

118TH CONGRESS
1ST SESSION

S. _____

To provide for offshore wind energy development, and for other purposes.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To provide for offshore wind energy development, and for
other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Create Offshore Leadership and Livelihood Alignment
6 By Operating Responsibly And Together for the Environ-
7 ment Act” or the “COLLABORATE Act”.

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

Sec. 1. Short title; table of contents.

2

Sec. 101. Definitions.

Subtitle A—Offshore Wind Leadership and Coordination

Sec. 111. Offshore Wind Transmission Task Force.

Subtitle B—Offshore Wind Generation and Leasing

Sec. 121. Offshore wind generation and leasing.

Sec. 122. Offshore wind lease auctions.

Sec. 123. Offshore wind permitting and authorizations.

Subtitle C—Offshore Wind Transmission

Sec. 131. Offshore wind transmission research and development.

Sec. 132. Offshore wind transmission planning.

Sec. 133. Offshore wind transmission siting, permitting, and authorizations.

Sec. 134. Reliability standards for offshore transmission.

Sec. 135. Inclusion of offshore wind energy in interregional transmission planning.

Sec. 136. Coastal State integration of offshore wind energy.

Subtitle D—Miscellaneous

Sec. 141. Judicial review.

TITLE II—FISHERIES

Sec. 201. Offshore Wind Energy Fisheries Compensation Fund.

Sec. 202. Fishermen's Contingency Fund.

Sec. 203. Grant program for research on the impacts of offshore wind development on fisheries resources.

Sec. 204. Offshore Wind and Fisheries Coexistence Fund.

1 **TITLE I—OFFSHORE WIND**

2 **SEC. 101. DEFINITIONS.**

3 In this title:

4 (1) ADMINISTRATOR.—The term “Adminis-
5 trator” means the Administrator of the National
6 Oceanic and Atmospheric Administration.

7 (2) APPLICANT.—The term “applicant” means
8 an offshore wind lessee or the representative of an
9 offshore wind lessee that submits or is planning to
10 submit to the Secretary a construction and oper-
11 ations plan for an offshore wind project.

1 (3) BACKBONE LINE.—The term “backbone
2 line” means a transmission line that connects mul-
3 tiple offshore transmission substations.

4 (4) BULK-POWER SYSTEM.—The term “bulk-
5 power system” has the meaning given the term in
6 section 215(a) of the Federal Power Act (16 U.S.C.
7 824o(a)).

8 (5) CALL AREA.—The term “call area” means
9 an area on the outer Continental Shelf that—

10 (A) is identified by the Secretary as poten-
11 tially suitable for offshore wind energy develop-
12 ment; and

13 (B) is designated as a call area by the Sec-
14 retary.

15 (6) DRAFT OFFSHORE WIND ENERGY AREA.—
16 The term “draft offshore wind energy area” means
17 an area that—

18 (A) is within a call area; and

19 (B) may be designated as a Wind Energy
20 Area by the Secretary.

21 (7) ELECTRIC RELIABILITY ORGANIZATION.—
22 The term “Electric Reliability Organization” has the
23 meaning given the term in section 215(a) of the
24 Federal Power Act (16 U.S.C. 824o(a)).

25 (8) FEDERAL AUTHORIZATION.—

1 (A) IN GENERAL.—The term “Federal au-
2 thorization” means any authorization required
3 under Federal law in order to site an offshore
4 wind transmission facility.

5 (B) INCLUSIONS.—The term “Federal au-
6 thorization” includes such permits, special use
7 authorizations, certifications, opinions, or other
8 approvals as may be required under Federal law
9 in order to site an offshore wind transmission
10 facility.

11 (9) INDEPENDENT SYSTEM OPERATOR.—The
12 term “Independent System Operator” has the mean-
13 ing given the term in section 3 of the Federal Power
14 Act (16 U.S.C. 796).

15 (10) INDIAN TRIBE.—The term “Indian Tribe”
16 has the meaning given the term in section 4 of the
17 Indian Self-Determination and Education Assistance
18 Act (25 U.S.C. 5304).

19 (11) MESHED NETWORK.—

20 (A) IN GENERAL.—The term “meshed net-
21 work” means a networked configuration of
22 power conditioning equipment that allows more
23 than 1 path to transmit offshore wind energy to
24 the onshore electric grid, including—

1 (i) between 1 or more offshore trans-
2 mission substations; and

3 (ii) from 1 or more offshore trans-
4 mission substations to 2 or more onshore
5 substations.

6 (B) INCLUSIONS.—A meshed network may
7 include a combination of radial lines and back-
8 bone lines.

9 (12) OFFSHORE WIND ENERGY AREA.—The
10 term “offshore wind energy area” means an area
11 that—

12 (A) is within a call area; and

13 (B) is designated as a Wind Energy Area
14 by the Secretary.

15 (13) OFFSHORE WIND GENERATION FACIL-
16 ITY.—The term “offshore wind generation facility”
17 means a facility that—

18 (A) is located on the outer Continental
19 Shelf; and

20 (B) produces electric energy by the use, as
21 a primary energy source, of wind energy.

22 (14) OFFSHORE WIND TRANSMISSION FACIL-
23 ITY.—

24 (A) IN GENERAL.—The term “offshore
25 wind transmission facility” means a facility

1 such as a line or cable, and any related infra-
2 structure or equipment, such as a substation or
3 converter station, that is used for the trans-
4 mission of electric energy—

5 (i) between 2 or more offshore wind
6 generation facilities, including—

7 (I) offshore wind generation fa-
8 cilities within a single offshore wind
9 project; and

10 (II) offshore wind generation fa-
11 cilities in different offshore wind
12 projects; or

13 (ii) between 1 or more offshore wind
14 generation facilities and an interconnection
15 with an onshore electric grid.

16 (B) INCLUSIONS.—The term “offshore
17 wind transmission facility” includes a radial
18 line, a backbone line, and any transmission line.

19 (15) OPTIMAL POINT OF INTERCONNECTION.—
20 The term “optimal point of interconnection” means
21 a point of interconnection that minimizes—

22 (A) delays;

23 (B) local impacts; and

24 (C) the need for grid upgrades.

1 (16) OUTER CONTINENTAL SHELF.—The term
2 “outer Continental Shelf” has the meaning given the
3 term in section 2 of the Outer Continental Shelf
4 Lands Act (43 U.S.C. 1331).

5 (17) PLANNING AREA.—The term “planning
6 area” means a planning area described in the docu-
7 ment entitled “2019–2024 National OCS Oil and
8 Gas Leasing Draft Proposed Program” and dated
9 January 2018 (or a subsequent oil and gas leasing
10 program developed under section 18 of the Outer
11 Continental Shelf Lands Act (43 U.S.C. 1344)).

12 (18) RADIAL LINE.—The term “radial line”
13 means a transmission line that is used to link 1 or
14 more offshore wind projects to the bulk-power sys-
15 tem.

16 (19) REGIONAL TRANSMISSION ORGANIZA-
17 TION.—The term “Regional Transmission Organiza-
18 tion” has the meaning given the term in section 3
19 of the Federal Power Act (16 U.S.C. 796).

20 (20) REGISTERED APPRENTICESHIP PRO-
21 GRAM.—The term “registered apprenticeship pro-
22 gram” means an apprenticeship program registered
23 under the Act of August 16, 1937 (commonly known
24 as the “National Apprenticeship Act”; 50 Stat. 664,
25 chapter 663; 29 U.S.C. 50 et seq.).

1 (21) SECRETARY.—The term “Secretary”
2 means the Secretary of the Interior.

3 (22) STATE.—The term “State” has the mean-
4 ing given the term in section 2 of the Outer Conti-
5 nental Shelf Lands Act (43 U.S.C. 1331).

6 (23) TRIBAL ORGANIZATION.—The term “Trib-
7 al organization” means—

8 (A) a Tribal organization (as defined in
9 section 4 of the Indian Self-Determination and
10 Education Assistance Act (25 U.S.C. 5304));
11 and

12 (B) a Native Hawaiian organization (as
13 defined in section 2 of the Native American
14 Graves Protection and Repatriation Act (25
15 U.S.C. 3001)).

16 **Subtitle A—Offshore Wind** 17 **Leadership and Coordination**

18 **SEC. 111. OFFSHORE WIND TRANSMISSION TASK FORCE.**

19 (a) DEFINITION OF OFFSHORE WIND TRANSMISSION
20 TASK FORCE.—In this section, the term “Offshore Wind
21 Transmission Task Force” means, as applicable—

22 (1) the National Offshore Wind Transmission
23 Task Force established under subsection (b)(1); or

24 (2) a regional offshore wind transmission task
25 force established under subsection (b)(2).

1 (b) ESTABLISHMENT.—

2 (1) NATIONAL TASK FORCE.—Subject to para-
3 graph (2), not later than 120 days after the date of
4 enactment of this Act, the Secretary shall establish
5 and chair a national task force, to be known as the
6 “National Offshore Wind Transmission Task
7 Force”, to coordinate—

8 (A) the siting and development of offshore
9 wind transmission facilities; and

10 (B) the alignment of the review and au-
11 thorization processes for offshore wind trans-
12 mission development, including with respect to
13 projects and activities at the Federal and State
14 levels.

15 (2) REGIONAL TASK FORCES.—

16 (A) IN GENERAL.—The Secretary may es-
17 tablish, if the Secretary determines appropriate,
18 in lieu of a national task force under paragraph
19 (1), 1 or more regional offshore wind trans-
20 mission task forces to coordinate the matters
21 described in subparagraphs (A) and (B) of that
22 paragraph in particular regions, which may in-
23 clude leveraging relevant Intergovernmental Re-
24 newable Energy Task Forces of the Bureau of
25 Ocean Energy Management.

1 (B) CHAIR.—The Secretary shall select a
2 chair for each regional task force established
3 under subparagraph (A), which may be the
4 head of a regional office of the Bureau of
5 Ocean Energy Management or any other staff
6 member from such regional office, if the Sec-
7 retary determines appropriate.

8 (c) MEMBERS.—An Offshore Wind Transmission
9 Task Force shall include—

10 (1) members representing relevant Federal
11 agencies, including—

12 (A) the Department of Energy;

13 (B) the Department of the Interior, includ-
14 ing—

15 (i) the Bureau of Ocean Energy Man-
16 agement;

17 (ii) the Bureau of Safety and Envi-
18 ronmental Enforcement;

19 (iii) the Bureau of Indian Affairs; and

20 (iv) the United States Fish and Wild-
21 life Service;

22 (C) the Department of Defense;

23 (D) the Department of Commerce, includ-
24 ing the National Oceanic and Atmospheric Ad-
25 ministration;

1 (E) the Environmental Protection Agency;

2 (F) the Federal Energy Regulatory Com-

3 mission;

4 (G) the Corps of Engineers;

5 (H) the National Science Foundation;

6 (I) the Coast Guard;

7 (J) the Maritime Administration;

8 (K) the National Aeronautics and Space

9 Administration; and

10 (L) any other Federal agency that the Sec-

11 retary determines to be appropriate;

12 (2) members representing relevant State gov-

13 ernments, which may include representatives of rel-

14 evant State agencies, such as public utility commis-

15 sions or public service commissions, as determined

16 by the Secretary; and

17 (3) members representing relevant Indian

18 Tribes or Tribal organizations.

19 (d) FOCUS.—In carrying out the duties described in

20 subsection (b), an Offshore Wind Transmission Task

21 Force shall—

22 (1) advise the Secretary and the Secretary of

23 Energy with respect to the identification of preferred

24 routes for transmission cables and optimal points of

25 interconnection under section 132(a), including

1 through the use of models that evaluate spatial suit-
2 ability;

3 (2) advise the Secretary on existing and future
4 transmission availability in developing draft offshore
5 wind energy areas;

6 (3) advise the Secretary on matters relating to
7 the rulemaking under section 133(b), any other rule-
8 making relating to offshore transmission, and regu-
9 latory efficiencies relating to offshore transmission;

10 (4) consider how grant funding, such as grants
11 provided under section 50152 of Public Law 117-
12 169 (commonly known as the “Inflation Reduction
13 Act of 2022”) (42 U.S.C. 18715a), can help support
14 development and siting of offshore transmission pro-
15 posals and relevant onshore grid upgrades; and

16 (5) consider how to support the domestic manu-
17 facturing of offshore wind transmission equipment,
18 including through support for memoranda of under-
19 standing between the Federal Government and
20 States relating to the offshore wind supply chain,
21 such as the memorandum of understanding entitled
22 “Memorandum of Understanding by and among the
23 United States Department of Energy, the United
24 States Department of the Interior, the United States
25 Department of Commerce, and the United States

1 Department of Transportation and the States of
2 Connecticut, Maine, Maryland, Massachusetts, New
3 Hampshire, New Jersey, New York, North Carolina,
4 and Rhode Island” and dated September 20, 2023.

5 **Subtitle B—Offshore Wind**
6 **Generation and Leasing**

7 **SEC. 121. OFFSHORE WIND GENERATION AND LEASING.**

8 Section 8(p) of the Outer Continental Shelf Lands
9 Act (43 U.S.C. 1337(p)) is amended by adding at the end
10 the following:

11 “(11) OFFSHORE WIND LEASING.—

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

13 “(i) ADMINISTRATOR.—The term ‘Ad-
14 ministrator’ means the Administrator of
15 the National Oceanic and Atmospheric Ad-
16 ministration.

17 “(ii) DRAFT OFFSHORE WIND ENERGY
18 AREA.—The term ‘draft offshore wind en-
19 ergy area’ has the meaning given the term
20 in section 101 of the COLLABORATE
21 Act.

22 “(iii) INDIAN TRIBE.—The term ‘In-
23 dian Tribe’ has the meaning given the
24 term in section 101 of the COLLABO-
25 RATE Act.

1 “(iv) OFFSHORE WIND ENERGY
2 AREA.—The term ‘offshore wind energy
3 area’ has the meaning given the term in
4 section 101 of the COLLABORATE Act.

5 “(v) TRIBAL ORGANIZATION.—The
6 term ‘Tribal organization’ has the meaning
7 given the term in section 101 of the COL-
8 LABORATE Act.

9 “(B) IN GENERAL.—

10 “(i) LEASING SCHEDULE FOR OFF-
11 SHORE WIND ENERGY GENERATION.—

12 “(I) IN GENERAL.—The Sec-
13 retary, in accordance with clause (ii),
14 shall publish, periodically update, and
15 issue public notice with respect to, a
16 5-year schedule of areas in which an
17 offshore wind energy area may be
18 available for leasing in the future for
19 purposes of offshore wind energy gen-
20 eration.

21 “(II) REQUIREMENTS.—A leas-
22 ing schedule published under sub-
23 clause (I) shall—

24 “(aa) be reviewed, and, as
25 determined by the Secretary to

1 be necessary, updated not less
2 frequently than once every 2
3 years;

4 “(bb) to the maximum ex-
5 tent practicable, indicate—

6 “(AA) the timing of
7 area identification activities;

8 “(BB) the timing of
9 designation of any area to
10 be leased within the applica-
11 ble area; and

12 “(CC) the timing of
13 each lease sale; and

14 “(cc) provide an update on
15 the status of each existing off-
16 shore wind energy area.

17 “(ii) LIAISONS.—

18 “(I) IN GENERAL.—Subject to
19 subclause (III), for each area identi-
20 fied in a lease schedule published
21 under clause (i)(I) or for each re-
22 search lease granted by the Bureau of
23 Ocean Energy Management, the Sec-
24 retary and the Administrator shall
25 each appoint a designated liaison from

1 their agencies to conduct outreach to
2 potentially affected groups, includ-
3 ing—

4 “(aa) States;

5 “(bb) local communities;

6 “(cc) fishermen;

7 “(dd) Indian Tribes and
8 Tribal organizations; and

9 “(ee) other potentially af-
10 fected groups, as determined by
11 the Secretary and the Adminis-
12 trator.

13 “(II) DISCONTINUANCE.—For
14 each area identified in a lease sched-
15 ule published under clause (i)(I), the
16 Secretary and the Administrator may
17 discontinue a designated liaison if, fol-
18 lowing a request for information and
19 call for interest, there is no commer-
20 cial interest in offshore wind in the
21 applicable area.

22 “(III) EXCEPTION.—This clause
23 shall not apply to a draft offshore
24 wind energy area on the outer Conti-
25 nental Shelf existing prior to the date

1 of enactment of the COLLABORATE
2 Act.

3 “(iii) AREA IMPACT STUDY.—

4 “(I) IN GENERAL.—Beginning 2
5 years after the date of enactment of
6 the COLLABORATE Act, for each
7 area included in a lease schedule pub-
8 lished under clause (i)(I), the Sec-
9 retary shall—

10 “(aa) conduct an area im-
11 pact study to evaluate the poten-
12 tial impact on the human, ma-
13 rine, and coastal environments of
14 the development of wind energy
15 in that area, in order to inform
16 the identification of draft off-
17 shore wind energy areas in that
18 area; and

19 “(bb) provide an opportunity
20 for public comment for not less
21 than 30 days.

22 “(II) CONSIDERATIONS.—In car-
23 rying out an area impact study under
24 subclause (I), the Secretary may—

1 “(aa) consider the compat-
2 ibility of development of offshore
3 wind energy in the applicable
4 area with regional and State cli-
5 mate, energy, and conservation
6 planning;

7 “(bb) use information from
8 available assessments from the
9 National Oceanic and Atmos-
10 pheric Administration, such as
11 integrated ecosystem assess-
12 ments;

13 “(cc) identify areas for
14 which there is insufficient
15 science, mapping, and data; and

16 “(dd) undertake additional
17 data collection efforts where
18 science, mapping, and data are
19 found to be insufficient.

20 “(III) METHODS.—In carrying
21 out an area impact study under sub-
22 clause (I), the Secretary shall incor-
23 porate and use the best available ex-
24 isting science and data, including, at
25 a minimum, appropriate suitability

1 models such as the spatial suitability
2 models developed by the National
3 Centers for Coastal Ocean Science of
4 the National Oceanic and Atmospheric
5 Administration.

6 “(IV) USE OF DATA AND ASSESS-
7 MENTS.—

8 “(aa) IN GENERAL.—The
9 Secretary may use the data and
10 assessments from area impact
11 studies conducted under this
12 clause in determining which por-
13 tions of an area or region the
14 Secretary should be made avail-
15 able for leasing.

16 “(bb) OTHER AGENCIES.—
17 To the extent practicable and as
18 applicable, other Federal agencies
19 may consider the data and as-
20 sessments from area impact stud-
21 ies conducted under this clause in
22 making permitting and author-
23 ization decisions.

24 “(V) NEPA APPLICABILITY.—An
25 area impact study conducted by the

1 Secretary under subclause (I) shall
2 not be considered a major Federal ac-
3 tion.

4 “(VI) CONSULTATION AND SUP-
5 PORT.—In conducting an area impact
6 study under subclause (I), the Sec-
7 retary may consult with, and request
8 assistance from, other Federal agen-
9 cies.

10 “(VII) STUDY DURATION.—An
11 area impact study conducted under
12 subclause (I) shall be completed in not
13 more than 2 years.

14 “(iv) GRANTS FOR CAPACITY BUILD-
15 ING AND COMMUNITY ENGAGEMENT.—

16 “(I) IN GENERAL.—On com-
17 mencement of an area impact study
18 under clause (iii), the Secretary, in
19 collaboration with the Administrator,
20 may award capacity grants to relevant
21 individuals and entities in the applica-
22 ble region to enhance engagement op-
23 portunities relating to environmental
24 reviews, permitting activities, or other
25 authorizations.

1 “(II) PURPOSES.—Grants award-
2 ed under this clause shall be for—

3 “(aa) enabling States, In-
4 dian Tribes, Tribal organizations,
5 fishermen, universities, and non-
6 profit organizations that rep-
7 resent the fishing industry or
8 other potentially affected commu-
9 nities and ocean users to compile
10 data, conduct impartial analyses,
11 objectively educate groups and
12 communities, and complete other
13 activities relating to offshore
14 wind environmental reviews, per-
15 mits, and consultations;

16 “(bb) engaging in planning
17 activities and in the development
18 of offshore wind for the purposes
19 of—

20 “(AA) determining po-
21 tential economic, social, pub-
22 lic health, cultural, and envi-
23 ronmental impacts; and

1 “(BB) identifying op-
2 portunities to mitigate those
3 potentially negative impacts;

4 “(cc) facilitating wind en-
5 ergy siting; and

6 “(dd) training, hiring of per-
7 sonnel, and other activities de-
8 signed to increase the capacity of
9 States, Indian Tribes, Tribal or-
10 ganizations, universities, and
11 nonprofit organizations, as appli-
12 cable, to carry out activities de-
13 scribed in items (aa) through
14 (cc).

15 “(III) CAPACITY GRANT FUND-
16 ING.—There is authorized to be ap-
17 propriated to the Secretary to carry
18 out this clause \$25,000,000 for each
19 of fiscal years 2026 through 2030, of
20 which not less than 2 percent shall be
21 allocated each fiscal year for use by
22 Indian Tribes and Tribal organiza-
23 tions.

24 “(v) IDENTIFICATION OF DRAFT OFF-
25 SHORE WIND ENERGY AREAS.—

1 “(I) IN GENERAL.—Taking into
2 account the results of public and
3 group engagement and the call for in-
4 terest under clause (ii), any applicable
5 area impact study under clause (iii),
6 any community engagement activities
7 under clause (iv), and other factors as
8 determined by the Secretary, the Sec-
9 retary may identify an area as a draft
10 offshore wind energy area.

11 “(II) FACTORS FOR CONSIDER-
12 ATION.—In identifying draft offshore
13 wind energy areas under subclause
14 (I), the Secretary shall consider—

15 “(aa) potential power capac-
16 ity;

17 “(bb) commercial viability;

18 “(cc) existing and future on-
19 shore and offshore transmission
20 availability and capacity;

21 “(dd) conflicts with other
22 potential ocean uses, resources,
23 and users;

24 “(ee) prevailing wind direc-
25 tion and minimal wake effects;

1 “(ff) distance to shore port
2 infrastructure; and

3 “(gg) other requirements
4 under paragraph (4).

5 “(III) COLLABORATION.—For
6 purposes relating to the identification
7 of draft offshore wind energy areas,
8 the Secretary and the Administrator
9 shall—

10 “(aa) engage potentially af-
11 fected groups identified under
12 clause (ii)(I); and

13 “(bb) consult with—

14 “(AA) relevant Inter-
15 governmental Renewable
16 Energy Task Forces estab-
17 lished by the Secretary;

18 “(BB) relevant regional
19 ocean partnerships;

20 “(CC) fishery manage-
21 ment councils; and

22 “(DD) interstate fish-
23 eries commissions.

24 “(vi) COEXISTENCE FUND.—Activities
25 described in subsection (b)(1) of section

1 204 of the COLLABORATE Act that are
2 carried out in an area for which a leasing
3 schedule is published under clause (i)(I)
4 shall be eligible for funding provided from
5 the Offshore Wind and Fisheries Coexist-
6 ence Fund established by subsection (a)(1)
7 of that section.

8 “(vii) FISHERIES MITIGATION COM-
9 PENSATION.—The Secretary, acting
10 through the Director of the Bureau of
11 Ocean Energy Management, shall require
12 offshore wind lease holders to include fish-
13 eries compensation as part of the leasing
14 process for offshore wind energy, in ac-
15 cordance with section 34(b).”.

16 **SEC. 122. OFFSHORE WIND LEASE AUCTIONS.**

17 (a) IN GENERAL.—In awarding an offshore wind
18 lease under section 8(p) of the Outer Continental Shelf
19 Lands Act (43 U.S.C. 1337(p)), the Secretary may offer
20 bidding credits for nonmonetary factors and commitments
21 made by the bidder—

22 (1) to support or increase access to registered
23 apprenticeship programs and pre-apprenticeship pro-
24 grams that have an articulation agreement with a

1 registered apprenticeship program for offshore wind
2 energy projects;

3 (2) to support development of domestic supply
4 chains for offshore wind projects, including develop-
5 ment of ports and other energy infrastructure nec-
6 essary to facilitate offshore wind energy projects;

7 (3) to establish with 1 or more communities or
8 groups that may be potentially impacted by a pro-
9 posed project, which may include eligible entities (as
10 determined by the Secretary), a community benefit
11 agreement that—

12 (A) may include workforce agreements,
13 project labor agreements, grants, and nonmone-
14 tary investments; and

15 (B) prioritizes legally binding agreements
16 described in subparagraph (A);

17 (4) to make investments to evaluate, monitor,
18 improve, and mitigate impacts to the health and bio-
19 diversity of ecosystems and wildlife within the leased
20 area, to include relevant ecosystems and wildlife that
21 could be impacted by the proposed offshore wind en-
22 ergy project;

23 (5) to use preferred cable routes identified
24 under section 132(a); and

1 (6) to make other investments, as determined
2 appropriate by the Secretary.

3 (b) BIDDING CREDIT CAP.—In a leasing bid under
4 subsection (a), the combined value of bidding credits for
5 any non-monetary factors or commitments shall not ex-
6 ceed 25 percent of the bid amount for the lease area.

7 (c) REQUIREMENTS.—Section 8(p) of the Outer Con-
8 tinental Shelf Lands Act (43 U.S.C. 1337(p)) is amended
9 by striking paragraph (4) and inserting the following:

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

14 “(A) safety;

15 “(B) the protection of the environment;

16 “(C) the prevention of waste;

17 “(D) the conservation of the natural re-
18 sources of the outer Continental Shelf;

19 “(E) coordination with relevant Federal
20 agencies and Tribal, State, and local govern-
21 ments;

22 “(F) the protection of the national security
23 interests of the United States, including energy
24 security;

1 “(G) the protection of correlative rights in
2 the outer Continental Shelf, including the en-
3 ergy generation potential of other offshore re-
4 newable energy leases;

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

8 “(I) prevention of unreasonable inter-
9 ference with other uses of the exclusive eco-
10 nomic zone, the high seas, and the territorial
11 seas, as determined by the Secretary;

12 “(J) consideration of—

13 “(i) the location of, and any schedule
14 relating to, a lease, easement, or right-of-
15 way for an area of the outer Continental
16 Shelf; and

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

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

1 “(L) the oversight, inspection, research,
2 monitoring, and enforcement relating to a lease,
3 easement, or right-of-way under this subsection;
4 and

5 “(M) the consideration of any applicable
6 Federal, Tribal, and State renewable energy
7 mandates, targets, and goals.”.

8 (d) PROJECT MANAGER.—

9 (1) IN GENERAL.—For each offshore wind
10 project within a lease awarded under section 8(p) of
11 the Outer Continental Shelf Lands Act (43 U.S.C.
12 1337(p)), the Secretary, the Administrator, and the
13 Secretary of the Army, acting through the Chief of
14 Engineers, shall each assign a designated project
15 manager to oversee, commensurate with agency au-
16 thorities, the offshore wind project from the point of
17 award through the end of the construction process.

18 (2) COORDINATION AND COLLABORATION.—A
19 project manager designated under paragraph (1)
20 shall coordinate and collaborate with the applicable
21 project coordinator from the Bureau of Ocean En-
22 ergy Management for the project.

23 (e) SITE CONTROL.—The offshore wind lease holder
24 under this section shall be considered to have site control
25 for purposes of submitting an interconnection request in

1 accordance with the pro forma Large Generator Inter-
2 connection Procedures of the Federal Energy Regulatory
3 Commission promulgated pursuant to section 35.28(f) of
4 title 18, Code of Federal Regulations (or successor regula-
5 tions).

6 **SEC. 123. OFFSHORE WIND PERMITTING AND AUTHORIZA-**
7 **TIONS.**

8 (a) CONSTRUCTION AND OPERATIONS PLAN RE-
9 QUIREMENTS.—The Secretary shall require a construction
10 and operations plan for an offshore wind energy genera-
11 tion project submitted for review and approval under the
12 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
13 seq.), to include—

14 (1) a list of—

15 (A) all agencies that the applicant con-
16 sulted with prior to submission of the construc-
17 tion and operations plan, such as—

18 (i) the Military Aviation and Installa-
19 tion Assurance Siting Clearinghouse of the
20 Department of Defense;

21 (ii) the National Oceanic and Atmos-
22 pheric Administration;

23 (iii) the United States Fish and Wild-
24 life Service;

25 (iv) the Coast Guard;

- 1 (v) the Corps of Engineers;
- 2 (vi) the National Park Service; and
- 3 (vii) affected State government agen-
- 4 cies;
- 5 (B) agency points of contact for each agen-
- 6 cy listed pursuant to subparagraph (A);
- 7 (C) the dates of meetings with any agen-
- 8 cies listed pursuant to subparagraph (A);
- 9 (D) the outcomes of the meetings listed
- 10 pursuant to subparagraph (C); and
- 11 (E) all Federal, State, Tribal, and local
- 12 authorizations, approvals, consultations, or per-
- 13 mits required to conduct the proposed activities;
- 14 (2) a list cataloguing outreach to potentially af-
- 15 fected groups;
- 16 (3) feedback received from potentially affected
- 17 groups;
- 18 (4) a notation as to what feedback was incor-
- 19 porated into the plan and an explanation for feed-
- 20 back not incorporated; and
- 21 (5) any other requirements, as determined by
- 22 the Secretary.
- 23 (b) OUTSTANDING AGENCY AUTHORIZATIONS.—All
- 24 participating agencies shall issue a decision on all out-

1 standing permits or authorizations not later than 150 days
2 after the Secretary issues the applicable record of decision.

3 (c) COASTAL ZONE MANAGEMENT ACT REVIEW.—
4 State review under the Coastal Zone Management Act of
5 1972 (16 U.S.C. 1451 et seq.) shall commence as soon
6 as practicable after the Secretary issues a draft environ-
7 mental impact statement.

8 **Subtitle C—Offshore Wind** 9 **Transmission**

10 **SEC. 131. OFFSHORE WIND TRANSMISSION RESEARCH AND** 11 **DEVELOPMENT.**

12 (a) VOLUNTARY DESIGN STANDARDS.—

13 (1) IN GENERAL.—Not later than 90 days after
14 the date of enactment of this Act, the Secretary of
15 Energy (referred to in this section as the “Sec-
16 retary”) shall initiate the development of rec-
17 ommended network-ready design standards for off-
18 shore high-voltage alternating current and high-volt-
19 age direct current equipment for voluntary adoption
20 and use by States and the Federal Government.

21 (2) COORDINATION.—In developing rec-
22 ommended network-ready design standards under
23 paragraph (1), the Secretary shall coordinate with—

24 (A) the Electric Reliability Organization;

1 (B) the Federal Energy Regulatory Com-
2 mission;

3 (C) the Bureau of Ocean Energy Manage-
4 ment;

5 (D) other relevant Federal agencies, as the
6 Secretary determines to be necessary;

7 (E) Regional Transmission Organizations
8 and Independent System Operators;

9 (F) the Institute of Electrical and Elec-
10 tronics Engineers; and

11 (G) other organizations, as the Secretary
12 determines necessary.

13 (b) INTEROPERABILITY OF OFFSHORE TRANS-
14 MISSION INFRASTRUCTURE.—

15 (1) STUDY.—Not later than 1 year after the
16 date of enactment of this Act, the Secretary shall
17 conduct, and publish on the website of the Depart-
18 ment of Energy a report describing the results of, a
19 study that assesses the need to, and challenges of,
20 developing and standardizing interoperable equip-
21 ment and systems in support of shared offshore
22 transmission networks, including—

23 (A) technologies and associated costs;

24 (B) timelines for development;

1 (C) parameters of equipment, such as
2 weight and size; and

3 (D) compatibility of the technologies with
4 fixed and floating offshore generation facilities.

5 (2) RECOMMENDATIONS.—

6 (A) DEFINITION OF SEAM.—In this para-
7 graph, the term “seam” means a shared geo-
8 graphic or economic boundary between—

9 (i) an onshore electric energy trans-
10 mission system and an offshore electric en-
11 ergy transmission system; or

12 (ii) the transmission systems of 2 or
13 more offshore wind energy projects.

14 (B) INTEROPERABILITY ACROSS SEAMS.—

15 The study under paragraph (1) may include
16 recommendations for Congress, State, Tribal,
17 and local governments, manufacturers of elec-
18 tric grid components, systems, and technologies,
19 Regional Transmission Organizations, Inde-
20 pendent System Operators, transmission plan-
21 ning regions (as defined by the Federal Energy
22 Regulatory Commission), offshore renewable en-
23 ergy project developers, and appropriate stand-
24 ards organizations to help ensure interoper-
25 ability across seams.

1 (3) INDUSTRY SURVEY.—The Secretary shall
2 conduct, and use to inform the study under para-
3 graph (1), an offshore wind industry survey that—

4 (A) identifies any existing relevant inter-
5 operability standards; and

6 (B) reviews common offshore wind trans-
7 mission equipment ratings to identify gaps and
8 issues of incompatibility.

9 (4) INTEROPERABILITY STANDARD DEVELOP-
10 MENT PROGRAM.—

11 (A) IN GENERAL.—Not later than 2 years
12 after the date of enactment of this Act, the Sec-
13 retary shall establish and implement a program
14 (referred to in this paragraph as the “pro-
15 gram”) to identify, develop, support, and docu-
16 ment a standard for the interoperability of elec-
17 tric grid components, systems, and technologies
18 to accelerate the implementation and delivery of
19 electricity generated by offshore renewable en-
20 ergy projects through shared transmission in-
21 frastructure.

22 (B) GOALS.—The goals of developing an
23 interoperability standard under the program
24 shall be—

1 (i) to hasten adoption of shared trans-
2 mission infrastructure for offshore elec-
3 tricity generation by encouraging coopera-
4 tion among manufacturers of electric grid
5 components, systems, or technologies, for
6 the purposes of—

7 (I) maximizing interoperability
8 among the systems, products, tools,
9 and applications of those manufactur-
10 ers;

11 (II) reducing offshore renewable
12 energy project delays and cost over-
13 runs;

14 (III) managing power grid com-
15 plexity; and

16 (IV) enhancing grid resilience,
17 reliability, and cybersecurity; and

18 (ii) to establish technical baseline re-
19 quirements to effectively and securely
20 measure, monitor, control, and protect
21 electricity generation and transmission in-
22 frastructure from the point of generation
23 to the control center.

24 (C) FINANCIAL ASSISTANCE.—In carrying
25 out the program, the Secretary may provide fi-

1 nancial assistance to eligible entities (as deter-
2 mined by the Secretary) to carry out activities
3 that—

4 (i) engage equipment manufacturers
5 and industry stakeholders in collaborative
6 platforms, including workshops and fo-
7 rums;

8 (ii) identify current challenges and
9 propose solutions to improve interoper-
10 ability; and

11 (iii) develop an industry interoper-
12 ability standard that meets the goals de-
13 scribed in subparagraph (B) for voluntary
14 implementation.

15 (D) AUTHORIZATION OF APPROPRIA-
16 TIONS.—There is authorized to be appropriated
17 to the Secretary to carry out the program
18 \$5,000,000 for fiscal year 2026, to remain
19 available until expended.

20 (e) CENTER OF EXCELLENCE FOR MULTITERMINAL
21 HIGH-VOLTAGE DIRECT CURRENT TESTING AND CER-
22 TIFICATION.—

23 (1) IN GENERAL.—Not later than 270 days
24 after the date of enactment of this Act, the Sec-
25 retary shall establish, as a public-private partnership

1 between 1 or more National Laboratories and 1 or
2 more parties described in paragraph (2), a center, to
3 be known as the “Center of Excellence for Multiter-
4 minal High-Voltage Direct Current Testing and Cer-
5 tification”—

6 (A) to test—

7 (i) high-voltage direct current compo-
8 nents; and

9 (ii) interactions—

10 (I) between high-voltage direct
11 current components from different
12 equipment manufacturers; and

13 (II) between high-voltage direct
14 current components and alternating
15 current devices; and

16 (B) to ensure the compatibility of different
17 devices before installation.

18 (2) PARTIES DESCRIBED.—A party referred to
19 in paragraph (1) is—

20 (A) a member of the offshore wind indus-
21 try;

22 (B) a high-voltage direct current equip-
23 ment vendor;

24 (C) a transmission provider;

25 (D) a research university; or

1 (E) any other relevant organization, as the
2 Secretary determines to be appropriate.

3 (3) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated to carry out
5 this subsection \$100,000,000 for fiscal year 2026, to
6 remain available until expended.

7 (d) OFFSHORE WIND TRANSMISSION RESEARCH AND
8 DEVELOPMENT.—

9 (1) IN GENERAL.—Not later than 270 days
10 after the date of enactment of this Act, the Sec-
11 retary shall establish a program for, or modify an
12 existing program to include, the research, develop-
13 ment, demonstration, and deployment of offshore
14 wind transmission technology, including with respect
15 to—

16 (A) high-voltage direct current technology;

17 (B) offshore transmission, including float-
18 ing transmission components;

19 (C) transmission optimization through
20 grid-enhancing technologies; and

21 (D) capabilities of inverter-based resources,
22 including to increase the reliability and resil-
23 ience of offshore and onshore transmission and
24 the needed models, data, and tools.

1 (2) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated to the Sec-
3 retary to carry out the program established under
4 paragraph (1) \$100,000,000 for each of fiscal years
5 2026 through 2030.

6 **SEC. 132. OFFSHORE WIND TRANSMISSION PLANNING.**

7 (a) IDENTIFICATION OF PREFERRED ROUTES.—

8 (1) INITIAL IDENTIFICATION.—Not later than 2
9 years after the date of enactment of this Act, the
10 Secretary and the Secretary of Energy (referred to
11 in this section as the “Secretaries”), in coordination
12 with the applicable Offshore Wind Transmission
13 Task Force (as defined in section 111(a)) and rel-
14 evant Federal agencies involved in the permitting of
15 offshore wind generation facilities and offshore wind
16 transmission facilities, shall identify preferred routes
17 on the outer Continental Shelf for transmission ca-
18 bles and sub-seabed infrastructure (where such
19 routes have not yet been identified)—

20 (A) between offshore wind generation fa-
21 cilities; and

22 (B) between offshore wind generation fa-
23 cilities and optimal points of interconnection
24 with onshore electric grids.

1 (2) PERIODIC REVIEW.—Not less frequently
2 than once every 3 years after the initial identifica-
3 tion of preferred routes in accordance with para-
4 graph (1), the Secretaries, in coordination with the
5 applicable Offshore Wind Transmission Task Force
6 (as defined in section 111(a)) and relevant Federal
7 agencies involved in the permitting of offshore wind
8 generation facilities and offshore wind transmission
9 facilities, shall—

10 (A) determine whether additional preferred
11 routes are needed; and

12 (B) if applicable, identify any additional
13 preferred routes.

14 (b) CONSIDERATIONS.—

15 (1) IN GENERAL.—In identifying preferred
16 routes under subsection (a), the Secretaries shall
17 take into account—

18 (A) existing rights-of-way and existing sub-
19 seabed infrastructure;

20 (B) the optimal points of interconnection
21 between offshore wind generation facilities and
22 onshore electric grids; and

23 (C) impacts on the marine environment,
24 including critical habitats or protected areas,
25 marine organisms, including protected or en-

1 dangered species, and other ocean users, includ-
2 ing fisheries.

3 (2) PLANNING AREA STUDIES.—Not later than
4 1 year after the date of enactment of this Act, and
5 every 3 years thereafter for so long as the Secretary
6 is developing new lease areas for offshore wind de-
7 velopment for the applicable planning area, the Sec-
8 retary of Energy, in coordination with the Secretary,
9 shall conduct 1 or more planning area studies for
10 that planning area to determine the optimal loca-
11 tions for transmission cables in networked and
12 backboned topologies, which shall help to inform the
13 identification of preferred routes under subsection
14 (a).

15 (3) CONSIDERATION OF STUDIES.—In identi-
16 fying preferred routes under subsection (a), the Sec-
17 retaries shall take into account, as appropriate, any
18 applicable findings from—

19 (A) the Atlantic Offshore Wind Trans-
20 mission Study carried out by the National Re-
21 newable Energy Laboratory of the Department
22 of Energy;

23 (B) any subsequent offshore transmission
24 study carried out by the Department of Energy

1 for the Pacific Region or the Gulf of Mexico;
2 and

3 (C) any other relevant offshore wind trans-
4 mission study.

5 (c) DESIGNATION OF OFFSHORE WIND TRANS-
6 MISSION CORRIDORS.—

7 (1) DESIGNATION.—The Secretary of Energy
8 shall designate each preferred route identified under
9 subsection (a) as an “Offshore Wind Transmission
10 Corridor”.

11 (2) EFFECT OF DESIGNATION.—

12 (A) ELIGIBILITY FOR NIETC FUNDING.—

13 (i) DEFINITION OF NATIONAL INTER-
14 EST ELECTRIC TRANSMISSION COR-
15 RIDOR.—In this subparagraph, the term
16 “national interest electric transmission cor-
17 ridor” means a national interest electric
18 transmission corridor designated by the
19 Secretary of Energy under section 216(a)
20 of the Federal Power Act (16 U.S.C.
21 824p(a)).

22 (ii) ELIGIBILITY FOR ASSISTANCE.—
23 Notwithstanding any other provision of
24 law, including section 216(a) the Federal
25 Power Act (16 U.S.C. 824p(a))—

1 (I) an Offshore Wind Trans-
2 mission Corridor designated under
3 paragraph (1) shall be considered to
4 be a national interest electric trans-
5 mission corridor for purposes of any
6 law under which the Secretary of En-
7 ergy may provide financial or other
8 assistance for a national interest elec-
9 tric transmission corridor or a facility
10 within a national interest electric
11 transmission corridor; and

12 (II) pursuant to subclause (I), an
13 Offshore Wind Transmission Corridor
14 designated under paragraph (1) and a
15 transmission facility described in
16 clause (iii) shall be eligible for finan-
17 cial and other assistance provided by
18 the Secretary of Energy, including a
19 direct loan or loan guarantee under
20 section 50151 of Public Law 117–169
21 (commonly known as the “Inflation
22 Reduction Act of 2022”) (42 U.S.C.
23 18715), to the same extent as a na-
24 tional interest electric transmission
25 corridor or facility within a national

1 interest electric transmission corridor,
2 as applicable.

3 (iii) TRANSMISSION FACILITY DE-
4 SCRIBED.—

5 (I) IN GENERAL.—A trans-
6 mission facility referred to in clause
7 (ii)(II) is any cable or other offshore
8 wind transmission facility—

9 (aa) that is located entirely
10 within an Offshore Wind Trans-
11 mission Corridor;

12 (bb) that utilizes at least 50
13 percent of the length of an Off-
14 shore Wind Transmission Cor-
15 ridor; or

16 (cc) with respect to which
17 the Secretary makes the discre-
18 tionary determination described
19 in subclause (II).

20 (II) DISCRETIONARY DETER-
21 MINATION.—At the discretion of the
22 Secretary, the Secretary may deter-
23 mine that a cable or other offshore
24 wind transmission facility is a trans-
25 mission facility referred to in clause

1 (ii)(II) if the Secretary determines
2 that a majority of the cable or other
3 transmission facility runs parallel to
4 an Offshore Wind Transmission Cor-
5 ridor.

6 (iv) SAVINGS PROVISION.—Clause (ii)
7 does not—

8 (I) alter or otherwise affect—

9 (aa) the authority of the
10 Federal Energy Regulatory Com-
11 mission under section 216(b) of
12 the Federal Power Act (16
13 U.S.C. 824p(b)) (commonly
14 known as the “backstop siting
15 authority” of the Commission);

16 (bb) the authority of the
17 Secretary of Energy under sub-
18 section (a) or (h) of section 216
19 of that Act (16 U.S.C. 824p); or

20 (cc) any other authority of a
21 Federal, State, local, or Tribal
22 agency or authority, or interstate
23 compact, with respect to a na-
24 tional interest electric trans-
25 mission corridor; or

1 (II) render an Offshore Wind
2 Transmission Corridor subject to any
3 authority described in subclause (I).

4 (B) TRANSMISSION FACILITATION PRO-
5 GRAM.—Notwithstanding any other provision of
6 law, a transmission cable in an Offshore Wind
7 Transmission Corridor designated under para-
8 graph (1) shall be considered to be an eligible
9 electric power transmission line (as defined in
10 section 40106(a) of the Infrastructure Invest-
11 ment and Jobs Act (42 U.S.C. 18713(a))) for
12 purposes of that section.

13 (C) DOE PROGRAM TO FUND SURVEY
14 WORK.—

15 (i) IN GENERAL.—Not later than 1
16 year after the date of enactment of this
17 Act, the Secretary of Energy shall estab-
18 lish a program to provide funding for
19 geotechnical and geophysical surveys and
20 marine resource assessments relating to
21 the siting of transmission cables or other
22 offshore wind transmission facilities pro-
23 posed to be located within an Offshore
24 Wind Transmission Corridor.

1 (ii) REQUIREMENT.—Funds provided
2 under the program established under
3 clause (i) shall be used for geotechnical
4 and geophysical survey work to determine
5 the suitability of 1 or more locations, in-
6 cluding any potential route, for a trans-
7 mission cable or other offshore wind trans-
8 mission facility within the applicable Off-
9 shore Wind Transmission Corridor.

10 (iii) NEPA APPLICABILITY.—The
11 provision of funds under the program es-
12 tablished under clause (i), and the use of
13 those funds in accordance with clause (ii),
14 shall not be considered a major Federal ac-
15 tion (as defined in section 111 of the Na-
16 tional Environmental Policy Act of 1969
17 (42 U.S.C. 4336e)) for purposes of that
18 Act (42 U.S.C. 4321 et seq.).

19 (iv) AUTHORIZATION OF APPROPRIA-
20 TIONS.—There is authorized to be appro-
21 priated to the Secretary of Energy to carry
22 out this subsection \$100,000,000 for each
23 of fiscal years 2025 through 2030.

24 (d) NEPA APPLICABILITY.—The identification of
25 preferred routes under subsection (a) and the designation

1 of Offshore Wind Transmission Corridors under sub-
2 section (c) shall not be considered a major Federal action
3 (as defined in section 111 of the National Environmental
4 Policy Act of 1969 (42 U.S.C. 4336e)) for purposes of
5 that Act (42 U.S.C. 4321 et seq.).

6 **SEC. 133. OFFSHORE WIND TRANSMISSION SITING, PERMIT-**
7 **TING, AND AUTHORIZATIONS.**

8 (a) LEAD AGENCY.—

9 (1) IN GENERAL.—With respect to an offshore
10 wind transmission facility, the Department of the
11 Interior shall act as the lead agency for purposes of
12 coordinating all applicable Federal authorizations
13 and related environmental reviews of the facility.

14 (2) DEADLINES AND MILESTONES.—As head of
15 the lead agency, the Secretary shall establish prompt
16 and binding intermediate milestones and ultimate
17 deadlines for the review of, and Federal authoriza-
18 tion decisions relating to, the proposed facility.

19 (b) RULEMAKING.—

20 (1) IN GENERAL.—Not later than 18 months
21 after the date of enactment of this Act, the Sec-
22 retary, in coordination with other relevant Federal
23 agencies, shall issue, pursuant to section 5 of the
24 Outer Continental Shelf Lands Act (43 U.S.C.

1 1334), a final rule relating to Federal authorizations
2 for offshore wind transmission facilities.

3 (2) CONSIDERATIONS.—In carrying out para-
4 graph (1), the Secretary shall consider—

5 (A) establishing 1 or more procedures for
6 soliciting information about existing and poten-
7 tial rights-of-way;

8 (B) establishing a process for determining
9 interest in the use of 1 or more rights-of-way,
10 including backboned or meshed rights-of-way;

11 (C) establishing a process for the issuance
12 of rights-of-way, on a competitive or non-
13 competitive basis, as appropriate, which may in-
14 clude consideration of whether a developer—

15 (i) has an award from a State via a
16 competitive process;

17 (ii) has an existing agreement to
18 interconnect a transmission project; or

19 (iii) has submitted an interconnection
20 request in accordance with the pro forma
21 Large Generator Interconnection Proce-
22 dures promulgated pursuant to section
23 35.28(f) of title 18, Code of Federal Regu-
24 lations (or successor regulations);

1 (D) any requirements relating to environ-
2 mental reviews for—

3 (i) independent transmission projects;

4 and

5 (ii) transmission projects within exist-
6 ing rights-of-way; and

7 (E) the requirements described in section
8 8(p)(4) of the Outer Continental Shelf Lands
9 Act (43 U.S.C. 1337(p)(4)).

10 (c) AMENDMENT.—Section 8(p)(3) of the Outer Con-
11 tinental Shelf Lands Act (43 U.S.C. 1337(p)(3)) is
12 amended—

13 (1) by striking “, the Secretary shall issue a
14 lease, easement, or right-of-way” and inserting the
15 following: “(43 U.S.C. 1337 note; Public Law 109–
16 58), the Secretary—

17 “(A) shall issue a lease or easement”; and

18 (2) in subparagraph (A) (as so designated)—

19 (A) by striking “lease, easement, or right-
20 of-way” and inserting “lease or easement”; and

21 (B) by striking the period at the end and
22 inserting the following: “; and

23 “(B) may issue a right-of-way on a com-
24 petitive or noncompetitive basis, as the Sec-
25 retary determines to be appropriate.”.

1 **SEC. 134. RELIABILITY STANDARDS FOR OFFSHORE TRANS-**
2 **MISSION.**

3 (a) DEFINITIONS.—In this section:

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

6 (2) RELIABILITY STANDARD.—The term “reli-
7 ability standard” has the meaning given the term in
8 section 215(a) of the Federal Power Act (16 U.S.C.
9 824o(a)).

10 (b) REQUIREMENT.—Not later than 90 days after the
11 date of enactment of this Act, the Commission, in accord-
12 ance with section 215(d)(5) of the Federal Power Act (16
13 U.S.C. 824o(d)(5)), shall order the Electric Reliability Or-
14 ganization to file with the Commission a reliability stand-
15 ard relating to planning for offshore transmission that
16 evaluates and, as necessary, provides clarity with respect
17 to—

18 (1) credible multiple contingencies of subsea ca-
19 bles within a common corridor;

20 (2) credible multiple contingencies of high-volt-
21 age direct current bipole topologies with dedicated
22 metallic return; and

23 (3) generator definitions for large distributed
24 energy generation plans composed of multiple indi-
25 vidual generators within planning contingency stand-
26 ards.

1 **SEC. 135. INCLUSION OF OFFSHORE WIND ENERGY IN**
2 **INTERREGIONAL TRANSMISSION PLANNING.**

3 (a) IN GENERAL.—With respect to any interregional
4 transmission planning described in subsection (b), and any
5 rulemaking relating to that interregional transmission
6 planning, the Federal Energy Regulatory Commission (re-
7 ferred to in this section as the “Commission”) shall re-
8 quire the consideration of—

9 (1) multivalued cost allocation methodologies
10 that evaluate the economic, reliability, and public
11 policy benefits of a networked transmission system
12 that incorporates offshore wind generation and
13 transmission; and

14 (2) the reliability, resilience, and resource ade-
15 quacy of integrating offshore wind into transmission
16 systems.

17 (b) INTERREGIONAL TRANSMISSION PLANNING DE-
18 SCRIBED.—The interregional transmission planning re-
19 ferred to in subsection (a) is any interregional trans-
20 mission planning that the Commission requires to be car-
21 ried out by—

22 (1) public utility transmission providers;
23 (2) Regional Transmission Organizations;
24 (3) Independent System Operators; or
25 (4) any combination of regions or entities de-
26 scribed in paragraphs (1) through (3).

1 **SEC. 136. COASTAL STATE INTEGRATION OF OFFSHORE**
2 **WIND ENERGY.**

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

6 “(22) OFFSHORE WIND INTEGRATION.—

7 “(A) DEFINITION OF COASTAL STATE.—In
8 this paragraph, the term ‘coastal State’ has the
9 meaning given the term ‘coastal state’ in sec-
10 tion 304 of the Coastal Zone Management Act
11 of 1972 (16 U.S.C. 1453).

12 “(B) INCORPORATION OF OFFSHORE WIND
13 ENERGY.—Each coastal State shall—

14 “(i) consider how to incorporate off-
15 shore wind generation and transmission
16 into the electricity distribution system of
17 the coastal State, including—

18 “(I) the optimal points of inter-
19 connection (as defined in section 101
20 of the COLLABORATE Act), includ-
21 ing consideration of—

22 “(aa) any Offshore Wind
23 Transmission Corridors des-
24 ignated under section 132(e)(1)
25 of that Act;

1 “(bb) any national interest
2 electric transmission corridors
3 designated under section 216(a)
4 of the Federal Power Act (16
5 U.S.C. 824p(a));

6 “(cc) existing or permitted
7 transmission lines; and

8 “(dd) the potential for retir-
9 ing or aged fossil fuel plants to
10 provide system capacity;

11 “(II) onshore upgrades to facili-
12 tate interconnection;

13 “(III) design standards to sup-
14 port a networked offshore trans-
15 mission system, including design
16 standards developed under section
17 131(a) of the COLLABORATE Act;

18 “(IV) any identified points of
19 interconnection in State transmission
20 solicitations for procurement; and

21 “(V) State policies and procure-
22 ment goals;

23 “(ii) modify integrated resource plans
24 to account for—

1 “(I) the matters considered
2 under clause (i);

3 “(II) existing single-source con-
4 tingency limits;

5 “(III) the adoption of the stand-
6 ard published by the Institute of Elec-
7 trical and Electronic Engineers
8 Standards Association entitled ‘Stand-
9 ard for Interconnection and Interoper-
10 ability of Inverter-Based Resources
11 Interconnecting with Associated
12 Transmission Electric Power Systems’
13 and numbered IEEE 2800 into utility
14 interconnection requirements; and

15 “(IV) the use of grid-enhancing
16 technologies;

17 “(iii) establish design standards de-
18 scribed in clause (i)(III); and

19 “(iv) incorporate the consideration of
20 the matters described in clause (i) into
21 State planning processes relating to elec-
22 tric energy transmission and distribution.”.

23 (b) COMPLIANCE.—

1 (1) TIME LIMITATION.—Section 112(b) of the
2 Public Utility Regulatory Policies Act of 1978 (16
3 U.S.C. 2622(b)) is amended—

4 (A) in paragraph (8), by indenting sub-
5 paragraph (B) appropriately; and

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

7 “(9)(A) Not later than 1 year after the date of
8 enactment of this paragraph, with respect to each
9 coastal State (as defined in paragraph (22)(A) of
10 section 111(d)), each State regulatory authority
11 (with respect to each electric utility for which the
12 State has ratemaking authority) and each nonregu-
13 lated electric utility shall commence consideration
14 under section 111, or set a hearing date for consid-
15 eration, with respect to the standard established by
16 paragraph (22) of section 111(d).

17 “(B) Not later than 2 years after the date of
18 enactment of this paragraph, with respect to each
19 coastal State (as defined in paragraph (22)(A) of
20 section 111(d)), each State regulatory authority
21 (with respect to each electric utility for which the
22 State has ratemaking authority), and each nonregu-
23 lated electric utility shall complete the consideration
24 and make the determination under section 111 with

1 respect to the standard established by paragraph
2 (22) of section 111(d).”.

3 (2) FAILURE TO COMPLY.—Section 112(c) of
4 the Public Utility Regulatory Policies Act of 1978
5 (16 U.S.C. 2622(c)) is amended by adding at the
6 end the following: “In the case of the standard es-
7 tablished by paragraph (22) of section 111(d), the
8 reference contained in this subsection to the date of
9 enactment of this Act shall be deemed to be a ref-
10 erence to the date of enactment of that paragraph
11 (22).”.

12 (3) PRIOR STATE ACTIONS.—

13 (A) IN GENERAL.—Section 112 of the
14 Public Utility Regulatory Policies Act of 1978
15 (16 U.S.C. 2622) is amended—

16 (i) in subsection (h), in the subsection
17 heading, by striking “OTHER”; and

18 (ii) by adding at the end the fol-
19 lowing:

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

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

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

8 “(3) the State legislature has voted on the im-
9 plementation of the standard (or a comparable
10 standard) for the electric utility during the 3-year
11 period ending on that date of enactment.”.

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

21 (c) APPLICATION TO TERRITORIES AND FREELY AS-
22 SOCIATED STATES.—

23 (1) IN GENERAL.—The requirements of sections
24 111(d)(22) and 112(b)(9) of the Public Utility Reg-
25 ulatory Policies Act of 1978 (16 U.S.C.

1 2621(d)(22), 2622(b)(9)), and any related provisions
2 of that Act (as amended by paragraph (2), or sub-
3 paragraph (A)(ii) or (B) of paragraph (3), of sub-
4 section (b)), shall apply to each coastal State (as de-
5 fined in section 304 of the Coastal Zone Manage-
6 ment Act of 1972 (16 U.S.C. 1453)), including the
7 Federated States of Micronesia, the Republic of the
8 Marshall Islands, and the Republic of Palau, as if
9 those coastal States (as so defined) were included in
10 the definition of the term “State” in section 3 of the
11 Public Utility Regulatory Policies Act of 1979 (16
12 U.S.C. 2602).

13 (2) SAVINGS PROVISION.—Nothing in this sub-
14 section alters or otherwise affects the application of
15 any provision of the Public Utility Regulatory Poli-
16 cies Act of 1978 (16 U.S.C. 2601 et seq.) not added
17 or amended by—

18 (A) subsection (a);

19 (B) paragraph (1)(B) or (2) of subsection
20 (b); or

21 (C) subparagraph (A)(ii) or (B) of sub-
22 section (b)(3).

1 **Subtitle D—Miscellaneous**

2 **SEC. 141. JUDICIAL REVIEW.**

3 (a) IN GENERAL.—Section 23(c)(2) of the Outer
4 Continental Shelf Lands Act (43 U.S.C. 1349(c)(2)) is
5 amended by inserting “, any issuance of a final lease, ease-
6 ment, or right-of-way pursuant to section 8(p)(1), and any
7 approval, modification, or disapproval of any plan for con-
8 struction or operations on such a lease, easement, or right-
9 of-way” after “under this Act”.

10 (b) APPLICABILITY.—The amendment made by sub-
11 section (a)—

12 (1) shall apply with respect to any action
13 brought pursuant to section 23(c)(2) of the Outer
14 Continental Shelf Lands Act (43 U.S.C. 1349(c)(2))
15 that is filed on or after the date of enactment of this
16 Act; and

17 (2) shall not apply with respect to any action
18 described in paragraph (1) that is filed before that
19 date of enactment.

20 **TITLE II—FISHERIES**

21 **SEC. 201. OFFSHORE WIND ENERGY FISHERIES COMPENSA-**
22 **TION FUND.**

23 The Outer Continental Shelf Lands Act (43 U.S.C.
24 1331 et seq.) is amended by adding at the end the fol-
25 lowing:

1 **“SEC. 34. OFFSHORE WIND ENERGY FISHERIES COMPENSA-**
2 **TION FUND.**

3 “(a) ESTABLISHMENT.—

4 “(1) IN GENERAL.—There is established in the
5 Treasury of the United States a fund, to be known
6 as the ‘Offshore Wind Energy Fisheries Compensa-
7 tion Fund’ (referred to in this section as the
8 ‘Fund’).

9 “(2) PURPOSE.—

10 “(A) IN GENERAL.—The Fund shall be
11 available to the Secretary of Commerce without
12 fiscal year limitation as a revolving fund for the
13 purpose of making payments to compensate eli-
14 gible recipients for losses caused by the plan-
15 ning, pre-construction survey, construction,
16 maintenance, operation, and decommissioning
17 of offshore wind energy facilities on the outer
18 Continental Shelf within the jurisdiction of a
19 State that participates in the Fund.

20 “(B) REQUIRED PARTICIPATION.—Each
21 offshore wind lease holder and project sponsor
22 shall be required to provide amounts into the
23 Fund as described in subsection (b), unless the
24 offshore wind lease holder or project sponsor is
25 in a State that is not participating in the Fund
26 pursuant to paragraph (3).

1 “(3) STATE PARTICIPATION.—

2 “(A) REQUIRED PARTICIPATION.—Each
3 State that does not have an existing or under
4 development fisheries compensation fund or a
5 comparable program shall participate in the
6 Fund with respect to projects within the juris-
7 diction of the State.

8 “(B) ELECTION TO OPT-IN.—Each State
9 that has an existing or under development fish-
10 eries compensation fund or a comparable pro-
11 gram is not required to participate in the Fund,
12 but may elect to opt-into participation in the
13 Fund with respect to projects within the juris-
14 diction of the State.

15 “(C) PAYMENT INTO ONE FUND.—An off-
16 shore wind lease holder or project sponsor shall
17 only provide amounts into the Fund or a
18 State’s fisheries compensation fund, and not
19 both.

20 “(4) FUND USE; RESOURCES.—The Fund
21 shall—

22 “(A) be used by the Secretary of Com-
23 merce to provide to eligible recipients payments
24 for claims described under subsection (c); and

25 “(B) consist of—

1 “(i) revenues received from invest-
2 ments made under paragraph (5); and

3 “(ii) amounts collected pursuant to
4 subsection (b).

5 “(5) INVESTMENT.—

6 “(A) IN GENERAL.—Amounts in the Fund
7 that are not currently needed for the purposes
8 of the Fund shall be—

9 “(i) kept on deposit in appropriate in-
10 terest-bearing accounts that shall be estab-
11 lished by the Secretary of the Treasury; or

12 “(ii) invested in obligations of, or
13 guaranteed by, the United States.

14 “(B) REVENUE ACCRUAL.—Any revenue
15 accruing from such deposits and investments
16 described in subparagraph (A) shall be depos-
17 ited in the Fund.

18 “(6) DIVISION OF FUND.—

19 “(A) IN GENERAL.—

20 “(i) IN GENERAL.—The Fund shall be
21 divided into 3 separate geographic area ac-
22 counts based on the jurisdiction of the At-
23 lantic States Marine Fisheries Commis-
24 sion, the Gulf States Marine Fisheries

1 Commission, and the Pacific States Marine
2 Fisheries Commission.

3 “(ii) ADDITIONAL ACCOUNTS.—In ad-
4 dition to the 3 separate geographic area
5 accounts described in clause (i), the Sec-
6 retary of Commerce may add 1 or more
7 separate geographic area accounts into
8 which the Fund shall be divided.

9 “(B) AMOUNTS IN ACCOUNTS.—The divi-
10 sion of amounts in each geographic area ac-
11 count of the Fund shall be based on the leasing
12 activity for offshore wind energy in the geo-
13 graphic area of the account and payments from
14 amounts in each account of the Fund shall ad-
15 dress losses in the applicable geographic area.

16 “(b) FISHERIES MITIGATION COMPENSATION.—

17 “(1) IN GENERAL.—The Secretary, acting
18 through the Director of the Bureau of Ocean Energy
19 Management—

20 “(A) shall require offshore wind lease hold-
21 ers in States that are participating in the Fund
22 to include fisheries compensation as part of the
23 leasing process for offshore wind energy under
24 section 33, including by providing to the Sec-
25 retary, for deposit into the Fund, amounts de-

1 terminated to be appropriate by the Secretary
2 pursuant to paragraph (2), which shall be sepa-
3 rate from any other fees, payments, or other
4 amounts, and paid in one lump sum at final in-
5 vestment decision;

6 “(B) shall require project sponsors in
7 States that are participating in the Fund to
8 provide to the Secretary, for deposit into the
9 Fund, an additional amount equal to 5 percent
10 of any amount required to be provided for de-
11 posit into the Fund under subparagraph (A), of
12 which additional amount—

13 “(i) 40 percent shall be available to
14 the Secretary to cover the administrative
15 expenses of carrying out this section; and

16 “(ii) 60 percent shall be available to
17 the Secretary of Commerce to cover the
18 administrative expenses of carrying out
19 this section;

20 “(C) shall deposit any amounts received
21 under subparagraph (A) or (B) in the Fund;
22 and

23 “(D) shall require the designated liaisons
24 appointed under section 8(p)(11)(B)(ii) to con-
25 duct outreach to fishermen on the availability of

1 compensation from the Fund pursuant to this
2 section.

3 “(2) ESTABLISHMENT OF FORMULA TO CAL-
4 CULATE AMOUNTS TO BE PAID.—

5 “(A) IN GENERAL.—The Secretary, in co-
6 ordination with the Administrator of the Na-
7 tional Oceanic and Atmospheric Administration,
8 shall establish a formula to calculate the
9 amounts to be paid by each project sponsor into
10 the Fund.

11 “(B) REEVALUATION OF FORMULA.—The
12 Secretary shall evaluate and potentially adjust
13 the formula established under subparagraph
14 (A) not less often than every 5 years.

15 “(C) STATE AUTHORITY.—Nothing in this
16 paragraph shall be construed to diminish or
17 otherwise alter a State’s authority pursuant to
18 the Coastal Zone Management Act of 1972 (16
19 U.S.C. 1451 et seq.).

20 “(3) APPLICABILITY.—The requirements de-
21 scribed in this subsection shall not apply to a project
22 sponsor that issued a notice of intent to prepare a
23 draft environmental impact statement with respect
24 to the project before the date the Fund is estab-
25 lished under subsection (a).

1 “(c) CLAIMS PROCESS.—

2 “(1) IN GENERAL.—The Secretary of Com-
3 merce—

4 “(A) in collaboration with relevant agen-
5 cies that hold relevant fisheries data, such as
6 State agencies, Regional Fishery Management
7 Councils, and the applicable Interstate Marine
8 Fisheries Commission, shall establish a process
9 to file, process, and verify claims for purposes
10 of making payments from the Fund; and

11 “(B) shall make payments to eligible re-
12 cipients from the Fund—

13 “(i) in accordance with this section;
14 and

15 “(ii) in consultation with Interstate
16 Marine Fisheries Commissions, at the dis-
17 cretion of the Secretary of Commerce.

18 “(2) RESTRICTIONS.—The Secretary of Com-
19 merce may not make a payment from the Fund—

20 “(A) for gear loss or damage;

21 “(B) for loss caused by the negligence or
22 fault of the claimant;

23 “(C) for loss caused by events or occur-
24 rences unrelated to planning, pre-construction
25 survey, construction, maintenance, operation, or

1 decommissioning of offshore wind energy
2 projects on the outer Continental Shelf; or

3 “(D) for any portion of loss that may be
4 compensated by insurance.

5 “(d) PAYMENT AMOUNTS AND MITIGATION
6 GRANTS.—

7 “(1) IN GENERAL.—Payments made, including
8 direct payments, under this section from the Fund
9 shall—

10 “(A) be based on the scope of the verified
11 claim;

12 “(B) be fair and provided efficiently and in
13 a transparent manner; and

14 “(C) if the eligible recipient receiving the
15 payment has or will receive direct compensation
16 for the verified claim pursuant to a community
17 benefit agreement or other agreement between
18 such eligible recipient and a holder of a lease,
19 easement, or right-of-way, be reduced by an
20 amount that is equal to the amount of such di-
21 rect compensation.

22 “(2) MITIGATION GRANTS.—If the Secretary of
23 Commerce determines that there are sufficient
24 amounts in a geographic area account of the Fund,
25 as described in subsection (a)(6), to provide pay-

1 ments for all verified claims at any given time, the
2 Secretary may use not more than \$20,000,000 of
3 amounts in the geographic area account of the Fund
4 that are in excess of the amount necessary to pro-
5 vide payments for all verified claims to provide
6 grants to eligible recipients, and other entities deter-
7 mined appropriate by the Secretary, to mitigate the
8 potential effects of development of an offshore wind
9 energy project, including by paying for gear modi-
10 fications, navigation technology improvements, and
11 other measures, including training, to enhance safe-
12 ty.

13 “(e) ADVISORY GROUP.—

14 “(1) ESTABLISHMENT.—The Secretary of Com-
15 merce, in coordination with the Secretary of the
16 Treasury, shall establish and convene an advisory
17 group not less frequently than twice a year that
18 shall provide recommendations on the development
19 and administration of this section.

20 “(2) MEMBERSHIP.—The advisory group estab-
21 lished under paragraph (1) shall—

22 “(A) be comprised of individuals—

23 “(i) appointed by the Secretary of
24 Commerce; and

1 “(ii) representing the geographic di-
2 versity of areas impacted by the develop-
3 ment of offshore wind energy projects; and

4 “(B) include representatives from—

5 “(i) recreational fishing interests;

6 “(ii) commercial fishing interests;

7 “(iii) Tribal fishing interests;

8 “(iv) fish processing interests;

9 “(v) the National Marine Fisheries
10 Service;

11 “(vi) the Department of the Interior;

12 “(vii) State agencies;

13 “(viii) the fisheries science commu-
14 nity;

15 “(ix) the offshore wind industry; and

16 “(x) other fields of expertise necessary
17 to effectively develop and administer this
18 section, as determined by the Secretary of
19 Commerce.

20 “(3) TRAVEL EXPENSES.—The Secretary of
21 Commerce may provide amounts to any member of
22 the advisory group to pay for travel expenses, in-
23 cluding per diem in lieu of subsistence, at rates au-
24 thorized for an employee of an agency under section
25 5703 of title 5, United States Code, while away from

1 the home or regular place of business of the member
2 in the performance of the duties of the advisory
3 group.

4 “(f) ANNUAL REPORT.—The Secretary of Commerce
5 shall submit to Congress, and make publicly available, an
6 annual report on activities carried out under this section,
7 including a description of claims filed and the amount of
8 payments and grants provided.

9 “(g) INSUFFICIENT FUNDS.—

10 “(1) IN GENERAL.—If the Secretary, in coordi-
11 nation with the Secretary of Commerce, determines
12 that a geographic area account of the Fund does not
13 contain a sufficient amount to provide payments for
14 all verified claims under this section, the Secretary
15 may, not more than once each calendar year, require
16 each holder of an offshore wind energy lease located
17 within the area covered by the geographic area ac-
18 count to pay an amount specified by the Secretary
19 in accordance with paragraph (2), which shall be de-
20 posited into such geographic area account of the
21 Fund.

22 “(2) LIMIT.—No holder of an offshore wind en-
23 ergy lease shall be required to pay an amount under
24 paragraph (1) that is in excess of \$3 per acre per
25 year of the leased area.

1 “(h) DEFINITIONS.—In this section:

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

4 “(A) a community, stakeholder, or Tribal
5 interest—

6 “(i) that uses a geographic space of
7 an offshore wind energy lease area, or uses
8 resources harvested from a geographic
9 space of an offshore wind energy lease
10 area;

11 “(ii) for which such use is directly and
12 adversely impacted by the development of
13 an offshore wind energy project located in
14 such area; and

15 “(iii) located in the United States, in-
16 cluding the territories of the United
17 States; or

18 “(B) a regional association, cooperative,
19 nonprofit organization, commission, or corpora-
20 tion that—

21 “(i) serves, and acts on behalf of, a
22 community, stakeholder, or Tribal interest
23 described in paragraph (1); and

1 “(ii) is located in the United States,
2 including the territories of the United
3 States.

4 “(2) INTERSTATE MARINE FISHERIES COMMIS-
5 SION.—The term ‘Interstate Marine Fisheries Com-
6 mission’ means the Atlantic States Marine Fisheries
7 Commission, the Gulf States Marine Fisheries Com-
8 mission, or the Pacific States Marine Fisheries Com-
9 mission.”.

10 **SEC. 202. FISHERMEN’S CONTINGENCY FUND.**

11 (a) DEFINITIONS.—Section 401 of the Outer Conti-
12 nental Shelf Lands Act Amendments of 1978 (43 U.S.C.
13 1841) is amended—

14 (1) by striking the section heading and designa-
15 tion and all that follows through “term—” in the
16 matter preceding paragraph (1) and inserting the
17 following:

18 **“SEC. 401. DEFINITIONS.**

19 “**In this title:**”;

20 (2) in each of paragraph (1) through (8)—

21 (A) by inserting “The term” after the
22 paragraph designation; and

23 (B) by adding a paragraph heading, the
24 text of which comprises the term defined in that
25 paragraph;

1 (3) in each of paragraphs (1) through (6), by
2 striking the semicolon at the end of the paragraph
3 and inserting a period;

4 (4) in paragraph (1)—

5 (A) in the matter preceding subparagraph
6 (A), by striking “area:” and inserting “area—
7 ”;

8 (B) in subparagraph (A), by striking “oil
9 or gas” and inserting “oil, gas, or offshore wind
10 energy”;

11 (C) in subparagraph (B), by striking “ex-
12 ploration, development or production” and in-
13 serting “exploration, development, construction,
14 operation, decommissioning, or production”;
15 and

16 (D) in subparagraph (C), by striking
17 “pipeline rights-of-way have been granted” and
18 inserting “rights-of-way have been granted for
19 a pipeline or offshore wind energy trans-
20 mission”;

21 (5) in paragraph (2), in the matter preceding
22 subparagraph (A), by striking “of therein” and in-
23 serting “therein”;

24 (6) in paragraph (7), by striking “402 of this
25 title; and” and inserting “402.”;

1 (7) by redesignating paragraph (8) as para-
2 graph (9); and

3 (8) by inserting after paragraph (7) the fol-
4 lowing:

5 “(8) OFFSHORE WIND ENERGY.—The term ‘off-
6 shore wind energy’ means energy produced at a fa-
7 cility that—

8 “(A) produces electric energy solely by the
9 use, as the only energy source, of wind; and

10 “(B) is located on the outer Continental
11 Shelf.”.

12 (b) PAYMENTS BY LEASEHOLDERS.—Section
13 402(b)(1) of the Outer Continental Shelf Lands Act
14 Amendments of 1978 (43 U.S.C. 1842(b)(1)) is amended,
15 in the first sentence—

16 (1) by striking “Act and each holder” and in-
17 serting “Act (43 U.S.C. 1331 et seq.), and each
18 holder”; and

19 (2) by inserting “or offshore wind energy” after
20 “pipeline”.

21 (c) DUTIES AND POWERS OF SECRETARY.—Section
22 403 of the Outer Continental Shelf Lands Act Amend-
23 ments of 1978 (43 U.S.C. 1843) is amended—

1 (1) in subsection (a)(2), by inserting “and off-
2 shore wind energy site characterization and assess-
3 ment activities,” after “production activities,”; and

4 (2) in subsection (c)(1), in the first sentence, by
5 inserting “, offshore wind energy site characteriza-
6 tion and assessment activities, or activities author-
7 ized under section 8(p) of the Outer Continental
8 Shelf Lands Act (43 U.S.C. 1337(p))” after “pro-
9 duction activities”.

10 (d) DISBURSEMENT OF PAYMENTS.—Section 403(c)
11 of the Outer Continental Shelf Lands Act Amendments
12 of 1978 (43 U.S.C. 1843(c)) is amended by adding at the
13 end the following:

14 “(3) DISBURSEMENT ALLOCATION.—The Sec-
15 retary shall ensure—

16 “(A) that amounts deposited in the Fund
17 for oil and gas activities shall only be disbursed
18 to compensate claims for oil and gas activities;
19 and

20 “(B) that amounts deposited in the Fund
21 for offshore wind energy activities shall only be
22 disbursed to compensate claims for offshore
23 wind energy activities.”.

24 (e) BURDEN OF PROOF.—Section 404 of the Outer
25 Continental Shelf Lands Act Amendments of 1978 (43

1 U.S.C. 1844) is amended, in the matter preceding para-
2 graph (1), by inserting “, or offshore wind energy site
3 characterization and assessment activities, as applicable,”
4 after “production”.

5 **SEC. 203. GRANT PROGRAM FOR RESEARCH ON THE IM-**
6 **PACTS OF OFFSHORE WIND DEVELOPMENT**
7 **ON FISHERIES RESOURCES.**

8 (a) GRANT PROGRAM.—

9 (1) IN GENERAL.—Not later than 1 year after
10 the date of enactment of this Act, the Secretary of
11 Commerce, in consultation with the Secretary of the
12 Interior, shall establish and carry out a program to
13 award grants, on a competitive basis, to eligible enti-
14 ties to enable such entities to carry out research that
15 contributes to an understanding of the impacts of all
16 stages of offshore wind energy planning, construc-
17 tion, operation, and decommissioning on fisheries re-
18 sources, including marine and coastal ecosystems,
19 wildlife, and habitat.

20 (2) RESERVATION.—From the amounts appro-
21 priated to carry out this section for a fiscal year, the
22 Secretary of Commerce shall reserve 2 percent for
23 use by Indian Tribes and Tribal organizations.

24 (b) APPLICATIONS.—

1 (1) IN GENERAL.—An eligible entity, as deter-
2 mined by the Secretary of Commerce, that desires to
3 receive a grant under this section shall submit an
4 application to the Secretary of Commerce at such
5 time and in such form as the Secretary may require,
6 including a demonstration of how the eligible entity
7 will use the grant funds to further understanding of
8 the impacts of offshore wind energy development on
9 fisheries resources.

10 (2) PRIORITY FOR INCLUSION OF FISHERMEN;
11 CONSIDERATIONS.—The Secretary of Commerce
12 shall, in awarding grants under this section—

13 (A) give priority to eligible entities that
14 demonstrate engagement with, and collection of
15 input from, the fishing community in the grant
16 development process and include fishermen as
17 active contributors in any research supported
18 under this section; and

19 (B) to the extent practicable, consider eli-
20 gible entities that serve areas that are sched-
21 uled for offshore wind development.

22 (c) ELIGIBLE USES OF FUNDS.—An eligible entity
23 that receives a grant under this section shall use the grant
24 funds for research on any of the following:

1 (1) Understanding the effects of electric and
2 magnetic forces, habitat changes, vibrations, noise,
3 and thermal radiation on any fish populations.

4 (2) Conducting planning or analysis on how to
5 adapt fisheries surveys to the presence of wind
6 farms.

7 (3) Establishing baseline conditions for benthic
8 habitat and conducting monitoring throughout off-
9 shore wind energy operation.

10 (4) Increasing automated or indirect data col-
11 lection from fishing vessels.

12 (5) Studying oceanographic changes due to the
13 presence of offshore wind infrastructure, including
14 turbulence and surface wind reduction.

15 (6) Studying the socioeconomic impacts of wind
16 energy development on fishermen and their commu-
17 nities, including ability to adapt, resilience to
18 change, and economic impacts.

19 (7) Social science research on how fishermen
20 and communities will be impacted by offshore wind
21 energy development.

22 (8) Examining potential uses of offshore wind
23 turbines, pilings, mooring lines, inter-array cables,
24 transmission cables, and other hard structures as
25 data collection points for scientific research, infra-

1 structure for aquaculture operations, or for other
2 uses.

3 (9) Finding pathways and opportunities for
4 skill transferability for fishermen to other industries.

5 (10) Infrastructure designs that can facilitate
6 and support biodiversity in the area of the offshore
7 wind project.

8 (11) Cumulative impacts on highly migratory
9 species from development of offshore wind energy fa-
10 cilities in multiple lease areas in migratory path-
11 ways.

12 (12) Understanding impacts from offshore wind
13 energy development on species and oceanographic
14 processes outside the boundaries of wind energy
15 areas.

16 (13) Other topics as recommended—

17 (A) in consultation with the Standing
18 Committee on Offshore Wind Energy and Fish-
19 eries at the National Academies; and

20 (B) by studies and reports on offshore
21 wind energy impacts to fisheries resources, in-
22 cluding the Fisheries and Offshore Wind Inter-
23 actions: Synthesis of Science technical memo
24 produced by the Responsible Offshore Develop-
25 ment Alliance, the Bureau of Ocean Energy

1 Management, the National Oceanic and Atmos-
2 pheric Administration, and the Northeast Fish-
3 eries Science Center, and other studies and re-
4 ports of the Bureau of Ocean Energy Manage-
5 ment and the National Oceanic and Atmos-
6 pheric Administration.

7 (d) COORDINATION; ACCESSIBILITY OF DATA.—

8 (1) IN GENERAL.—The Secretary of Commerce
9 shall encourage eligible entities that receive a grant
10 under this section to, when practicable and appro-
11 priate (as determined by the Secretary of Com-
12 merce)—

13 (A) coordinate with the Integrated Ocean
14 Observing System and the Regional Wildlife
15 Science Collaborative for Offshore Wind in con-
16 ducting research described in subsection (c);
17 and

18 (B) make data generated from such re-
19 search accessible through the Integrated Ocean
20 Observing System.

21 (2) PUBLIC ACCESSIBILITY.—An eligible entity
22 that receives a grant under this section shall make
23 data generated from conducting research described
24 in subsection (c) publicly accessible, to the extent
25 consistent with other laws.

1 (e) REPORTING.—

2 (1) IN GENERAL.—An eligible entity that re-
3 ceives a grant under this section shall submit to the
4 Secretary of Commerce a report, at such time and
5 in such form as the Secretary may require, on the
6 results of the use of the grant.

7 (2) CONTENT.—Each report submitted under
8 paragraph (1) shall include any relevant data re-
9 quested by the Secretary for purposes of tracking
10 the effectiveness of the program established under
11 this section.

12 (3) PUBLIC AVAILABILITY.—The Secretary of
13 Commerce shall make each report submitted under
14 paragraph (1) publicly available.

15 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to carry out this section
17 \$30,000,000 for each of fiscal years 2025 through 2035,
18 to remain available until expended.

19 **SEC. 204. OFFSHORE WIND AND FISHERIES COEXISTENCE**
20 **FUND.**

21 (a) ESTABLISHMENT OF FUND.—

22 (1) IN GENERAL.—There is established in the
23 Treasury of the United States a fund, to be known
24 as the “Offshore Wind and Fisheries Coexistence
25 Fund” (referred to in this section as the “Fund”),

1 to be administered by the Administrator of the Na-
2 tional Oceanic and Atmospheric Administration (re-
3 ferred to in this section as the “Administrator”).

4 (2) DEPOSITS.—The Fund shall consist of such
5 amounts as are appropriated to the Fund under sub-
6 section (c).

7 (3) USE.—Amounts in the Fund shall be used
8 to carry out subsection (b).

9 (b) GRANT PROGRAM.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of this Act, the Administrator,
12 in consultation with the Director of the Bureau of
13 Ocean Energy Management, shall—

14 (A) use amounts in the Fund to award
15 grants for research and development of tech-
16 nologies that support the coexistence of offshore
17 wind energy development and other ocean users,
18 including fishing gear and vessel modifications,
19 modifications or updates to radar equipment,
20 and safety equipment or trainings; and

21 (B) in awarding grants under subpara-
22 graph (A), prioritize proposals that include co-
23 ordination and collaboration between different
24 ocean stakeholders and users, including between
25 fishermen and developers.

1 (2) RESERVATION.—From the amounts appro-
2 priated to carry out this section for a fiscal year, the
3 Administrator shall reserve 2 percent for use by In-
4 dian Tribes and Tribal organizations.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to carry out this section
7 \$30,000,000 for each of fiscal years 2025 through 2035,
8 to be deposited in the Fund, to remain available until ex-
9 pended.