

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To require the Secretary of Energy to establish a grant program to improve the resiliency of the power grid to natural disasters and reduce the risk of wildfires caused by power lines, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. WYDEN (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To require the Secretary of Energy to establish a grant program to improve the resiliency of the power grid to natural disasters and reduce the risk of wildfires caused by power lines, 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.**

4 This Act may be cited as the “Disaster Safe Power  
5 Grid Act of 2021”.

6 **SEC. 2. MATCHING GRANT PROGRAM.**

7 (a) DEFINITIONS.—In this section:

1           (1) ELIGIBLE ENTITY.—The term “eligible enti-  
2           ty” means an electric utility, including—

3                   (A) a publicly owned electric utility;

4                   (B) a municipal electric utility;

5                   (C) a cooperatively owned electric utility;

6                   (D) an investor-owned electric utility; and

7                   (E) a Federal agency or federally owned  
8           corporation that is an electric utility (as defined  
9           in section 3 of the Federal Power Act (16  
10          U.S.C. 796)).

11           (2) POWER LINE.—The term “power line” in-  
12          cludes a transmission line or a distribution line, as  
13          applicable.

14           (3) PROGRAM.—The term “program” means  
15          the program established under subsection (b).

16           (4) SECRETARY.—The term “Secretary” means  
17          the Secretary of Energy.

18          (b) ESTABLISHMENT.—Not later than 90 days after  
19          the date of enactment of this Act, the Secretary shall es-  
20          tablish within the Office of Electricity Delivery and En-  
21          ergy Reliability a program under which the Secretary shall  
22          make grants to eligible entities to carry out activities  
23          that—

1           (1) are supplemental to existing power grid-  
2           hardening efforts of the eligible entity planned for  
3           any given year;

4           (2) are designed to enhance public safety; and

5           (3)(A) reduce the risk of any power lines owned  
6           or operated by the eligible entity causing a wildfire;  
7           or

8           (B) increase the resiliency of the power grid to  
9           withstand natural disasters, such as earthquakes, ice  
10          storms, wind storms, snow storms, heat storms, and  
11          other natural disasters.

12          (c) APPLICATION.—

13           (1) IN GENERAL.—An eligible entity desiring a  
14           grant under the program shall submit to the Sec-  
15           retary an application at such time, in such manner,  
16           and containing such information as the Secretary  
17           may require.

18           (2) REQUIREMENT.—As a condition of receiving  
19           a grant under the program, an eligible entity shall  
20           submit to the Secretary as part of the application of  
21           the eligible entity under paragraph (1)—

22           (A) a wildfire mitigation plan, if the eligi-  
23           ble entity seeks a grant for purposes of imple-  
24           menting a project or otherwise carrying out ac-

1 activities to reduce wildfire risk, as described in  
2 subsection (b)(3)(A); or

3 (B) a report detailing past, current, and  
4 future efforts by the eligible entity to improve  
5 the resiliency of the power grid with respect to  
6 natural disasters, if the eligible entity seeks a  
7 grant for purposes of increasing the resiliency  
8 of the power grid, as described in subsection  
9 (b)(3)(B).

10 (d) USE OF GRANT FUNDS.—An eligible entity may  
11 use a grant provided under the program—

12 (1) for the undergrounding of new and existing  
13 power lines and circuits;

14 (2) to harden overhead power lines with fire re-  
15 sistant or more resilient equipment, such as steel  
16 poles and covered wires;

17 (3) to replace obsolete overhead conductors and  
18 underground cables;

19 (4) to install fast-tripping protection systems;

20 (5) to construct and operate 1 or more weather  
21 monitoring stations;

22 (6) to install fault location equipment or early  
23 fault detection equipment;

24 (7) for the relocation of power lines to road-  
25 ways;

1           (8) to carry out vegetation or fuels management  
2           activities in accordance with Federal, State, and  
3           local laws (including regulations);

4           (9) to install technology or equipment to miti-  
5           gate hazards from or to animals and related damage  
6           to the power grid;

7           (10) to install cameras, sensors, or other tech-  
8           nology that provides real-time information about  
9           conditions;

10          (11) to install technology to detect downed con-  
11          ductors;

12          (12) for the installation of electrical facilities  
13          necessary to sustain targeted microgrid operations,  
14          including storage for the integration of distributed  
15          energy resources into power grid operations, for the  
16          benefit of community resiliency following a main  
17          power grid outage;

18          (13) to harden facilities, substations, and other  
19          systems for seismic events; and

20          (14) for other, related power grid upgrades to  
21          reduce the risk of wildfire ignition or damage from  
22          natural disasters.

23          (e) PRIORITY.—In making grants under the program,  
24          the Secretary shall give priority to projects that, in the  
25          determination of the Secretary, will generate the greatest

1 community benefit in improving power grid resiliency to  
2 natural disasters or reducing the risk of wildfire ignition  
3 from power lines or equipment relative to the cost of the  
4 project.

5 (f) SET ASIDES.—

6 (1) WILDFIRE SET ASIDE.—In making grants  
7 under the program, the Secretary shall ensure that  
8 not less than 40 percent of the total amounts made  
9 available to eligible entities under the program are  
10 made available to eligible entities that seek a grant  
11 for purposes of implementing a project or otherwise  
12 carrying out activities to reduce wildfire risk, as de-  
13 scribed in subsection (b)(3)(A).

14 (2) SMALL UTILITIES SET ASIDE.—In making  
15 grants under the program, the Secretary shall en-  
16 sure that not less than 20 percent of the amounts  
17 made available to eligible entities under the program  
18 are made available to eligible entities that sell not  
19 more than 4,000,000 megawatt hours of electricity  
20 per year.

21 (g) MATCHING REQUIREMENT.—

22 (1) IN GENERAL.—Except as provided in para-  
23 graph (2), as a condition of receiving a grant under  
24 the program, an eligible entity shall provide match-  
25 ing funds in the form of cash or an in-kind contribu-

1           tion in an amount equal to not less than 100 percent  
2           of the amounts made available under the grant.

3           (2) EXCEPTION FOR SMALL UTILITIES.—With  
4           respect to an eligible entity that sells not more than  
5           4,000,000 megawatt hours of electricity per year, as  
6           a condition of receiving a grant under the program,  
7           the eligible entity shall provide matching funds in  
8           the form of cash or an in-kind contribution in an  
9           amount equal to not less than  $\frac{1}{3}$  of the amounts  
10          made available under the grant.

11          (3) EXISTING EFFORTS.—On approval by the  
12          Secretary, amounts expended by an eligible entity on  
13          power grid resiliency or wildfire risk mitigation ef-  
14          forts during the 1-year period ending on the date on  
15          which a grant is received under the program shall  
16          count toward the matching requirement described in  
17          paragraph (1) or (2), as applicable.

18          (h) FEDERAL POWER MARKETING ADMINISTRA-  
19          TIONS.—Any amounts made available to a Federal power  
20          marketing administration pursuant to a grant under the  
21          program shall be nonreimbursable.

22          (i) BIENNIAL REPORT.—Not later than 2 years after  
23          the date of enactment of this Act, and every 2 years there-  
24          after, the Secretary shall submit to the Committee on En-  
25          ergy and Natural Resources of the Senate and the Com-

1 mittee on Energy and Commerce of the House of Rep-  
2 resentatives a report describing the manner in which, and  
3 the extent to which—

4           (1) the resiliency of the power grid has in-  
5 creased under the program during the period cov-  
6 ered by the report; and

7           (2) the risk of wildfires caused by power lines  
8 has been reduced under the program during the pe-  
9 riod covered by the report.

10       (j) AUTHORIZATION OF APPROPRIATIONS.—There is  
11 authorized to be appropriated to the Secretary to carry  
12 out the program \$10,000,000,000 for each of fiscal years  
13 2022 through 2031.