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H.R. 5376 – the “Inflation Reduction Act of 2022”

TITLE IV—COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

SEC. 40001. INVESTING IN COASTAL COMMUNITIES AND CLIMATE RESILIENCE.

(Note: This title begins on page 211.)

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$2,600,000,000, to remain available until September 30, 2026, to provide funding through direct expenditure, contracts, grants, cooperative agreements, or technical assistance to coastal states (as defined in paragraph (4) of section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453(4))), the District of Columbia, Tribal Governments, nonprofit organizations, local governments, and institutions of higher education (as defined in subsection (a) of section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001(a))), for the conservation, restoration, and protection of coastal and marine habitats, resources, Pacific salmon and other marine fisheries, to enable coastal communities to prepare for extreme storms and other changing climate conditions, and for projects that support natural resources that sustain coastal and marine resource dependent communities, marine fishery and marine mammal stock assessments, and for related administrative expenses.

(b) TRIBAL GOVERNMENT DEFINED.—In this section, the term “Tribal Government” means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this subsection pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

SEC. 40002. FACILITIES OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AND NATIONAL MARINE SANCTUARIES.

(a) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FACILITIES.— In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$150,000,000, to remain available until September 30, 2026, for the construction of new facilities, facilities in need of replacement, piers, marine operations facilities, and fisheries laboratories.

(b) NATIONAL MARINE SANCTUARIES FACILITIES.—In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$50,000,000, to remain available until September 30, 2026, for the construction of facilities to support the National Marine Sanctuary System established under subsection (c) of section 301 of the National Marine Sanctuaries Act (16 U.S.C. 1431(c)).

SEC. 40003. NOAA EFFICIENT AND EFFECTIVE REVIEWS.

In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$20,000,000, to remain available until September 30, 2026, to conduct more efficient, accurate, and timely reviews for planning, permitting and approval processes through the hiring and training of personnel, and the purchase of technical and scientific services and new equipment, and to improve agency transparency, accountability, and public engagement.

SEC. 40004. OCEANIC AND ATMOSPHERIC RESEARCH AND FORECASTING FOR WEATHER AND CLIMATE.

(a) FORECASTING AND RESEARCH.—In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$150,000,000, to remain available until September 30, 2026, to accelerate advances and improvements in research, observation systems, modeling, forecasting, assessments, and dissemination of information to the public as it pertains to ocean and atmospheric processes related to weather, coasts, oceans, and climate, and to carry out section 102(a) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8512(a)), and for related administrative expenses.

(b) RESEARCH GRANTS AND SCIENCE INFORMATION, PRODUCTS, AND SERVICES.—In addition to amounts otherwise available, there are appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2026, \$50,000,000 for competitive grants to fund climate research as it relates to weather, ocean, coastal, and atmospheric processes and conditions, and impacts to marine species and coastal habitat, and for related administrative expenses.

TITLE V—COMMITTEE ON ENERGY AND NATURAL RESOURCES

Subtitle A—Energy

(Note: This title begins on page 216)

(Note: In the following section, “Secretary” means the Secretary of Energy.)

SEC. 50153. INTERREGIONAL AND OFFSHORE WIND ELECTRICITY TRANSMISSION PLANNING, MODELING, AND ANALYSIS.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$100,000,000, to remain available through September 30, 2031, to carry out this section.

(b) USE OF FUNDS.—The Secretary shall use amounts made available under subsection (a)—

(1) to pay expenses associated with convening relevant stakeholders to address the development of interregional electricity transmission and transmission of electricity that is generated by offshore wind; and

(2) to conduct planning, modeling, and analysis regarding interregional electricity transmission and transmission of electricity that is generated by offshore wind, taking into account the local, regional, and national economic, reliability, resilience, security, public policy, and environmental benefits of interregional electricity transmission and transmission of electricity that is generated by offshore wind, including planning, modeling, and analysis, as the Secretary determines appropriate, pertaining to—

- (A) clean energy integration into the electric grid, including the identification of renewable energy zones;
- (B) the effects of changes in weather due to climate change on the reliability and resilience of the electric grid;
- (C) cost allocation methodologies that facilitate the expansion of the bulk power system;
- (D) the benefits of coordination between generator interconnection processes and transmission planning processes;
- (E) the effect of increased electrification on the electric grid;
- (F) power flow modeling;
- (G) the benefits of increased interconnections or interties between or among the Western Interconnection, the Eastern Interconnection, the Electric Reliability Council of Texas, and other interconnections, as applicable;
- (H) the cooptimization of transmission and generation, including variable energy resources, energy storage, and demand-side management;
- (I) the opportunities for use of non-transmission alternatives, energy storage, and grid-enhancing technologies;
- (J) economic development opportunities for communities arising from development of interregional electricity transmission and transmission of electricity that is generated by offshore wind;
- (K) evaluation of existing rights-of-way and the need for additional transmission corridors; and
- (L) a planned national transmission grid, which would include a networked transmission system to optimize the existing grid for interconnection of offshore wind farms.

Subtitle B—Natural Resources

PART 4—INSULAR AFFAIRS

(Note: This Subtitle begins on page 235.)

SEC. 50241. OFFICE OF INSULAR AFFAIRS CLIMATE CHANGE TECHNICAL ASSISTANCE.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary, acting through the Office of Insular Affairs, for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$15,000,000, to remain available through September 30, 2026, to provide technical assistance for climate change planning, mitigation, adaptation, and resilience to United States Insular Areas.

(b) ADMINISTRATIVE EXPENSES.—In addition to amounts otherwise available, there is appropriated to the Secretary, acting through the Office of Insular Affairs, for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$900,000, to remain available through September 30, 2026, for necessary administrative expenses associated with carrying out this section.

PART 5—OFFSHORE WIND

SEC. 50251. LEASING ON THE OUTER CONTINENTAL SHELF.

(a) LEASING AUTHORIZED.—The Secretary may grant leases, easements, and rights-of-way pursuant to section 8(p)(1)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)(1)(C)) in an area withdrawn by—

(1) the Presidential memorandum entitled “Memorandum on the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition” and dated September 8, 2020; or

(2) the Presidential memorandum entitled “Presidential Determination on the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition” and dated September 25, 2020.

(b) OFFSHORE WIND FOR THE TERRITORIES.—

(1) APPLICATION OF OUTER CONTINENTAL SHELF LANDS ACT WITH RESPECT TO TERRITORIES OF THE UNITED STATES.—

(A) IN GENERAL.—Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended—

(i) in subsection (a)— (I) by striking “means all” and inserting the following: “means— “(1) all”; and

(II) in paragraph (1) (as so designated), by striking “control;” and inserting the following: “control or within the exclusive economic zone of the United States and adjacent to any territory of the United States; and”; and

(III) by adding at the end following: “(2) does not include any area conveyed by Congress to a territorial government for administration;”; (ii) in subsection (p), by striking “and” after the semicolon at the end; (iii) in subsection (q), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following: “(r) The term ‘State’ means— “(1) each of the several States; “(2) the Commonwealth of Puerto Rico; “(3) Guam; “(4) American

Samoa; “(5) the United States Virgin Islands; and “(6) the Commonwealth of the Northern Mariana Islands.”.

(B) EXCLUSIONS.—Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended by adding at the end the following: “(i) APPLICATION.—This section shall not apply to the scheduling of any lease sale in an area of the outer Continental Shelf that is adjacent to the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands.”.

(2) WIND LEASE SALES FOR AREAS OF THE OUTER CONTINENTAL SHELF.—The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding at the end the following: “SEC. 33. WIND LEASE SALES FOR AREAS OF THE OUTER CONTINENTAL SHELF OFFSHORE OF TERRITORIES OF THE UNITED STATES.

“(a) WIND LEASE SALES OFF COASTS OF TERRITORIES OF THE UNITED STATES.—

“(1) CALL FOR INFORMATION AND NOMINATIONS.—

“(A) IN GENERAL.—The Secretary shall issue calls for information and nominations for proposed wind lease sales for areas of the outer Continental Shelf described in paragraph (2) that are determined to be feasible.

“(B) INITIAL CALL.—Not later than September 30, 2025, the Secretary shall issue an initial call for information and nominations under this paragraph.

“(2) CONDITIONAL WIND LEASE SALES.—The Secretary may conduct wind lease sales in each area within the exclusive economic zone of the United States adjacent to the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands that meets each of the following criteria:

“(A) The Secretary has concluded that a wind lease sale in the area is feasible.

“(B) The Secretary has determined that there is sufficient interest in leasing the area.

“(C) The Secretary has consulted with the Governor of the territory regarding the suitability of the area for wind energy development.”

PART 8—OTHER NATURAL RESOURCES MATTERS

Subtitle C—Environmental Reviews

SEC. 50303. DEPARTMENT OF THE INTERIOR.

In addition to amounts otherwise available, there is appropriated to the Secretary of the Interior for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$150,000,000, to remain available through September 30, 2026, to provide for the hiring and training of personnel, the development of programmatic environmental documents, the procurement of technical or scientific services for environmental reviews, the development of environmental data or information systems,

stakeholder and community engagement, and the purchase of new equipment for environmental analysis to facilitate timely and efficient environmental reviews and authorizations by the National Park Service, the Bureau of Land Management, the Bureau of Ocean Energy Management, the Bureau of Reclamation, the Bureau of Safety and Environmental Enforcement, and the Office of Surface Mining Reclamation and Enforcement.

TITLE VI—COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

(Note: This title begins on page 246.)

Subtitle A—Air Pollution

SEC. 60102. GRANTS TO REDUCE AIR POLLUTION AT PORTS.

The Clean Air Act is amended by inserting after section 132 of such Act, as added by section 60101 of this Act, the following:

“SEC. 133. GRANTS TO REDUCE AIR POLLUTION AT PORTS.

“(a) APPROPRIATIONS.—

“(1) GENERAL ASSISTANCE.—In addition to amounts other-wise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$2,250,000,000, to remain available until September 30, 2027, to award rebates and grants to eligible recipients on a competitive basis—

“(A) to purchase or install zero-emission port equipment or technology for use at, or to directly serve, one or more ports;

“(B) to conduct any relevant planning or permitting in connection with the purchase or installation of such zero-emission port equipment or technology; and

“(C) to develop qualified climate action plans.

“(2) NONATTAINMENT AREAS.—In addition to amounts other-wise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$750,000,000, to remain available until September 30, 2027, to award rebates and grants to eligible recipients to carry out activities described in paragraph (1) with respect to ports located in air quality areas designated pursuant to section 107 as nonattainment for an air pollutant.

“(b) LIMITATION.—Funds awarded under this section shall not be used by any recipient or subrecipient to purchase or install zero-emission port equipment or technology that will not be located at, or directly serve, the one or more ports involved.

“(c) ADMINISTRATION OF FUNDS.—Of the funds made available by this section, the Administrator shall reserve 2 percent for administrative costs necessary to carry out this section.

“(d) DEFINITIONS.—In this section:

“(1) ELIGIBLE RECIPIENT.—The term ‘eligible recipient’ means—

“(A) a port authority;

“(B) a State, regional, local, or Tribal agency that has jurisdiction over a port authority or a port;

“(C) an air pollution control agency; or

“(D) a private entity that—

“(i) applies for a grant under this section in partnership with an entity described in any of subparagraphs (A) through (C); and

“(ii) owns, operates, or uses the facilities, cargo-handling equipment, transportation equipment, or related technology of a port.

“(2) GREENHOUSE GAS.—The term ‘greenhouse gas’ means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

“(3) QUALIFIED CLIMATE ACTION PLAN.—The term ‘qualified climate action plan’ means a detailed and strategic plan that—

“(A) establishes goals, implementation strategies, and accounting and inventory practices to reduce emissions at one or more ports of—

“(i) greenhouse gases;

“(ii) an air pollutant that is listed pursuant to section 108(a) (or any precursor to such an air pollutant); and

“(iii) hazardous air pollutants;

“(B) includes a strategy to collaborate with, communicate with, and address potential effects on low-income and disadvantaged near-port communities and other stakeholders that may be affected by implementation of the plan; and

“(C) describes how an eligible recipient has implemented or will implement measures to increase the resilience of the one or more ports involved.

“(4) ZERO-EMISSION PORT EQUIPMENT OR TECHNOLOGY.—The term ‘zero-emission port equipment or technology’ means human-operated equipment or human-maintained technology that—

“(A) produces zero emissions of any air pollutant that is listed pursuant to section 108(a) (or any precursor to such an air pollutant) and any greenhouse gas other than water vapor; or

“(B) captures 100 percent of the emissions described in subparagraph (A) that are produced by an ocean-going vessel at berth.”.

Subtitle C—United States Fish and Wildlife Service

(Note: This subtitle begins on page 262.)

SEC. 60301. ENDANGERED SPECIES ACT RECOVERY PLANS.

In addition to amounts otherwise available, there is appropriated to the United States Fish and Wildlife Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$125,000,000, to remain available until expended, for the purposes of developing and implementing recovery plans under paragraphs (1), (3), and (4) of subsection (f) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533(f)).

TITLE VIII—COMMITTEE ON INDIAN AFFAIRS

(Note: This title begins on page 271.)

SEC. 80002. NATIVE HAWAIIAN CLIMATE RESILIENCE.

(a) NATIVE HAWAIIAN CLIMATE RESILIENCE AND ADAPTATION.— In addition to amounts otherwise available, there is appropriated to the Senior Program Director of the Office of Native Hawaiian Relations for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$23,500,000, to remain available until September 30, 2031, to carry out, through financial assistance, technical assistance, direct expenditure, grants, contracts, or cooperative agreements, climate resilience and adaptation activities that serve the Native Hawaiian Community.

(b) ADMINISTRATION.—In addition to amounts otherwise available, there is appropriated to the Senior Program Director of the Office of Native Hawaiian Relations for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$1,500,000, to remain available until September 30, 2031, for the administrative costs of carrying out this section.

(c) COST-SHARING AND MATCHING REQUIREMENTS.—None of the funds provided by this section shall be subject to cost-sharing or matching requirements.