

Consolidated Appropriations Act, 2018

Public Law 115-141

H. R. 1625—712

DIVISION O—WILDFIRE SUPPRESSION FUNDING AND FOREST MANAGEMENT ACTIVITIES ACT

SEC. 101. SHORT TITLE.

This division may be cited as the “Wildfire Suppression Funding and Forest Management Activities Act”.

TITLE I—WILDFIRE AND DISASTER FUNDING ADJUSTMENT

SEC. 102. WILDFIRE AND DISASTER FUNDING ADJUSTMENT.

(a) Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(1) in subparagraph (D)(i), by striking subclauses (I) and (II) and inserting the following—

“(I) the average over the previous 10 years (excluding the highest and lowest years) of the sum of the funding provided for disaster relief (as that term is defined on the date immediately before the date of enactment of the Wildfire Suppression Funding and Forest Management Activities Act);

“(II) notwithstanding clause (iv), starting in fiscal year 2018, five percent of the total appropriations provided after fiscal year 2011 or in the previous 10 years, whichever is less, net of any rescissions of budget authority enacted in the same period, with respect to amounts provided for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and designated by the Congress and the President as an emergency pursuant to subparagraph (A)(i) of this paragraph; and

“(III) the cumulative net total of the unused carryover for fiscal year 2018 and all subsequent fiscal years, where the unused carryover for each fiscal year is calculated as the sum of the amounts in subclauses (I) and (II) less the enacted appropriations for that fiscal year that have been designated as being for disaster relief.”;

(2) in subparagraph (D)(ii), by striking “not later than 30 days after the date of enactment of the Budget Control Act of 2011” and inserting “not later than 30 days after the

date of enactment of the Wildfire Suppression Funding and Forest Management Activities Act”; and

(3) by adding at the end the following:

“(F) WILDFIRE SUPPRESSION.—

“(i) ADDITIONAL NEW BUDGET AUTHORITY.—If, for fiscal years 2020 through 2027, a bill or joint resolution making appropriations for a fiscal year is enacted that provides an amount for wildfire suppression operations in the Wildland Fire Management accounts at the Department of Agriculture or the Department of the Interior, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for wildfire suppression operations for that fiscal year, but shall not exceed—

“(I) for fiscal year 2020, \$2,250,000,000;

“(II) for fiscal year 2021, \$2,350,000,000;

“(III) for fiscal year 2022, \$2,450,000,000;

“(IV) for fiscal year 2023, \$2,550,000,000;

“(V) for fiscal year 2024, \$2,650,000,000;

“(VI) for fiscal year 2025, \$2,750,000,000;

“(VII) for fiscal year 2026, \$2,850,000,000; and

“(VIII) for fiscal year 2027, \$2,950,000,000.

“(ii) DEFINITIONS.—In this subparagraph:

“(I) ADDITIONAL NEW BUDGET AUTHORITY.—The term ‘additional new budget authority’ means the amount provided for a fiscal year in an appropriation Act that is in excess of the average costs for wildfire suppression operations as reported in the budget of the President submitted under section 1105(a) of title 31, United States Code, for fiscal year 2015 and are specified to pay for the costs of wildfire suppression operations in an amount not to exceed the amount specified for that fiscal year in clause (i).

“(II) WILDFIRE SUPPRESSION OPERATIONS.—The term ‘wildfire suppression operations’ means the emergency and unpredictable aspects of wildland firefighting, including—

“(aa) support, response, and emergency stabilization activities;

“(bb) other emergency management activities; and

“(cc) the funds necessary to repay any transfers needed for the costs of wildfire suppression operations.”.

(b) The amendment made by paragraph (1) of subsection (a) shall begin to apply in fiscal year 2019.

SEC. 103. REQUEST FOR ADDITIONAL WILDFIRE SUPPRESSION FUNDS.

If the amount provided for wildfire suppression operations for that fiscal year will be exhausted within 30 calendar days, the Secretary of the Interior or the Secretary of Agriculture (as applicable), in consultation with the Director of the Office of Management and Budget, shall promptly submit a request to Congress for supplemental appropriations.

SEC. 104. REPORTING REQUIREMENTS.

(a) **IN GENERAL.**—Not later than 90 days after the end of the fiscal year for which additional new budget authority is used, pursuant to section 251(b)(2)(F)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(F)(i)), as added by section 102 of this division, the Secretary of the Interior or the Secretary of Agriculture (as applicable), in consultation with the Director of the Office of Management and Budget, shall—

(1) prepare an annual report with respect to the additional new budget authority;

(2) submit to the Committees on Appropriations, the Budget, and Natural Resources of the House of Representatives and the Committees on Appropriations, the Budget, and Energy and Natural Resources of the Senate the annual report prepared under paragraph (1); and

(3) make the report prepared under paragraph (1) available to the public.

(b) **COMPONENTS.**—The annual report prepared under subsection (a)(1) shall—

(1) document obligations and outlays of the additional new budget authority for wildfire suppression operations;

(2) identify risk-based factors that influenced management decisions with respect to wildfire suppression operations;

(3) analyze a statistically significant sample of large fires, including an analysis for each fire of—

(A) cost drivers;

(B) the effectiveness of risk management techniques and whether fire operations strategy tracked the risk assessment;

(C) any resulting ecological or other benefits to the landscape;

(D) the impact of investments in wildfire suppression operations preparedness;

(E) effectiveness of wildfire suppression operations, including an analysis of resources lost versus dollars invested;

(F) effectiveness of any fuel treatments on fire behavior and suppression expenditures;

(G) levels of exposure experienced by firefighters;

(H) suggested corrective actions; and

(I) any other factors the Secretary of the Interior or Secretary of Agriculture (as applicable) determines to be appropriate;

(4) include an accounting of overall fire management and spending by the Department of the Interior or the Department of Agriculture, which shall be analyzed by fire size, cost, regional location, and other factors;

(5) describe any lessons learned in the conduct of wildfire suppression operations; and

(6) include any other elements that the Secretary of the Interior or the Secretary of Agriculture (as applicable) determines to be necessary.

TITLE II—FOREST MANAGEMENT ACTIVITIES

SEC. 201. DEFINITIONS.

In this title:

(1) NATIONAL FOREST SYSTEM.—The term “National Forest System” has the meaning given the term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(2) PUBLIC LAND.—The term “public land” has the meaning given the term “public lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(3) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to public land.

SEC. 202. WILDFIRE RESILIENCE PROJECTS.

Insert at the end of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511) the following new section:

“SEC. 605. WILDFIRE RESILIENCE PROJECTS.

“(a) IN GENERAL.—Hazardous fuels reduction projects, as defined in the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(2)) may be—

“(1) carried out in accordance with subsections (b), (c), and (d) of section 102 and sections 104 and 105;

“(2) considered an action categorically excluded from the requirements of Public Law 91–190 (42 U.S.C. 4321 et seq.); and

“(3) exempt from the special administrative review process under section 105.

“(b) COLLABORATIVE RESTORATION PROJECT.—

“(1) IN GENERAL.—A project referred to in subsection (a) is a project to carry out forest restoration treatments that—

“(A) maximizes the retention of old-growth and large trees, as appropriate for the forest type, to the extent that the trees promote stands that are resilient to insects and disease, and reduce the risk or extent of, or increase the resilience to, wildfires;

“(B) considers the best available scientific information to maintain or restore the ecological integrity, including maintaining or restoring structure, function, composition, and connectivity; and

“(C) is developed and implemented through a collaborative process that—

“(i) includes multiple interested persons representing diverse interests; and

“(ii)(I) is transparent and nonexclusive; or

“(II) meets the requirements for a resource advisory committee under subsections (c) through (f) of section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125).

“(2) INCLUSION.—A project under this subsection may carry out part of a proposal that complies with the eligibility requirements of the Collaborative Forest Landscape Restoration Program under section 4003(b) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(b)).

“(c) LIMITATIONS.—

“(1) PROJECT SIZE.—A project under this section may not exceed 3000 acres.

“(2) LOCATION.—A project under this section shall be—

“(A) Prioritized within the wildland-urban interface;

“(B) If located outside the wildland-urban interface, limited to areas within Condition Classes 2 or 3 in Fire Regime Groups I, II, or III that contain very high wildfire hazard potential; and

“(C) Limited to areas designated under section 602(b) as of the date of enactment of this Act.

“(3) ROADS.—

“(A) PERMANENT ROADS.—

“(i) PROHIBITION ON ESTABLISHMENT.—A project under this section shall not include the establishment of permanent roads.

“(ii) EXISTING ROADS.—The Secretary may carry out necessary maintenance and repairs on existing permanent roads for the purposes of this section.

“(B) TEMPORARY ROADS.—The Secretary shall decommission any temporary road constructed under a project under this section not later than 3 years after the date on which the project is completed.

“(4) EXTRAORDINARY CIRCUMSTANCES.—The Secretary shall apply the extraordinary circumstances procedures under section 220.6 of title 36, code of Federal regulations (or successor regulations), when using the categorical exclusion under this section.

“(d) EXCLUSIONS.—This section does not apply to—

“(1) a component of the National Wilderness Preservation System;

“(2) any Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited;

“(3) a congressionally designated wilderness study area; or

“(4) an area in which activities under subsection (a) would be inconsistent with the applicable land and resource management plan.

“(e) FOREST MANAGEMENT PLANS.—All projects and activities carried out under this section shall be consistent with the land and resource management plan established under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) for the unit of the National Forest System containing the projects and activities.

“(f) PUBLIC NOTICE AND SCOPING.—The Secretary shall conduct public notice and scoping for any project or action proposed in accordance with this section.

“(g) ACCOUNTABILITY.—

“(1) IN GENERAL.—The Secretary shall prepare an annual report on the use of categorical exclusions under this section

that includes a description of all acres (or other appropriate unit) treated through projects carried out under this section.

“(2) SUBMISSION.—Not later than 1 year after the date of enactment of this section, and each year thereafter, the Secretary shall submit the reports required under paragraph (1) to—

“(A) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

“(B) the Committee on Environment and Public Works of the Senate;

“(C) the Committee on Agriculture of the House of Representatives;

“(D) the Committee on Natural Resources of the House of Representatives; and

“(E) the Government Accountability Office.”.

SEC. 203. INSTALLATION OF FUEL BREAKS AND FIREBREAKS FOR HAZARDOUS FUEL REDUCTION ON FEDERAL LAND.

Section 101(2) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(2)) is amended—

(1) by striking “The term” and inserting the following:

“(A) IN GENERAL.—The term”;

(2) by adding at the end the following:

“(B) INCLUSION.—The term ‘authorized hazardous fuel reduction project’ includes, using the measures and methods described in subparagraph (A), the installation of—

“(i) a natural or manmade change in fuel characteristics that affects fire behavior such that a fire can be more readily controlled (commonly known as a ‘fuel break’); and

“(ii) a natural or constructed barrier used to stop or check a fire or to provide a control line from which to work to stop or check a fire (commonly known as a ‘firebreak’).”.

SEC. 204. CANCELLATION CEILINGS FOR STEWARDSHIP END RESULT CONTRACTING PROJECTS.

Section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c) is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following:

“(h) CANCELLATION CEILINGS.—

“(1) IN GENERAL.—Notwithstanding section 3903(b)(1) of title 41, United States Code, the Chief and the Director may obligate funds in stages that are economically or programmatically viable to cover any potential cancellation or termination costs for an agreement or contract under subsection (b).

“(2) ADVANCE NOTICE TO CONGRESS OF CANCELLATION CEILING IN EXCESS OF \$25,000,000.—Not later than 30 days before entering into a multiyear agreement or contract under subsection (b) that includes a cancellation ceiling in excess of \$25,000,000, but does not include proposed funding for the costs of cancelling the agreement or contract up to that cancellation ceiling, the Chief or the Director, as applicable, shall submit to the Committee on Energy and Natural Resources

and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a written notice that includes—

“(A) a description of the cancellation ceiling amounts proposed for each program year in the agreement or contract;

“(B) the reasons why the cancellation ceiling amounts described under subparagraph (A) were selected;

“(C) a description of the extent to which the costs of contract cancellation are not included in the budget for the agreement or contract; and

“(D) an assessment of the financial risk of not including budgeting for the costs of agreement or contract cancellation.

“(3) TRANSMITTAL OF NOTICE TO OMB.—Not later than 14 days after the date on which written notice is provided under paragraph (2), the Chief or the Director, as appropriate, shall transmit a copy of the notice to the Director of the Office of Management and Budget.”.

SEC. 205. EXCESS OFFSET VALUE.

Section 604(g)(2) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(g)(2)) is amended by striking subparagraphs (A) and (B) and inserting the following:

“(A) use the excess to satisfy any outstanding liabilities for cancelled agreements or contracts; or

“(B) if there are no outstanding liabilities described in subparagraph (A), apply the excess to other authorized stewardship projects.”.

SEC. 206. SUBMISSION OF EXISTING ANNUAL REPORT.

Subsection (j) of section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c) (as redesignated by section 204 of this Act), is amended by striking “report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives” and inserting “submit to the congressional committees described in subsection (h)(2) a report”.

SEC. 207. 20-YEAR STEWARDSHIP CONTRACTING.

(a) IN GENERAL.—The Secretary of Agriculture and the Secretary of the Interior may award contracts or agreements under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511), for terms not to exceed 20 years on areas where the majority of Federal lands are in Fire Regime Groups I, II, or III.

(b) PREFERENCE.—In awarding a contract under this section, the Secretary concerned may, notwithstanding the Federal Acquisition Regulations, give a procurement preference to a contractor that would, as part of the contract, promote an innovative use of forest products, including cross-laminated timber.

SEC. 208. CONSULTATION UNDER FOREST AND RANGELAND RENEWABLE RESOURCES PLANNING ACT OF 1974.

(a) CONSULTATION REGARDING LAND MANAGEMENT PLANS.—Section 6(d) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(d)) is amended—

H. R. 1625—719

(1) by striking “(d) The Secretary” and inserting the following:

“(d) PUBLIC PARTICIPATION AND CONSULTATION.—

“(1) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(2) NO ADDITIONAL CONSULTATION REQUIRED AFTER APPROVAL OF LAND MANAGEMENT PLANS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), notwithstanding any other provision of law, the Secretary shall not be required to engage in consultation under this section or any other provision of law (including section 7 of Public Law 93–205 (16 U.S.C. 1536) and section 402.16 of title 50, Code of Federal Regulations (or a successor regulation)) with respect to—

“(i) the listing of a species as threatened or endangered, or a designation of critical habitat pursuant to Public Law 93–205 (16 U.S.C. 1531 et seq.), if a land management plan has been adopted by the Secretary as of the date of listing or designation; and

“(ii) any provision of a land management plan adopted as described in clause (i).

“(B) EXCEPTION.—Subparagraph (A) shall not apply if—

“(i) 15 years have passed since the date on which the Secretary adopted the land management plan described in clause (i) of that subparagraph; and

“(ii) 5 years have passed since the date of enactment of this section or the date of the listing of a species as threatened or endangered for a species known to occur on the unit or the designation of critical habitat within the unit as described in clause (i) of that subparagraph, whichever is later.

“(C) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects any applicable requirement of the Secretary to consult with the head of any other Federal department or agency—

“(i) regarding any project carried out, or proposed to be carried out, to implement a land management plan pursuant to Public Law 93–205 (16 U.S.C. 1531 et seq.), including any requirement to consult regarding the consideration of cumulative impacts of completed, ongoing, and planned projects; or

“(ii) with respect to—

“(I) the development of a modification to a land management plan; or

“(II) an amendment or revision to a land management plan in accordance with paragraph (4) or (5) of subsection (f).”.

(b) DEFINITION OF SECRETARY; CONFORMING AMENDMENTS.—

(1) DEFINITION OF SECRETARY.—Section 3(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1601(a)) is amended, in the first sentence of the matter preceding paragraph (1), by inserting “(referred to in this Act as the ‘Secretary’)” after “Secretary of Agriculture”.

(2) CONFORMING AMENDMENTS.—The Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.) is amended, in sections 4 through 9, 12, 13, and 15,

by striking “Secretary of Agriculture” each place it appears and inserting “Secretary”.

SEC. 209. OREGON AND CALIFORNIA RAILROAD REVESTED LANDS AND COOS BAY WAGON ROAD RECONVEYED LANDS.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, with respect to the Oregon and California Railroad grant land revested in the United States by the Act of June 9, 1916 (39 Stat. 218, chapter 137), and the Coos Bay Wagon Road grant land reconveyed to the United States by the first section of the Act of February 26, 1919 (40 Stat. 1179, chapter 47), that is managed under the Act of August 28, 1937 (43 U.S.C. 2601 et seq.), the Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall not be required to engage in consultation under any law (including section 7 of Public Law 93–205 (16 U.S.C. 1536) and section 402.16 of title 50, Code of Federal Regulations (or a successor regulation)), with respect to—

(1) the listing of a species as threatened or endangered, or a designation of critical habitat, pursuant to Public Law 93–205 (16 U.S.C. 1531 et seq.), if a land use plan has been adopted by the Secretary of the Interior as of the date of listing or designation; and

(2) any provision of a land use plan adopted as described in paragraph (1).

(b) **EFFECT OF SECTION.**—Nothing in this section affects any applicable requirement of the Secretary of the Interior to consult with the head of any other Federal department or agency—

(1) regarding a project carried out, or proposed to be carried out, pursuant to Public Law 93–205 (16 U.S.C. 1531 et seq.), including any requirement to consult regarding the consideration of the cumulative impacts of completed, ongoing, and planned projects; or

(2) with respect to the development of a new land use plan or the revision of or other significant change to an existing land use plan.

SEC. 210. WILDFIRE HAZARD SEVERITY MAPPING FOR COMMUNITIES.

(a) **MAP REQUIRED.**—Not later than 2 years after the date of the enactment of this section, the Secretary of Agriculture, acting through the Chief of the Forest Service, shall—

(1) develop and publish a geospatial map appropriate for community-level use that depicts wildfire hazard severity to inform at-risk communities that are—

(A) adjacent to National Forest System lands; or

(B) affected by wildland fire, as determined by the Secretary; and

(2) disseminate the information under paragraph (1) in an appropriate, web-based format for use by such communities to—

(A) improve understanding of their risk profile;

(B) clarify thinking on the nature and effect of wildfire risks; and

(C) develop plans to manage and mitigate those risks.

(b) **PURPOSES OF MAP.**—The purposes of the map required under subsection (a) are as follows:

(1) To inform evaluations of wildfire risk.

(2) To prioritize fuels management needs.

(3) To depict the relative potential for wildfire that could be difficult for suppression resources to contain and that could cause ignitions to structures.

(c) CONSULTATION.—In carrying out subsection (a), the Secretary of Agriculture and Chief of the Forest Service shall consult with—

- (1) the Secretary of the Interior;
- (2) the Administrator of the Federal Emergency Management Agency;
- (3) other appropriate Federal agencies;
- (4) States;
- (5) relevant colleges, universities, and institutions of higher education with relevant expertise; and
- (6) other entities, as appropriate.

(d) AT-RISK COMMUNITY DEFINED.—The term “at-risk community” has the meaning given the term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

SEC. 211. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE RELATING TO ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITY RIGHTS OF WAY.

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

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

“(a) DEFINITIONS.—In this section:

“(1) HAZARD TREE.—The term ‘hazard tree’ means any tree or part thereof (whether located inside or outside a right-of-way) that has been designated, prior to tree failure, by a certified or licensed arborist or forester under the supervision of the Secretary concerned or the owner or operator of a transmission or distribution facility to be—

“(A) dead, likely to die within the routine vegetation management cycle, or likely to fail within the routine vegetation management cycle; and

“(B) if the tree or part of the tree failed, likely to—

“(i) cause substantial damage or disruption to a transmission or distribution facility; or

“(ii) come within 10 feet of an electric power line.

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

“(3) PLAN.—The term ‘plan’ means a vegetation management, facility inspection, and operation and maintenance plan that—

“(A) is prepared by the owner or operator of 1 or more electric transmission or distribution facilities to cover 1 or more electric transmission and distribution rights-of-way; and

“(B) provides for the long-term, cost-effective, efficient, and timely management of facilities and vegetation within the width of the right-of-way and abutting Federal land,

including hazard trees, to enhance electric reliability, promote public safety, and avoid fire hazards.

“(4) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—

“(A) the Secretary, with respect to public lands; and

“(B) the Secretary of Agriculture, with respect to National Forest System land.

“(b) GUIDANCE.—

“(1) IN GENERAL.—To enhance the reliability of the electric grid and reduce the threat of wildfire damage to, and wildfire caused by vegetation-related conditions within, electric transmission and distribution rights-of-way and abutting Federal land, including hazard trees, the Secretary concerned shall issue and periodically update guidance to ensure that provisions are appropriately developed and implemented for utility vegetation management, facility inspection, and operation and maintenance of rights-of-way, regardless of the means by which the rights-of-way are established (including by grant, special use authorization, and easement).

“(2) LIMITATION.—The guidance issued under paragraph (1) shall be compatible with mandatory reliability standards established by the Electric Reliability Organization.

“(3) CONSIDERATIONS.—The guidance issued under paragraph (1) shall take into account—

“(A) all applicable law, including fire safety and electric system reliability requirements (including reliability standards established by the Electric Reliability Organization under section 215 of the Federal Power Act (16 U.S.C. 824o)); and

“(B) the Memorandum of Understanding on Vegetation Management for Powerline Rights-of-Way between the Edison Electric Institute, Utility Arborist Association, the Department of the Interior, the Department of Agriculture, and the Environmental Protection Agency signed in 2016.

“(4) REQUIREMENTS.—The guidance issued under paragraph (1) shall—

“(A) be developed in consultation with the owners of transmission and distribution facilities that hold rights-of-way;

“(B) seek to minimize the need for case-by-case approvals for —

“(i) routine vegetation management, facility inspection, and operation and maintenance activities; and

“(ii) utility vegetation management activities that are necessary to control hazard trees; and

“(C) provide for prompt and timely review of requests to conduct vegetation management activities that require approval of the Secretary concerned, especially activities requiring expedited or immediate action.

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

“(1) DEVELOPMENT AND SUBMISSION.—Consistent with subsection (b), the Secretary concerned shall provide owners and operators of electric transmission or distribution facilities located on public lands and National Forest System land, as applicable, with the option to develop and submit a plan.

“(2) ERO STANDARDS.—Owners and operators subject to mandatory reliability standards established by the Electric Reliability Organization (or superseding standards) may use those standards as part of the plan.

“(3) PLAN REQUIREMENTS.—A plan developed under paragraph (1) shall—

“(A) identify the applicable transmission or distribution facilities to be maintained;

“(B) take into account operations and maintenance plans for the applicable transmission or distribution line;

“(C) describe the vegetation management, inspection, and operation and maintenance methods that may be used to comply with all applicable law, including fire safety requirements and reliability standards established by the Electric Reliability Organization;

“(D) include schedules for—

“(i) the applicable owner or operator to notify the Secretary concerned about routine and major maintenance;

“(ii) the applicable owner or operator to request approval from the Secretary concerned about undertaking routine and major maintenance; and

“(iii) the Secretary concerned to respond to a request by an owner or operator under clause (ii); and

“(E) describe processes for—

“(i) identifying changes in conditions; and

“(ii) modifying the approved plan, if necessary.

“(4) REVIEW AND APPROVAL PROCESS.—

“(A) IN GENERAL.—The Secretary concerned shall jointly develop a consolidated and coordinated process for the review and approval of plans submitted under paragraph (1) that—

“(i) includes timelines and benchmarks for—

“(I) the submission of agency comments on the plans and schedules for final decision; and

“(II) the timely review of modifications of the plans in cases in which modifications are necessary;

“(ii) is consistent with applicable law; and

“(iii) includes a process for modifications to a plan in a prompt manner if changed conditions necessitate a modification to a plan; and

“(iv) ensures, to the maximum extent practicable, a prompt review and approval process not to exceed 120 days.

“(B) PLAN MODIFICATION.—Upon reasonable advance notice to an owner or operator of an electric transmission or distribution facility of any changed conditions that warrant a modification to a plan, the Secretary concerned shall—

“(i) provide an opportunity for the owner or operator to submit a proposed plan modification, consistent with the process described under subparagraph (A)(iii), to address the changed condition identified by the Secretary concerned;

H. R. 1625—724

“(ii) consider the proposed plan modification consistent with the process described under paragraph (4)(A); and

“(iii) allow the owner or operator to continue to implement any element of the approved plan that does not directly and adversely affect the condition precipitating the need for modification.

“(5) CATEGORIES OF ACTIONS NOT REQUIRING ENVIRONMENTAL ANALYSIS.—With respect to the development and approval of plans submitted under paragraph (1), as well as with respect to actions carried out under such plans, the Secretary concerned shall identify categories of actions for which neither an environmental impact statement nor an environmental assessment shall be required under section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation).

“(d) CERTAIN OWNERS AND OPERATORS.—

“(1) IN GENERAL.—The owner or operator of an electric transmission or distribution facility that is not subject to the mandatory reliability standards established by the Electric Reliability Organization or that sold less than or equal to 1,000,000 megawatt hours of electric energy for purposes other than resale during each of the 3 calendar years immediately preceding the date of enactment of this section may enter into an agreement with the Secretary concerned in lieu of a plan under subsection (c).

“(2) MINIMUM REQUIREMENTS.—The Secretary concerned shall ensure that the minimum requirements for an agreement under paragraph (1)—

“(A) reflect the relative financial resources of the applicable owner or operator compared to other owners or operators of an electric transmission or distribution facility;

“(B) include schedules as described in subsection (c)(3)(D);

“(C) are subject to modification requirements as described in subsection (c)(4)(B); and

“(D) comply with applicable law.

“(e) EMERGENCY CONDITIONS.—If vegetation or hazard trees have contacted or present an imminent danger of contacting an electric transmission or distribution line from within or adjacent to an electric transmission or distribution right-of-way, the owner or operator of the electric transmission or distribution lines—

“(1) may prune or remove the vegetation or hazard tree—

“(A) to avoid the disruption of electric service; and

“(B) to eliminate immediate fire and safety hazards;

and

“(2) shall notify the appropriate local agent of the Secretary concerned not later than 1 day after the date of the response to emergency conditions.

“(f) ACTIVITIES THAT REQUIRE APPROVAL.—

“(1) IN GENERAL.—Except as provided under paragraph (3), the owner or operator of an electric transmission or distribution facility may conduct vegetation management activities that require approval of the Secretary concerned in accordance with a plan approved under subsection (c) or an agreement entered into under subsection (d) only with the approval of the Secretary concerned.

“(2) REQUIREMENT TO RESPOND.—The Secretary concerned shall respond to a request for approval to conduct vegetation management activities in accordance with the applicable schedules in a plan approved under subsection (c) or an agreement entered into under subsection (d).

“(3) AUTHORIZED ACTIVITIES.—The owner or operator of an electric transmission or distribution facility may conduct vegetation management activities that require approval of the Secretary concerned in accordance with a plan approved under subsection (c) or an agreement entered into under subsection (d) without the approval of the Secretary concerned if—

“(A) the owner or operator submitted a request to the Secretary concerned in accordance with the applicable schedule in a plan approved under subsection (c) or an agreement entered into under subsection (d);

“(B) the vegetation management activities, including the removal of hazard trees, proposed in the request under subparagraph (A) are in accordance with a plan approved under subsection (c) or an agreement entered into under subsection (d); and

“(C) the Secretary concerned fails to respond to the request under subparagraph (A) in accordance with the applicable schedule in a plan approved under subsection (c) or an agreement entered into under subsection (d).

“(g) LIABILITY.—

“(1) IN GENERAL.—The Secretary concerned shall not impose strict liability for damages or injury resulting from—

“(A) the Secretary concerned unreasonably withholding or delaying—

“(i) approval of a plan under subsection (c); or

“(ii) entrance into an agreement under subsection

(d); or

“(B) the Secretary concerned unreasonably failing to adhere to an applicable schedule in a plan approved under subsection (c) or an agreement entered into under subsection (d).

“(2) DAMAGES.—For the period ending 10 years after the date of the enactment of this subsection, the Secretary concerned shall not impose strict liability in an amount greater than \$500,000 per incident for damages or injury resulting from activities conducted by an owner or operator in accordance with an approved agreement under subsection (d).

“(3) RULE OF CONSTRUCTION.—Nothing in paragraph (2) shall be construed to effect any liability imposed by the Secretary concerned under section 251.56(d) of title 36, Code of Federal Regulations (as in effect on the date of the enactment of this section) and section 2807.12 of title 43, Code of Federal Regulations (as in effect on the date of the enactment of this section), for activities conducted by an owner or operator in accordance with an approved plan under subsection (c).

“(h) REPORTING REQUIREMENT.—

“(1) ACTIVITIES THAT REQUIRE APPROVAL.—The Secretary concerned shall report requests and actions made under subsection (f) annually on the website of the Secretary concerned.

“(2) LIABILITY.—Not later than four years after the date of enactment of this subsection, the Secretary concerned shall prepare and submit a report to the Committee on Natural

Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate that describes the effect on the Treasury of the strict liability limitation established by subsection (g)(2).

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

“(1) understand electric system reliability requirements as the requirements relate to vegetation management of transmission and distribution rights-of-way on Federal land, including reliability standards established by the Electric Reliability Organization and fire safety requirements;

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

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

“(4) understand how existing and emerging unmanned technologies can help electric utilities, the Federal Government, State and local governments, and private landowners—

“(A) to more efficiently identify vegetation management needs;

“(B) to reduce the risk of wildfires; and

“(C) to lower ratepayer energy costs.

“(j) IMPLEMENTATION.—The Secretary concerned shall—

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

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

“(k) EXISTING VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—Nothing in this section requires an owner or operator to develop and submit a new plan under this section if a plan consistent with this section has already been approved by the Secretary concerned before the date of enactment of this section.”.

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

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

SEC. 212. GOOD NEIGHBOR AUTHORITY IMPROVEMENT.

Section 8206(a) of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is amended—

(1) in paragraph (3)(B)(i), by striking “areas; or” and inserting the following: “areas, other than the reconstruction, repair, or restoration of a National Forest System road that is—

“(I) necessary to carry out authorized restoration services pursuant to a good neighbor agreement; and

“(II) in the case of a National Forest System road that is determined to be unneeded in accordance with section 212.5(b)(2) of title 36, Code of Federal Regulations (as in effect on the date of enactment of the Good Neighbor Authority Improvement Act), decommissioned in accordance with subparagraph (A)(iii)—

“(aa) in a manner that is consistent with the applicable travel management plan; and

“(bb) not later than 3 years after the date on which the applicable authorized restoration services project is completed; or”;

(2) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(3) by inserting after paragraph (5) the following:

“(6) NATIONAL FOREST SYSTEM ROAD.—The term ‘National Forest System road’ has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (as in effect on the date of enactment of the Good Neighbor Authority Improvement Act).”.

TITLE III—FEDERAL LAND TRANSACTION FACILITATION REAUTHORIZATION

SEC. 301. SHORT TITLE.

This title may be cited as the “Federal Land Transaction Facilitation Act Reauthorization of 2018”.

SEC. 302. FEDERAL LAND TRANSACTION FACILITATION ACT.

The Federal Land Transaction Facilitation Act is amended—

(1) in section 203(1) (43 U.S.C. 2302(1)), by striking “cultural, or” and inserting “cultural, recreational access and use, or other”;

(2) in section 203(2) (43 U.S.C. 2302(2))—

(A) in the matter preceding subparagraph (A), by striking “on the date of enactment of this Act was” and inserting “is”;

(B) by amending subparagraph (A) to read as follows:

“(A) a national monument, area of critical environmental concern, national conservation area, national riparian conservation area, national recreation area, national scenic area, research natural area, national outstanding natural area, priority species and habitats designated in a land use plan in accordance with subpart E (entitled “Fish and Wildlife”) of part I of Appendix C

of Bureau of Land Management Land Use Planning Handbook H-1601-1 (Rel 1-1693), a special recreation management area, or a national natural landmark managed by the Bureau of Land Management;” and

(C) by amending subparagraph (D) to read as follows:

“(D) a National Forest or National Grassland in the National Forest System; or”;

(3) in section 203 (43 U.S.C. 2302), by inserting the following paragraph after section 203(2) (and redesignating the following paragraphs accordingly):

“(3) INACCESSIBLE LANDS THAT ARE OPEN TO PUBLIC HUNTING, FISHING, RECREATIONAL SHOOTING, OR OTHER RECREATIONAL PURPOSES.—The term ‘inaccessible lands that are open to public hunting, fishing, recreational shooting, or other recreational purposes’ means public lands in Alaska and the eleven contiguous Western States (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)) consisting of at least 640 contiguous acres on which the public is allowed under Federal or State law to hunt, fish, target shoot or use the land for other recreational purposes but—

“(A) to which there is no public access or egress; or

“(B) to which public access or egress to the land is significantly restricted, as determined by the Secretary.”; and

(4) in section 205 (43 U.S.C. 2304)—

(A) in subsection (a), by striking “section 206” and all that follows through the period and inserting the following: “section 206—

“(1) to complete appraisals and satisfy other legal requirements for the sale or exchange of public land identified for disposal under approved land use plans under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712);

“(2) not later than 180 days after the date of the enactment of the Federal Land Transaction Facilitation Act Reauthorization of 2018, to establish and make available to the public, on the website of the Department of the Interior, a database containing a comprehensive list of all the land referred to in paragraph (1); and

“(3) to maintain the database referred to in paragraph (2).”;

(B) by striking subsection (d);

(5) in section 206(c)(2) (43 U.S.C. 2305(c)(2))—

(A) in subparagraph(A)(i), by striking “inholdings; and” and inserting “inholdings;”;

(B) in subparagraph (A)(ii), by striking “exceptional resources.” and inserting “exceptional resources; or”;

(C) in subparagraph (A), by inserting after clause (ii), “(iii) adjacent to inaccessible lands open to public hunting, fishing, recreational shooting, or other recreational purposes.”; and

(D) by adding at the end the following:

“(E) Any funds made available under subparagraph (D) that are not obligated or expended by the end of the fourth full fiscal year after the date of the sale or exchange

of land that generated the funds may be expended in any State.”;

(6) in section 206(c)(3) (43 U.S.C. 2305(c)(3))—

(A) by inserting after subparagraph (A) the following:

“(B) the extent to which the acquisition of the land or interest therein will increase the public availability of resources for, and facilitate public access to, hunting, fishing, and other recreational activities;”;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(7) by striking section 206(f) (43 U.S.C. 2305(f)); and

(8) in section 207(b) (43 U.S.C. 2306(b))—

(A) in paragraph (1)—

(i) by striking “96–568” and inserting “96–586”; and

(ii) by striking “; or” and inserting a semicolon;

(B) in paragraph (2)—

(i) by inserting “Public Law 105–263;” before “112 Stat.”; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(3) the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109–432; 120 Stat. 3028);

“(4) the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2403);

“(5) subtitle F of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111–11);

“(6) subtitle O of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note, 1132 note; Public Law 111–11);

“(7) section 2601 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1108); or

“(8) section 2606 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1121).”.

TITLE IV—EXTENSION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000

SEC. 401. EXTENSION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) FULL FUNDING AMOUNT.—Section 3(11) of the Secure Rural Schools and Community Self-Determination Act (16 U.S.C. 7102(11)) is amended—

(A) in subparagraph (B), by striking “and”;

(B) in subparagraph (C)—

(i) by striking “and each fiscal year thereafter” and inserting “through fiscal year 2015”; and

(ii) by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

H. R. 1625—730

“(D) for fiscal year 2017, the amount that is equal to 95 percent of the full funding amount for fiscal year 2015; and

“(E) for fiscal year 2018 and each fiscal year thereafter, the amount that is equal to 95 percent of the full funding amount for the preceding fiscal year.”.

(2) SECURE PAYMENTS.—

(A) IN GENERAL.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended, in subsections (a) and (b), by striking “2015” each place it appears and inserting “2015, 2017, and 2018”.

(B) SPECIAL RULE FOR FISCAL YEAR 2017 PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by adding at the end the following:

“(d) SPECIAL RULE FOR FISCAL YEAR 2017 PAYMENTS.—

“(1) STATE PAYMENT.—If an eligible county in a State that will receive a share of the State payment for fiscal year 2017 has already received, or will receive, a share of the 25-percent payment for fiscal year 2017 distributed to the State before the date of enactment of this subsection, the amount of the State payment shall be reduced by the amount of the share of the eligible county of the 25-percent payment.

“(2) COUNTY PAYMENT.—If an eligible county that will receive a county payment for fiscal year 2017 has already received a 50-percent payment for fiscal year 2017, the amount of the county payment shall be reduced by the amount of the 50-percent payment.

“(3) PROMPT PAYMENT.—Not later than 45 days after the date of enactment of this subsection, the Secretary of the Treasury shall make all payments under this title for fiscal year 2017.”.

(3) PAYMENTS TO STATES AND COUNTIES.—

(A) ELECTION TO RECEIVE PAYMENT AMOUNT.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(i) in paragraph (1), by adding after subparagraph

(C) the following:

“(D) PAYMENTS FOR FISCAL YEARS 2017 AND 2018.—The election otherwise required by subparagraph (A) shall not apply for fiscal years 2017 or 2018.”; and

(ii) in paragraph (2)—

(I) in subparagraph (A), by inserting “and for fiscal years 2017 and 2018” after “2015”; and

(II) in subparagraph (B), by inserting “and for fiscal years 2017 and 2018” after “2015”.

(B) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—Section 102(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)) is amended—

(i) in paragraph (1), by adding after subparagraph

(E) the following:

“(F) PAYMENTS FOR FISCAL YEARS 2017 AND 2018.—The election made by an eligible county under subparagraph (B), (C), or (D) for fiscal year 2013, or deemed to be made

by the county under paragraph (3)(B) for that fiscal year, shall be effective for fiscal years 2017 and 2018.”; and

(ii) in paragraph (3)—

(I) in subparagraph (B)(ii), by striking “purpose described in section 202(b)” and inserting “purposes described in section 202(b), section 203(c), or section 204(a)(5)”;

(II) by adding after subparagraph (C) the following:

“(D) PAYMENTS FOR FISCAL YEARS 2017 AND 2018.—This paragraph does not apply for fiscal years 2017 and 2018.”.

(C) ELECTIONS AS TO ALLOCATION OF BALANCE.—Section 102(d)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(1)) is amended—

(i) in subparagraph (B)(ii), by striking “not more than 7 percent of the total share for the eligible county of the State payment or the county payment” and inserting “any portion of the balance”; and

(ii) by striking subparagraph (C) and inserting the following:

“(C) COUNTIES WITH MAJOR DISTRIBUTIONS.—In the case of each eligible county to which \$350,000 or more is distributed for any fiscal year pursuant to paragraph (1)(B) or (2)(B) of subsection (a), the eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

“(i) Reserve any portion of the balance for projects in accordance with title II.

“(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

“(iii) Return the portion of the balance not reserved under clauses (i) and (ii) to the Treasury of the United States.”.

(D) TREATMENT AS SUPPLEMENTAL FUNDING.—Section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) is amended by adding at the end the following:

“(f) TREATMENT AS SUPPLEMENTAL FUNDING.—

“(1) IN GENERAL.—None of the funds made available to an eligible county under this Act may be used in lieu of, or to otherwise offset, a State funding source for a local school, facility, or educational purpose.

“(2) CONTINUATION OF DIRECT PAYMENTS.—Payments to States made under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.) and 25-percent payments made to States and Territories under the Acts of May 23, 1908, and March 1, 1911 (16 U.S.C. 500), shall continue to be made as direct payments and not as Federal financial assistance.”.

(E) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking “2015” and inserting “and for fiscal years 2017 and 2018”.

H. R. 1625—732

(b) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) REPEAL OF CONTRACTING PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(2) RESOURCE ADVISORY COMMITTEES.—Section 205(a)(4) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(a)(4)) is amended by striking “2012” each place it appears and inserting “2018”.

(3) AVAILABILITY OF PROJECT FUNDS.—Section 207(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7127(d)(2)) is amended by striking “subparagraph (B)” and inserting “subparagraph (B)(i), (B)(ii).”.

(4) TERMINATION OF AUTHORITY.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(A) in subsection (a), by striking “2017” and inserting “2020”; and

(B) in subsection (b), by striking “2018” and inserting “2021”.

(c) TERMINATION OF AUTHORITY.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(1) in subsection (a), by striking “2017” and inserting “2020”; and

(2) in subsection (b), by striking “2018” and inserting “2021”.

SEC. 402. ADDITIONAL AUTHORIZED USE OF RESERVED FUNDS FOR TITLE III COUNTY PROJECTS.

Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended—

(1) in paragraph (2)—

(A) by inserting “and law enforcement patrols” after “including firefighting”; and

(B) by striking “and” at the end;

(2) in paragraph (3), by inserting “and carry out” after “develop”;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following new paragraph (3):

“(3) to cover training costs and equipment purchases directly related to the emergency services described in paragraph (2); and”.

TITLE V—STRATEGIC PETROLEUM RESERVE DRAWDOWN

SEC. 501. STRATEGIC PETROLEUM RESERVE DRAWDOWN.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall draw down and sell 10,000,000 barrels of crude oil from the

H. R. 1625—733

Strategic Petroleum Reserve during the period of fiscal years 2020 through 2021.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—The Secretary of Energy may not draw down and sell crude oil under this section in quantities that would limit the authority to sell petroleum products under subsection (h) of section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) in the full quantity authorized by that subsection.

(c) STRATEGIC PETROLEUM DRAWDOWN LIMITATIONS.—Section 161(h)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6241(h)(2)) is amended by striking “350,000,000” each place it appears and inserting “340,000,000”.