyzed and published a re-  
5 port on the carbon impacts of the provisions of this Act.



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

19R

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. NORCROSS OF NEW JERSEY**

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

1 **SEC. 3007. REPORT ON SMART METER SECURITY CON-**  
2 **CERNS.**

3 Not later than 1 year after the date of enactment  
4 of this Act, the Secretary of Energy shall transmit to Con-  
5 gress a report on the weaknesses in currently available  
6 smart meters' security architecture and features, including  
7 an absence of event logging, as described in the Govern-  
8 ment Accountability Office testimony entitled "Critical In-  
9 frastructure Protection: Cybersecurity of the Nation's  
10 Electricity Grid Requires Continued Attention" on Octo-  
11 ber 21, 2015.

