

HR 1 -- Redline

Introduced to Engrossed -- Lower Energy Costs Act

Deletions ~~struck~~ · Insertions underlined

1 ~~Introduced~~Engrossed in House ~~(IH)](EH)]~~ <DOC> 118th CONGRESS 1st Session H.

1 AN ACT To lower energy costs by increasing American energy production, exports, infrastructure, and critical minerals processing, by promoting transparency, accountability, permitting, and production of American resources, and by improving water quality certification and energy projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

~~March 14, 2023 Mr.~~

~~Scalise (for himself, Mrs.~~

~~Rodgers of Washington, Mr.~~

~~Westerman, and Mr.~~

~~Graves of Missouri) introduced the following bill;~~

~~which was referred to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Agriculture, Transportation and Infrastructure, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned~~

~~A BILL To lower energy costs by increasing American energy production, exports, infrastructure, and critical minerals processing, by promoting transparency, accountability, permitting, and production of American resources, and by improving water quality certification and energy projects, and for other purposes.~~

UnlockingSense our of domesticCongress LNGexpressing potentialdisapproval of the denial of Jordan Cove permits.

PromotingUnlocking interagencyyour coordinationdomestic forLNG reviewpotential. of natural gas pipelines. InterimPromoting hazardousinteragency wastecoordination permits for criticalreview energyof resourcenatural facilities.gas pipelines.

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Keeping America's refineries operating.

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State primary enforcement responsibility.

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Use of index-based pricing in acquisition of petroleum products for the SPR.

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Federal general permits.

DIVISION A--INCREASING AMERICAN ENERGY PRODUCTION, EXPORTS, INFRASTRUCTURE, AND CRITICAL MINERALS PROCESSING
DIVISION A--INCREASING AMERICAN ENERGY PRODUCTION, EXPORTS, INFRASTRUCTURE, AND CRITICAL MINERALS PROCESSING Sec.

~~Unlocking~~~~Sense out of domestic~~~~Congress LNG~~~~expressing potential~~~~disapproval of the denial of Jordan Cove permits.~~

~~Promoting~~~~Unlocking interagency~~~~your coordination~~~~domestic for LNG review~~~~potential. of natural gas pipelines.~~
~~Interim~~~~Promoting hazardous~~~~interagency waste~~~~coordination permits~~~~for critical~~~~review energy of~~
~~resource~~~~natural facilities.~~~~gas pipelines.~~

~~Flexible~~~~Interim air~~~~hazardous waste~~ permits for critical energy resource facilities.

~~National~~~~Flexible security~~~~air or~~~~permits energy for security waivers to produce~~~~critical energy~~
~~resources.~~~~resource facilities.~~

~~Ending~~~~National future~~~~security delays or in~~~~energy chemical~~~~security substance~~~~waivers review to for~~~~produce~~
critical energy resources.

~~Natural~~~~Ending gas~~~~future tax~~~~delays repeal in~~~~chemical substance review for critical energy resources.~~

~~Repeal~~~~Natural of greenhouse gas reduction~~~~tax fund.~~~~repeal.~~

~~Keeping~~~~Repeal America's of refineries~~~~greenhouse operating~~~~gas reduction fund.~~

~~Keeping America's refineries operating.~~

~~Sec.~~

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~~GAO study.~~

~~Sec.~~

~~10025.~~

~~Gas kitchen ranges and ovens.~~

~~(2) Critical~~~~Report.--Not energy~~~~later resource~~~~than defined.--In~~~~this year section~~~~after the term~~~~date~~
~~critical of energy~~~~enactment resource~~~~of has~~~~this Act, and annually thereafter, the meaning~~~~Secretary~~
~~given of such~~~~Energy term~~~~shall in~~~~submit section~~~~to 2~~~~Congress of a report~~~~containing-- (A) the~~
~~Department~~~~results of Energy~~~~the Organization~~~~ongoing Act~~~~assessments (42~~~~conducted U.S.C.~~~~under paragraph~~
~~(1)(A);~~

~~(B) a description of any actions taken pursuant to the Department of Energy Organization Act to mitigate potential effects of critical energy resource supply chain disruptions on energy technologies or the operation of energy systems;~~

~~and (C) any recommendations relating to strengthening critical energy resource supply chains that are essential to the energy security of the United States.~~

~~(3) Critical energy resource defined.--In this section, the term ``critical energy resource'' has the meaning given such term in section 2 of the Department of Energy Organization Act (42 U.S.C.~~

~~(2) On January 20, 2021, President Biden issued Executive Order 13990~~~~No. (86 Fed.~~

13990 (86 Fed.

SENSE OF CONGRESS EXPRESSING DISAPPROVAL OF THE DENIAL OF JORDAN COVE PERMITS.

(a) Findings.--Congress finds the following:

(1) On March 19, 2020, the Federal Energy Regulatory Commission granted two Federal permits to Jordan Cove Energy Project, L.P., to site, construct, and operate a new liquefied natural gas export terminal in Coos County, Oregon.

(2) On the same day, the Federal Energy Regulatory Commission issued a certificate of public convenience and necessity to Pacific Connector Gas Pipeline, L.P., to construct and operate the proposed Pacific Connector Pipeline in the counties of Klamath, Jackson, Douglas, and Coos of Oregon.

(3) The State of Oregon denied the permits and the certificate necessary for these projects.

(b) Sense of Congress.--It is the sense of Congress that Congress disapproves of the denial of these permits by the State of Oregon.

SEC.

10008.

~~10008.~~10009.

(j) Withdrawal of Policy Statements.--The Federal Energy Regulatory Commission shall withdraw-- (1) the updated policy statement titled ``Certification of New Interstate Natural Gas Facilities'' published in the Federal Register on March 1, 2022 (87 Fed.

Reg.

11548);

and (2) the interim policy statement titled ``Consideration of Greenhouse Gas Emissions in Natural Gas Infrastructure Project Reviews'' published in the Federal Register on March 11, 2022 (87 Fed.

Reg.

14104).

~~10009.~~10010.

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~~10011.~~10012.

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~~10014.~~10015.

~~10015.~~10016.

~~10016.~~10017.

SEC.

10018.

STUDY.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Nuclear Regulatory Commission, shall conduct a study on how to streamline regulatory timelines relating to developing new power plants by examining practices relating to various power generating sources, including fossil and nuclear generating sources.

SEC.

10019.

STATE PRIMARY ENFORCEMENT RESPONSIBILITY.

(a) Amendments.--Section 1422(b) of the Safe Drinking Water Act (42 U.S.C.

300h-1(b)) is amended-- (1) in paragraph (2)-- (A) by striking ``Within ninety days'' and inserting ``(A) Within ninety days'';

(B) by striking ``and after reasonable opportunity for presentation of views'';

and (C) by adding at the end the following:

``(B) If, after 270 calendar days of a State's application being submitted under paragraph (1)(A) or notice being submitted under paragraph (1)(B), the Administrator has not, pursuant to subparagraph (A), by rule approved, disapproved, or approved in part and disapproved in part the State's underground injection control program-- ``(i) the Administrator shall transmit, in writing, to the State a detailed explanation as to the status of the application or notice;

and ``(ii) the State's underground injection control program shall be deemed approved under this section if-- ``(I) the Administrator has not after another 30 days, pursuant to subparagraph (A), by rule approved, disapproved, or approved in part and disapproved in part the State's underground injection control program;

and ``(II) the State has established and implemented an effective program (including adequate recordkeeping and reporting) to prevent underground injection which endangers drinking water sources.'';

(2) by amending paragraph (4) to read as follows:

“(4) Before promulgating any rule under paragraph (2) or (3) of this subsection, the Administrator shall-- “(A) provide a reasonable opportunity for presentation of views with respect to such rule, including a public hearing and a public comment period;

and “(B) publish in the Federal Register notice of the reasonable opportunity for presentation of views provided under subparagraph (A).”;

and (3) by adding at the end the following:

“(5) Preapplication Activities.--The Administrator shall work as expeditiously as possible with States to complete any necessary activities relevant to the submission of an application under paragraph (1)(A) or notice under paragraph (1)(B), taking into consideration the need for a complete and detailed submission.

“(6) Application Coordination for Class VI Wells.--With respect to the underground injection control program for Class VI wells (as defined in section 40306(a) of the Infrastructure Investment and Jobs Act (42 U.S.C.

300h-9(a))), the Administrator shall designate one individual at the Agency from each regional office to be responsible for coordinating-- “(A) the completion of any necessary activities prior to the submission of an application under paragraph (1)(A) or notice under paragraph (1)(B), in accordance with paragraph (5);

“(B) the review of an application submitted under paragraph (1)(A) or notice submitted under paragraph (1)(B);

“(C) any reasonable opportunity for presentation of views provided under paragraph (4)(A) and any notice published under paragraph (4)(B);

and “(D) pursuant to the recommendations included in the report required under paragraph (7), the hiring of additional staff to carry out subparagraphs (A) through (C).

“(7) Evaluation of Resources.-- “(A) In general.--Not later than 90 days after the date of enactment of this paragraph, the individual designated under paragraph (6) shall transmit to the appropriate Congressional committees a report, including recommendations, regarding the-- “(i) availability of staff and resources to promptly carry out the requirements of paragraph (6);

and “(ii) additional funding amounts needed to do so.

“(B) Appropriate congressional committees defined.--In this paragraph, the term ‘appropriate Congressional Committees’ means-- “(i) in the Senate-- “(I) the Committee on Environment and Public Works;

and “(II) the Committee on Appropriations;

and “(ii) in the House of Representatives-- “(I) the Committee on Energy and Commerce;

and “(II) the Committee on Appropriations.”.

(b) Funding.--In each of fiscal years 2023 through 2026, amounts made available by title VI of division J of the Infrastructure Investment and Jobs Act under paragraph (7) of the heading “Environmental Protection Agency--State and Tribal Assistance Grants” (Public Law 117-58;

135 Stat.

1402) may also be made available, subject to appropriations, to carry out paragraphs (5), (6), and (7) of section 1422(b) of the Safe Drinking Water Act, as added by this section.

(c) Rule of Construction.--The amendments made by this section shall-- (1) apply to all applications submitted to the Environmental Protection Agency after the date of enactment of this Act to establish an underground injection control program under section 1422(b) of the Safe Drinking Water Act (42 U.S.C.

300h-1);

and (2) with respect to such applications submitted prior to the date of enactment of this Act, the 270 and 300 day deadlines under section 1422(b)(2)(B) of the Safe Drinking Water Act, as added by this section, shall begin on the date of enactment of this Act.

SEC.

10020.

USE OF INDEX-BASED PRICING IN ACQUISITION OF PETROLEUM PRODUCTS FOR THE SPR.

Section 160(c) of the Energy Policy and Conservation Act (42 U.S.C.

6240(c)) is amended-- (1) by redesignating paragraphs (1) through (6) as clauses (i) through (vi), respectively (and adjusting the margins accordingly);

(2) by striking “The Secretary shall” and inserting the following:

“(1) In general.--The Secretary shall”;

and (3) by striking “Such procedures shall take into account the need to--” and inserting the following:

“(2) Inclusions.--Procedures developed under this subsection shall-- “(A) require acquisition of petroleum products using index-based pricing;

and ``(B) take into account the need to--''.

SEC.

10021.

PROHIBITION ON CERTAIN EXPORTS.

(a) In General.--The Energy Policy and Conservation Act is amended by inserting after section 163 (42 U.S.C.

6243) the following:

``SEC.

164.

PROHIBITION ON CERTAIN EXPORTS.

``(a) In General.--The Secretary shall prohibit the export or sale of petroleum products drawn down from the Strategic Petroleum Reserve, under any provision of law, to-- ``(1) the People's Republic of China;

``(2) the Democratic People's Republic of Korea;

``(3) the Russian Federation;

``(4) the Islamic Republic of Iran;

``(5) any other country the government of which is subject to sanctions imposed by the United States;

and ``(6) any entity owned, controlled, or influenced by-- ``(A) a country referred to in any of paragraphs (1) through (5);

or ``(B) the Chinese Communist Party.

``(b) Waiver.--The Secretary may issue a waiver of the prohibition described in subsection (a) if the Secretary certifies that any export or sale authorized pursuant to the waiver is in the national security interests of the United States.

``(c) Rule.--Not later than 60 days after the date of enactment of the Lower Energy Costs Act, the Secretary shall issue a rule to carry out this section.''.

(b) Conforming Amendments.-- (1) Drawdown and sale of petroleum products.--Section 161(a) of the Energy Policy and Conservation Act (42 U.S.C.

6241(a)) is amended by inserting ``and section 164'' before the period at the end.

(2) Clerical amendment.--The table of contents for the Energy Policy and Conservation Act is amended by inserting after the item relating to section 163 the following:

``Sec.

164.

Prohibition on certain exports.''.

SEC.

10022.

SENSE OF CONGRESS EXPRESSING DISAPPROVAL OF THE PROPOSED TAX HIKES ON THE OIL AND NATURAL GAS INDUSTRY IN THE PRESIDENT'S FISCAL YEAR 2024 BUDGET REQUEST.

(a) Finding.--Congress finds that President Biden's fiscal year budget request proposes to repeal tax provisions that are vital to the oil and natural gas industry of the United States, resulting in a \$31,000,000,000 tax hike on oil and natural gas producers in the United States.

(b) Sense of Congress.--It is the sense of Congress that Congress disapproves of the proposed tax hike on the oil and natural gas industry in the President's fiscal year 2024 budget request.

SEC.

10023.

DOMESTIC ENERGY INDEPENDENCE REPORT.

Not later than 120 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Energy, shall submit to Congress a report that identifies and assesses regulations promulgated by the Administrator during the 15-year period preceding the date of enactment of this Act that have-- (1) reduced the energy independence of the United States;

(2) increased the regulatory burden for energy producers in the United States;

(3) decreased the energy output by such energy producers;

(4) reduced the energy security of the United States;

or (5) increased energy costs for consumers in the United States.

SEC.

10024.

GAO STUDY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on how banning natural gas appliances will affect the rates and charges for electricity.

SEC.

10025.

GAS KITCHEN RANGES AND OVENS.

The Secretary of Energy may not finalize, implement, administer, or enforce the proposed rule titled ``Energy Conservation Program:

Energy Conservation Standards for Consumer Conventional Cooking Products;

Supplemental notice of proposed rulemaking and announcement of public meeting'' (88 Fed.

Reg.

6818;

published February 1, 2023) with respect to energy conservation standards for gas kitchen ranges and ovens, or any substantially similar rule, including any rule that would directly or indirectly limit consumer access to gas kitchen ranges and ovens.

DIVISION ~~B--TAPB~~--TRANSPARENCY, ACCOUNTABILITY, PERMITTING, AND PRODUCTION OF AMERICAN RESOURCES Sec.

Sec.

20115.

Requirement for GAO report on wind energy impacts.

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Permit process for projects relating to extraction, recovery, or processing of critical materials.

Sec.

20311.

National strategy to re-shore mineral supply chains.

Sec.

20604.

Sunset.

(d) Requirement To Submit Documents and Communications.-- (1) In general.--Not later than 60 days after the date of the enactment of this section, the Secretary of the Interior shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives all documents and communications relating to the comprehensive review of Federal oil and gas permitting and leasing practices required under section 208 of Executive Order ~~14008 No. (86 Fed.~~

14008 (86 Fed.

and (3) how, as applicable, the Department of the Interior or the Department of Agriculture plans to address technological needs and staffing shortfalls and turnover to ensure adequate staffing to process and issue such oil, gas, hardrock mining, coal, and renewable energy leases, rights-of-way, claims, easements, and permits.

Notwithstanding any other provision of law, the Communist Party of China (or a person acting on behalf of the Community Party of ~~China~~China), any entity subject to the jurisdiction of the Government of the People's Republic of China, or any entity that is owned by the Government of the People's Republic of China, may not acquire any interest with respect to lands leased for oil or gas under the Mineral Leasing Act (30 U.S.C.

1531 et seq.) or American farmland or any lands used for American renewable energy production, or acquire claims subject to the General Mining Law of 1872.

SEC.

20115.

REQUIREMENT FOR GAO REPORT ON WIND ENERGY IMPACTS.

The Secretary of the Interior shall not publish a notice for a wind lease sale or hold a lease sale for wind energy development in the Eastern Gulf of Mexico Planning Area, the South Atlantic Planning Area, or the Straits of Florida Planning Area (as described in the 2017-2022 Outer Continental Shelf Oil and Gas Leasing Proposed Final Program (November 2016)) until the Comptroller General of the United States publishes a report on all potential adverse effects of wind energy development in such areas, including associated infrastructure and vessel traffic, on-- (1) military readiness and training activities in the Planning Areas described in this section, including activities within or related to the Eglin Test and Training Complex and the Jacksonville Range Complex;

(2) marine environment and ecology, including species listed as endangered or threatened under the Endangered Species Act of 1973 (16 U.S.C.

1531 et seq.) or designated as depleted under the Marine Mammal Protection Act of 1972 (16 U.S.C.

1361 et seq.) in the Planning Areas described in this section;

and (3) tourism, including the economic impacts that a decrease in tourism may have on the communities adjacent to the Planning Areas described in this section.

SEC.

20116.

SENSE OF CONGRESS ON WIND ENERGY DEVELOPMENT SUPPLY CHAIN.

It is the sense of Congress that-- (1) wind energy development on Federal lands and waters is a burgeoning industry in the United States;

(2) major components of wind infrastructure, including turbines, are imported in large quantities from other countries including countries that are national security threats, such as the Government of the People's Republic of China;

(3) it is in the best interest of the United States to foster and support domestic supply chains across sectors to promote American energy independence;

(4) the economic and manufacturing opportunities presented by wind turbine construction and component manufacturing should be met by American workers and materials that are sourced domestically to the greatest extent practicable;

and (5) infrastructure for wind energy development in the United States should be constructed with materials produced and manufactured in the United States.

SEC.

20117.

SENSE OF CONGRESS ON OIL AND GAS ROYALTY RATES.

It is the sense of Congress that the royalty rate for onshore Federal oil and gas leases should be not more than 12.5 percent in amount or value of the production removed or sold from the lease.

SEC.

20118.

OFFSHORE WIND ENVIRONMENTAL REVIEW PROCESS STUDY.

(a) In General.--Not later than 60 days after the date of the enactment of this section, the Comptroller General shall conduct a study to assess the sufficiency of the environmental review processes for

offshore wind projects in place as of the date of the enactment of this section of the National Marine Fisheries Service, the Bureau of Ocean Energy Management, and any other relevant Federal agency.

(b) Contents.--The study required under subsection (a) shall include consideration of the following:

(1) The impacts of offshore wind projects on-- (A) whales, finfish, and other marine mammals;

(B) benthic resources;

(C) commercial and recreational fishing;

(D) air quality;

(E) cultural, historical, and archaeological resources;

(F) invertebrates;

(G) essential fish habitat;

(H) military use and navigation and vessel traffic;

(I) recreation and tourism;

and (J) the sustainability of shoreline beaches and inlets.

(2) The impacts of hurricanes and other severe weather on offshore wind projects.

(3) How the agencies described in subsection (a) determine which stakeholders are consulted and if a timely, comprehensive comment period is provided for local representatives and other interested parties.

(4) The estimated cost and who pays for offshore wind projects.

SEC.

20119.

GAO REPORT ON WIND ENERGY IMPACTS.

The Comptroller General of the United States shall publish a report on all potential adverse effects of wind energy development in the North Atlantic Planning Area (as described in the 2017-2022 Outer Continental Shelf Oil and Gas Leasing Proposed Final Program (November 2016)), including associated infrastructure and vessel traffic, on-- (1) maritime safety, including the operation of radar systems;

(2) economic impacts related to commercial fishing activities;

and (3) marine environment and ecology, including species listed as endangered or threatened under the Endangered Species Act of 1973 (16 U.S.C.

1531 et seq.) or designated as depleted under the Marine Mammal Protection Act of 1972 (16 U.S.C.

1361 et seq.) in the North Atlantic Planning Area.

(d) Prohibition.--Notwithstanding any other provision of law, the Secretary of Agriculture (acting through the Forest Service) and the Secretary of the Interior may not accept contributions, as authorized by subsection (a), from non-Federal entities owned by the Communist Party of China (or a person or entity acting on behalf of the Communist Party of China).

(e) Report on Non-Federal Entities.--Not later than 60 days after the end of the applicable fiscal year, the Secretary of Agriculture (acting through the Forest Service) and the Secretary of the Interior shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that includes, for each expenditure authorized by subsection (a)-- (1) the amount of funds accepted;

and (2) the contributing non-Federal entity.

SEC.

20221.

LIMITATIONS ON CLAIMS.

(a) In General.--Section 139(l) of title 23, United States Code, is amended by striking ``150 days'' each place it appears and inserting ``90 days''.

(b) Conforming Amendments.-- (1) Section 330(e) of title 23, United States Code, is amended-- (A) in paragraph (2)(A), by striking ``150 days'' and inserting ``90 days'';

and (B) in paragraph (3)(B)(i), by striking ``150 days'' and inserting ``90 days''.

(2) Section 24201(a)(4) of title 49, United States Code, is amended by striking ``of 150 days''.

SEC.

20222.

ONE FEDERAL DECISION FOR PIPELINES.

(a) In General.--Chapter 601 of title 49, United States Code, is amended by adding at the end the following:

``Sec.

60144.

Efficient environmental reviews and one Federal decision `` (a) Efficient Environmental Reviews.-- `` (1) In general.--The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23 to any pipeline project that requires the

approval of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. et seq.).

“(2) Regulations and procedures.--In carrying out paragraph (1), the Secretary shall incorporate into agency regulations and procedures pertaining to pipeline projects described in paragraph (1) aspects of such project development procedures, or portions thereof, determined appropriate by the Secretary in a manner consistent with this section, that increase the efficiency of the review of pipeline projects.

“(3) Discretion.--The Secretary may choose not to incorporate into agency regulations and procedures pertaining to pipeline projects described in paragraph (1) such project development procedures that could only feasibly apply to highway projects, public transportation capital projects, and multimodal projects.

“(4) Applicability.--Subsection (l) of section 139 of title 23 shall apply to pipeline projects described in paragraph (1).

“(b) Additional Categorical Exclusions.--The Secretary shall maintain and make publicly available, including on the Internet, a database that identifies project-specific information on the use of a categorical exclusion on any pipeline project carried out under this title.”.

(b) Clerical Amendment.--The analysis for chapter 601 of title 49, United States Code, is amended by adding at the end the following:

“60144.

Efficient environmental reviews and one Federal decision.”.

SEC.

20223.

EXEMPTION OF CERTAIN WILDFIRE MITIGATION ACTIVITIES FROM CERTAIN ENVIRONMENTAL REQUIREMENTS.

(a) In General.--Wildfire mitigation activities of the Secretary of the Interior and the Secretary of Agriculture may be carried out without regard to the provisions of law specified in subsection (b).

(b) Provisions of Law Specified.--The provisions of law specified in this section are all Federal, State, or other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following laws:

(1) Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(2) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) Wildfire Mitigation Activity.--For purposes of this section, the term “wildfire mitigation activity”-- (1) is an activity conducted on Federal land that is-- (A) under the administration of the Director of the National Park System, the Director of the Bureau of Land Management, or the Chief of the Forest Service;

and (B) within 300 feet of any permanent or temporary road, as measured from the center of such road; and (2) includes forest thinning, hazardous fuel reduction, prescribed burning, and vegetation management.

SEC.

20224.

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

(a) Hazard Trees Within 50 Feet of Electric Power Line.--Section 512(a)(1)(B)(ii) of the Federal Land Policy and Management Act of 1976 (43 U.S.C.

1772(a)(1)(B)(ii)) is amended by striking “10” and inserting “50”.

(b) Consultation With Private Landowners.--Section 512(c)(3)(E) of the Federal Land Policy and Management Act of 1976 (43 U.S.C.

1772(c)(3)(E)) is amended-- (1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking the period and inserting “; and”;

and (3) by adding at the end the following:

“(iii) consulting with private landowners with respect to any hazard trees identified for removal from land owned by such private landowners.”.

(c) Review and Approval Process.--Clause (iv) of section 512(c)(4)(A) of the Federal Land Policy and Management Act of 1976 (43 U.S.C.

1772(c)(4)(A)) is amended to read as follows:

“(iv) ensures that-- “(I) a plan submitted without a modification under clause (iii) shall be automatically approved 60 days after review;

and “(II) a plan submitted with a modification under clause (iii) shall be automatically approved 67

days after review.''.

SEC.

20225.

CATEGORICAL EXCLUSION FOR ELECTRIC UTILITY LINES RIGHTS-OF- WAY.

(a) Secretary Concerned Defined.--In this section, the term ``Secretary concerned'' means-- (1) the Secretary of Agriculture, with respect to National Forest System lands;

and (2) the Secretary of the Interior, with respect to public lands.

(b) Categorical Exclusion Established.--Forest management activities described in subsection (c) are a category of activities designated as being categorically excluded from the preparation of an environmental assessment or an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C.

4332).

(c) Forest Management Activities Designated for Categorical Exclusion.--The forest management activities designated as being categorically excluded under subsection (b) are-- (1) the development and approval of a vegetation management, facility inspection, and operation and maintenance plan submitted under section 512(c)(1) of the Federal Land Policy and Management Act of 1976 (43 U.S.C.

1772(c)(1)) by the Secretary concerned;

and (2) the implementation of routine activities conducted under the plan referred to in paragraph (1).

(d) Availability of Categorical Exclusion.--On and after the date of the enactment of this Act, the Secretary concerned may use the categorical exclusion established under subsection (b) in accordance with this section.

(e) Extraordinary Circumstances.--Use of the categorical exclusion established under subsection (b) shall not be subject to the extraordinary circumstances procedures in section 220.6, title 36, Code of Federal Regulations, or section 1508.4, title 40, Code of Federal Regulations.

(f) Exclusion of Certain Areas.--The categorical exclusion established under subsection (b) shall not apply to any forest management activity conducted-- (1) in a component of the National Wilderness Preservation System;

or (2) on National Forest System lands on which, by Act of Congress, the removal of vegetation is restricted or prohibited.

(g) Permanent Roads.-- (1) Prohibition on establishment.--A forest management activity designated under subsection (c) shall not include the establishment of a permanent road.

(2) Existing roads.--The Secretary concerned may carry out necessary maintenance and repair on an existing permanent road for the purposes of conducting a forest management activity designated under subsection (c).

(3) Temporary roads.--The Secretary concerned shall decommission any temporary road constructed for a forest management activity designated under subsection (c) not later than 3 years after the date on which the action is completed.

(h) Applicable Laws.--A forest management activity designated under subsection (c) shall not be subject to section 7 of the Endangered Species Act of 1973 (16 U.S.C.

1536), section 106 of the National Historic Preservation Act, or any other applicable law.

SEC.

20226.

STAFFING PLANS.

(a) In General.--Not later than 365 days after the date of enactment of this Act, each local unit of the National Park Service, Bureau of Land Management, and Forest Service shall conduct an outreach plan for disseminating and advertising open civil service positions with functions relating to permitting or natural resources in their offices.

Each such plan shall include outreach to local high schools, community colleges, institutions of higher education, and any other relevant institutions, as determined by the Secretary of the Interior or the Secretary of Agriculture (as the case may be).

(b) Collaboration Permitted.--Such local units of the National Park Service, Bureau of Land Management, and Forest Service located in reasonably close geographic areas may collaborate to produce a joint outreach plan that meets the requirements of subsection (a).

(c) Report.--Not later than 180 days after the date of the enactment of this section, the Secretary, acting through the Director of the United States Geological Survey, in consultation with the Secretary of Energy, shall submit to the appropriate committees of Congress a report that includes the following:

(1) The current status of uranium deposits in the United States with respect to the amount and quality of uranium contained in such deposits.

(2) A comparison of the United States to the rest of the world with respect to the amount and quality of uranium contained in uranium deposits.

(3) Policy considerations, including potential challenges, of utilizing the uranium from the deposits described in paragraph (1).

SEC.

20310.

PERMIT PROCESS FOR PROJECTS RELATING TO EXTRACTION, RECOVERY, OR PROCESSING OF CRITICAL MATERIALS.

(a) Definition of Covered Project.--Section 41001(6)(A) of the FAST Act (42 U.S.C.

4370m(6)(A)) is amended-- (1) in clause (iii)(III), by striking ``;

or'' and inserting ``;'';

(2) in clause (iv)(II), by striking the period at the end and inserting ``;

or'';

and (3) by adding at the end the following:

``(v) is related to the extraction, recovery, or processing from coal, coal waste, coal processing waste, pre-or post-combustion coal byproducts, or acid mine drainage from coal mines of-- ``'(I) critical minerals (as such term is defined in section 7002 of the Energy Act of 2020);

``(II) rare earth elements;

or ``'(III) microfine carbon or carbon from coal.''.

(b) Report.--Not later than 6 months after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure, Natural Resources, and Energy and Commerce of the House of Representatives a report evaluating the timeliness of implementation of reforms of the permitting process required as a result of the amendments made by this section on the following:

(1) The economic and national security of the United States.

(2) Domestic production and supply of critical minerals, rare earths, and microfine carbon or carbon from coal.

SEC.

20311.

NATIONAL STRATEGY TO RE-SHORE MINERAL SUPPLY CHAINS.

(a) In General.--Not later than 180 days after the date of enactment of this Act, the United States Geological Survey, in consultation with the Secretaries of Defense, Energy, and State, shall-- (1) identify mineral commodities that-- (A) serve a critical purpose to the national security of the United States, including with respect to military, defense, and strategic mobility applications;

and (B) are at highest risk of supply chain disruption due to the domestic or global actions of any covered entity, including price-fixing, systemic acquisition and control of global mineral resources and processing, refining, and smelting capacity, and undercutting the fair market value of such resources;

and (2) develop a national strategy for bolstering supply chains in the United States for the mineral commodities identified under paragraph (1), including through the enactment of new national policies and the utilization of current authorities, to increase capacity and efficiency of domestic mining, refining, processing, and manufacturing of such mineral commodities.

(b) Covered Entity.--In this section, the term ``covered entity'' means an entity that-- (1) is subject to the jurisdiction or direction of the People's Republic of China;

(2) is directly or indirectly operating on behalf of the People's Republic of China;

or (3) is owned by, directly or indirectly controlled by, or otherwise subject to the influence of the People's Republic of China.

SEC.

20604.

SUNSET.

This title, and the amendments made by this title, shall cease to have effect on September 30, 2032, and on such date the provisions of law amended by this title shall be restored or revived as if this title had not been enacted.

Sec.

30003.

Federal general permits.

~~call~~SEC.

30003.

FEDERAL GENERAL PERMITS.

Section 402(a) of the Federal Water Pollution Control Act (33 U.S.C.

1342(a)) is amended by adding at the end the following:

“(6)(A) The Administrator is authorized to issue general permits under this section for discharges of similar types from similar sources.

“(B) The Administrator may require submission of a notice of intent to be covered under a general permit issued under this section, including additional information that the Administrator determines necessary.

“(C) If a general permit issued under this section will expire and the Administrator decides not to issue a new general permit for discharges similar to those covered by the expiring general permit, the Administrator shall publish in the Federal Register a notice of such decision at least two years prior to the expiration of the general permit.

“(D) If a general permit issued under this section expires and the Administrator has not published a notice in accordance with subparagraph (C), until such time as the Administrator issues a new general permit for discharges similar to those covered by the expired general permit, the Administrator shall--
“(i) continue to apply the terms, conditions, and requirements of the expired general permit to any discharge that was covered by the expired general permit;

and “(ii) apply such terms, conditions, and requirements to any discharge that would have been covered by the expired general permit (in accordance with any relevant requirements for such coverage) if the discharge had occurred before such expiration.”.

Passed the House of Representatives March 30, 2023.

Attest:

Clerk.

118th CONGRESS 1st Session H.

R.

1 AN ACT To lower energy costs by increasing American energy production, exports, infrastructure, and critical minerals processing, by promoting transparency, accountability, permitting, and production of American resources, and by improving water quality certification and energy projects, and for other purposes.