..... (Original Signature of Member)

118TH CONGRESS 1ST SESSION



To provide for a responsible increase to the debt ceiling, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ARRINGTON introduced the following bill; which was referred to the Committee on _____

A BILL

To provide for a responsible increase to the debt ceiling, 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 "Limit, Save, Grow Act

5 of 2023".

6 SEC. 2. TABLE OF CONTENTS.

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. References.

DIVISION A—LIMIT FEDERAL SPENDING

TITLE I—DISCRETIONARY SPENDING LIMITS FOR DISCRETIONARY CATEGORY

Sec. 101. Discretionary spending limits.

DIVISION B—SAVE TAXPAYER DOLLARS

TITLE I—RESCISSION OF UNOBLIGATED CORONAVIRUS FUNDS

Sec. 201. Rescission of unobligated coronavirus funds.

TITLE II—PROHIBIT UNFAIR STUDENT LOAN GIVEAWAYS

- Sec. 211. Nullification of certain executive actions and rules relating to Federal student loans.
- Sec. 212. Limitation on authority of Secretary to propose or issue regulations and executive actions.

TITLE III—REPEAL MARKET DISTORTING GREEN TAX CREDITS

- Sec. 221. Amendment of 1986 Code.
- Sec. 222. Modification of credit for electricity produced from certain renewable resources.
- Sec. 223. Modification of energy credit.
- Sec. 224. Repeal of increase in energy credit for solar and wind facilities placed in service in connection with low-income communities.
- Sec. 225. Modification of credit for carbon oxide sequestration.
- Sec. 226. Zero-emission nuclear power production credit repealed.
- Sec. 227. Incentives for biodiesel, renewable diesel, and alternative fuels.
- Sec. 228. Second generation biofuel incentives.
- Sec. 229. Repeal of sustainable aviation fuel credit.
- Sec. 230. Clean hydrogen repeals.
- Sec. 231. Nonbusiness energy property credit.
- Sec. 232. Residential clean energy credit reverted to credit for residential energy efficient property.
- Sec. 233. Energy efficient commercial buildings deduction.
- Sec. 234. Modifications to new energy efficient home credit.
- Sec. 235. Clean vehicle credit.
- Sec. 236. Repeal of credit for previously-owned clean vehicles.
- Sec. 237. Repeal of credit for qualified commercial clean vehicles.
- Sec. 238. Alternative fuel refueling property credit.
- Sec. 239. Advanced energy project credit extension reversed.
- Sec. 240. Repeal of advanced manufacturing production credit.
- Sec. 241. Repeal of clean electricity production credit.
- Sec. 242. Repeal of clean electricity investment credit.
- Sec. 243. Cost recovery for qualified facilities, qualified property, and energy storage technology removed.
- Sec. 244. Repeal of clean fuel production credit.
- Sec. 245. Repeal of sections relating to elective payment for energy property and electricity produced from certain renewable resources; transfer of credits.

TITLE IV—FAMILY AND SMALL BUSINESS TAXPAYER PROTECTION

Sec. 251. Rescission of certain balances made available to the Internal Revenue Service.

DIVISION C-GROW THE ECONOMY

TITLE I—TEMPORARY ASSISTANCE TO NEEDY FAMILIES

- Sec. 301. Recalibration of the caseload reduction credit.
- Sec. 302. Eliminating excess maintenance of effort spending in determining caseload reduction credit.
- Sec. 303. Elimination of small checks scheme.
- Sec. 304. Reporting of work outcomes.
- Sec. 305. Effective date.

TITLE II—SNAP EXEMPTIONS

Sec. 311. Age-related exemption from work requirement to receive SNAP. Sec. 312. Rule of construction for exemption adjustment.

TITLE III—COMMUNITY ENGAGEMENT REQUIREMENT FOR APPLICABLE INDIVIDUALS

Sec. 321. Community engagement requirement for applicable individuals.

TITLE IV—REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY

- Sec. 331. Short title.
- Sec. 332. Purpose.
- Sec. 333. Congressional review of agency rulemaking.
- Sec. 334. Budgetary effects of rules subject to section 802 of title 5, United States Code.
- Sec. 335. Government Accountability Office study of rules.

DIVISION D-H.R. 1, THE LOWER ENERGY COSTS ACT

TITLE I—INCREASING AMERICAN ENERGY PRODUCTION, EX-PORTS, INFRASTRUCTURE, AND CRITICAL MINERALS PROC-ESSING

- Sec. 10001. Securing America's critical minerals supply.
- Sec. 10002. Protecting American energy production.
- Sec. 10003. Researching Efficient Federal Improvements for Necessary Energy Refining.
- Sec. 10004. Promoting cross-border energy infrastructure.
- Sec. 10005. Sense of Congress expressing disapproval of the revocation of the Presidential permit for the Keystone XL pipeline.
- Sec. 10006. Sense of Congress opposing restrictions on the export of crude oil or other petroleum products.
- Sec. 10007. Unlocking our domestic LNG potential.
- Sec. 10008. Sense of Congress expressing disapproval of the denial of Jordan Cove permits.
- Sec. 10009. Promoting interagency coordination for review of natural gas pipelines.
- Sec. 10010. Interim hazardous waste permits for critical energy resource facilities.
- Sec. 10011. Flexible air permits for critical energy resource facilities.

- Sec. 10012. National security or energy security waivers to produce critical energy resources.
- Sec. 10013. Natural gas tax repeal.
- Sec. 10014. Repeal of greenhouse gas reduction fund.
- Sec. 10015. Ending future delays in chemical substance review for critical energy resources.
- Sec. 10016. Keeping America's refineries operating.
- Sec. 10017. Homeowner energy freedom.
- Sec. 10018. Study.
- Sec. 10019. State primary enforcement responsibility.
- Sec. 10020. Use of index-based pricing in acquisition of petroleum products for the SPR.
- Sec. 10021. 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.
- Sec. 10023. Domestic Energy Independence report.
- Sec. 10024. GAO study.
- Sec. 10025. Gas kitchen ranges and ovens.

TITLE II—TRANSPARENCY, ACCOUNTABILITY, PERMITTING, AND PRODUCTION OF AMERICAN RESOURCES

Sec. 20001. Short title.

Subtitle A—Onshore and Offshore Leasing and Oversight

- Sec. 20101. Onshore oil and gas leasing.
- Sec. 20102. Lease reinstatement.
- Sec. 20103. Protested lease sales.
- Sec. 20104. Suspension of operations.
- Sec. 20105. Administrative protest process reform.
- Sec. 20106. Leasing and permitting transparency.
- Sec. 20107. Offshore oil and gas leasing.
- Sec. 20108. Five-year plan for offshore oil and gas leasing.
- Sec. 20109. Geothermal leasing.
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- Sec. 20111. Future coal leasing.
- Sec. 20112. Staff planning report.
- Sec. 20113. Prohibition on Chinese communist party ownership interest.
- Sec. 20114. Effect on other law.
- Sec. 20115. Requirement for GAO report on wind energy impacts.
- Sec. 20116. Sense of Congress on wind energy development supply chain.
- Sec. 20117. Sense of Congress on oil and gas royalty rates.
- Sec. 20118. Offshore wind environmental review process study.
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Subtitle B—Permitting Streamlining

- Sec. 20201. Definitions.
- Sec. 20202. BUILDER Act.
- Sec. 20203. Codification of National Environmental Policy Act regulations.
- Sec. 20204. Non-major Federal actions.
- Sec. 20205. No net loss determination for existing rights-of-way.
- Sec. 20206. Determination of National Environmental Policy Act adequacy.
- Sec. 20207. Determination regarding rights-of-way.

- Sec. 20208. Terms of rights-of-Way.
- Sec. 20209. Funding to process permits and develop information technology.
- Sec. 20210. Offshore geological and geophysical survey licensing.
- Sec. 20211. Deferral of applications for permits to drill.
- Sec. 20212. Processing and terms of applications for permits to drill.
- Sec. 20213. Amendments to the Energy Policy Act of 2005.
- Sec. 20214. Access to Federal energy resources from non-Federal surface estate.
- Sec. 20215. Scope of environmental reviews for oil and gas leases.
- Sec. 20216. Expediting approval of gathering lines.
- Sec. 20217. Lease sale litigation.
- Sec. 20218. Limitation on claims.
- Sec. 20219. Government Accountability Office report on permits to drill.
- Sec. 20220. E-NEPA.
- Sec. 20221. Limitations on claims.
- Sec. 20222. One Federal decision for pipelines.
- Sec. 20223. Exemption of certain wildfire mitigation activities from certain environmental requirements.
- Sec. 20224. Vegetation management, facility inspection, and operation and maintenance relating to electric transmission and distribution facility rights of way.
- Sec. 20225. Categorical exclusion for electric utility lines rights-of-way.
- Sec. 20226. Staffing plans.

Subtitle C—Permitting for Mining Needs

- Sec. 20301. Definitions.
- Sec. 20302. Minerals supply chain and reliability.
- Sec. 20303. Federal register process improvement.
- Sec. 20304. Designation of mining as a covered sector for Federal permitting improvement purposes.
- Sec. 20305. Treatment of actions under presidential determination 2022–11 for Federal permitting improvement purposes.
- Sec. 20306. Notice for mineral exploration activities with limited surface disturbance.
- Sec. 20307. Use of mining claims for ancillary activities.
- Sec. 20308. Ensuring consideration of uranium as a critical mineral.
- Sec. 20309. Barring foreign bad actors from operating on Federal lands.
- Sec. 20310. Permit process for projects relating to extraction, recovery, or processing of critical materials.
- Sec. 20311. National strategy to re-shore mineral supply chains.

Subtitle D—Federal Land Use Planning

- Sec. 20401. Federal land use planning and withdrawals.
- Sec. 20402. Prohibitions on delay of mineral development of certain Federal land.
- Sec. 20403. Definitions.

Subtitle E—Ensuring Competitiveness on Federal Lands

Sec. 20501. Incentivizing domestic production.

Subtitle F—Energy Revenue Sharing

Sec. 20601. Gulf of Mexico Outer Continental Shelf revenue. Sec. 20602. Parity in offshore wind revenue sharing. Sec. 20603. Elimination of administrative fee under the Mineral Leasing Act. Sec. 20604. Sunset.

TITLE III—WATER QUALITY CERTIFICATION AND ENERGY PROJECT IMPROVEMENT

Sec. 30001. Short title.

Sec. 30002. Certification.

Sec. 30003. Federal general permits.

DIVISION E—INCREASE IN DEBT LIMIT

Sec. 40001. Limited suspension of debt ceiling.

1 SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference
to "this Act" contained in any division of this Act shall
be treated as referring only to the provisions of that division.

6	DIVISION A—LIMIT FEDERAL
7	SPENDING
8	TITLE I—DISCRETIONARY
9	SPENDING LIMITS FOR DIS-
10	CRETIONARY CATEGORY
11	SEC. 101. DISCRETIONARY SPENDING LIMITS.
12	(a) IN GENERAL.—Section 251(c) of the Balanced
13	Budget and Emergency Deficit Control Act of 1985 (2
14	U.S.C. 901(c)) is amended—
15	(1) in paragraph (7)(B), by striking "and" at
16	the end; and
17	(2) by inserting after paragraph (8) the fol-
18	lowing:

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1	"(9) for fiscal year 2024, for the discretionary
2	category, \$1,470,979,000,000 in new budget author-
3	ity;
4	"(10) for fiscal year 2025, for the discretionary
5	category, \$1,485,689,000,000 in new budget author-
6	ity;
7	"(11) for fiscal year 2026, for the discretionary
8	category, \$1,500,546,000,000 in new budget author-
9	ity;
10	((12) for fiscal year 2027, for the discretionary
11	category, \$1,515,551,000,000 in new budget author-
12	ity;
13	"(13) for fiscal year 2028, for the discretionary
14	category, \$1,530,707,000,000 in new budget author-
15	ity;
16	"(14) for fiscal year 2029, for the discretionary
17	category, \$1,546,014,000,000 in new budget author-
18	ity;
19	"(15) for fiscal year 2030, for the discretionary
20	category, \$1,561,474,000,000 in new budget author-
21	ity;
22	"(16) for fiscal year 2031, for the discretionary
23	category, \$1,577,089,000,000 in new budget author-
24	ity;

1	"(17) for fiscal year 2032, for the discretionary
2	category, \$1,592,859,000,000 in new budget author-
3	ity; and
4	"(18) for fiscal year 2033, for the discretionary
5	category, \$1,608,788,000,000 in new budget author-
6	ity;".
7	(b) Conforming Amendments to Adjust-
8	MENTS.—
9	(1) Continuing disability reviews and
10	REDERMINATIONS.—Section $251(b)(2)(B)(i)$ of the
11	Balanced Budget and Emergency Deficit Control
12	Act of 1985 is amended—
13	(A) in subclause (IX), by striking "and" at
14	the end;
15	(B) in subclause (X), by striking the pe-
16	riod and inserting a semicolon; and
17	(C) by inserting after subclause (X) the
18	following:
19	"(XI) for fiscal year 2024,
20	\$1,578,000,000 in additional new budget
21	authority;
22	"(XII) for fiscal year 2025,
23	\$1,630,000,000 in additional new budget
24	authority;

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1	"(XIII) for fiscal year 2026,
2	\$1,682,000,000 in additional new budget
3	authority;
4	"(XIV) for fiscal year 2027,
5	\$1,734,000,000 in additional new budget
6	authority;
7	"(XV) for fiscal year 2028,
8	\$1,788,000,000 in additional new budget
9	authority;
10	"(XVI) for fiscal year 2029,
11	\$1,842,000,000 in additional new budget
12	authority;
13	"(XVII) for fiscal year 2030,
14	\$1,898,000,000 in additional new budget
15	authority;
16	"(XVIII) for fiscal year 2031,
17	\$1,955,000,000 in additional new budget
18	authority;
19	"(XIX) for fiscal year 2032,
20	\$2,014,000,000 in additional new budget
21	authority; and
22	"(XX) for fiscal year 2033,
23	\$2,076,000,000 in additional new budget
24	authority.".

1	(2) Health care fraud and abuse con-
2	TROL.—Section 251(b)(2)(C)(i) of such Act is
3	amended—
4	(A) in subclause (IX), by striking "and" at
5	the end;
6	(B) in subclause (X), by striking the pe-
7	riod and inserting a semicolon; and
8	(C) by inserting after subclause (X) the
9	following:
10	"(XI) for fiscal year 2024,
11	\$604,000,000 in additional new budget au-
12	thority;
13	"(XII) for fiscal year 2025,
14	\$630,000,000 in additional new budget au-
15	thority;
16	"(XIII) for fiscal year 2026,
17	\$658,000,000 in additional new budget au-
18	thority;
19	"(XIV) for fiscal year 2027,
20	\$686,000,000 in additional new budget au-
21	thority;
22	"(XV) for fiscal year 2028,
23	\$714,000,000 in additional new budget au-
24	thority;

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1	"(XVI) for fiscal year 2029,
2	\$743,000,000 in additional new budget au-
3	thority;
4	"(XVII) for fiscal year 2030,
5	\$771,000,000 in additional new budget au-
6	thority;
7	"(XVIII) for fiscal year 2031,
8	\$798,000,000 in additional new budget au-
9	thority;
10	"(XIX) for fiscal year 2032,
11	\$826,000,000 in additional new budget au-
12	thority; and
13	"(XX) for fiscal year 2033,
14	\$853,000,000 in additional new budget au-
15	thority.".
16	(3) DISASTER FUNDING.—Section
17	251(b)(2)(D)(i) of such Act is amended by inserting
18	after "2021" the following: "and fiscal years 2024
19	through 2033".
20	(4) REEMPLOYMENT SERVICES AND ELIGI-
21	BILITY ASSESSMENTS.—Section $251(b)(2)(E)(i)$ of
22	such Act is amended—
23	(A) in subclause (III), by striking "and" at
24	the end;

1	(B) in subclause (IV), by striking the pe-
2	riod and inserting a semicolon; and
3	(C) by inserting after subclause (IV) the
4	following:
5	"(V) for fiscal year 2024,
6	\$265,000,000 in additional new budg-
7	et authority;
8	"(VI) for fiscal year 2025,
9	\$271,000,000 in additional new budg-
10	et authority;
11	"(VII) for fiscal year 2026,
12	\$276,000,000 in additional new budg-
13	et authority;
14	"(VIII) for fiscal year 2027,
15	\$282,000,000 in additional new budg-
16	et authority;
17	"(IX) for fiscal year 2028,
18	\$288,000,000 in additional new budg-
19	et authority;
20	"(X) for fiscal year 2029,
21	\$293,000,000 in additional new budg-
22	et authority;
23	"(XI) for fiscal year 2030,
24	\$299,000,000 in additional new budg-
25	et authority;

1	"(XII) for fiscal year 2031,
2	\$305,000,000 in additional new budg-
3	et authority;
4	"(XIII) for fiscal year 2032,
5	\$311,000,000 in additional new budg-
6	et authority; and
7	"(XIV) for fiscal year 2033,
8	\$317,000,000 in additional new budg-
9	et authority.".
10	(5) WILDFIRE SUPPRESSION.—Section
11	251(b)(2)(F)(i) of such Act is amended—
12	(A) by striking "through 2027" and insert-
13	ing "through 2033";
14	(B) in subclause (VII), by striking "and"
15	at the end;
16	(C) in subclause (VIII), by striking the pe-
17	riod and inserting a semicolon; and
18	(D) by inserting after subclause (VIII) the
19	following:
20	"(IX) for fiscal year 2028,
21	\$2,957,000,000 in additional new
22	budget authority;
23	"(X) for fiscal year 2029,
24	\$3,036,000,000 in additional new
25	budget authority;

1	"(XI) for fiscal year 2030,
2	\$3,118,000,000 in additional new
3	budget authority;
4	"(XII) for fiscal year 2031,
5	\$3,202,000,000 in additional new
6	budget authority;
7	"(XIII) for fiscal year 2032,
8	\$3,287,000,000 in additional new
9	budget authority; and
10	"(XIV) for fiscal year 2033,
11	\$3,376,000,000 in additional new
12	budget authority.".
13	(c) Conforming Amendments Relating to Se-
14	QUESTRATION REPORTS.—Section 254 of the Balanced
15	Budget and Emergency Deficit Control Act of 1985 (2
16	U.S.C. 904) is amended—
17	(1) in subsection (c)(2), by striking " 2021 " and
18	inserting "2033"; and
19	(2) in subsection $(f)(2)(A)$, by striking "2021"
20	and inserting "2033".

DIVISION B—SAVE TAXPAYER 1 **DOLLARS** 2 TITLE I-RESCISSION OF UNOB-3 LIGATED CORONAVIRUS 4 **FUNDS** 5 SEC. 201. RESCISSION OF UNOBLIGATED CORONAVIRUS 6 7 FUNDS. 8 The unobligated balances of amounts appropriated or 9 otherwise made available by the American Rescue Plan 10 Act of 2021 (Public Law 117–2), and by each of Public 11 Laws 116–123, 116–127, 116–136, and 116–139 and di-12 visions M and N of Public Law 116–260, are hereby permanently rescinded. 13 TITLE II—PROHIBIT UNFAIR 14 STUDENT LOAN GIVEAWAYS 15 16 SEC. 211. NULLIFICATION OF CERTAIN EXECUTIVE AC-17 TIONS AND RULES RELATING TO FEDERAL 18 STUDENT LOANS. 19 (a) IN GENERAL.—The following shall have no force 20 or effect: 21 (1) The waivers and modifications of statutory 22 and regulatory provisions relating to an extension of the suspension of payments on certain loans and 23 24 waivers of interest on such loans under section 3513

of the CARES Act (20 U.S.C. 1001 note)—

1	(A) described by the Department of Edu-
2	cation in the Federal Register on October 12,
3	2022 (87 Fed. Reg. 61513 et seq.); and
4	(B) issued on or after the date of enact-
5	ment of this Act.
6	(2) The modifications of statutory and regu-
7	latory provisions relating to debt discharge described
8	by the Department of Education in the Federal Reg-
9	ister on October 12, 2022 (87 Fed. Reg. 61514).
10	(3) A final rule that is substantially similar to
11	the proposed rule on "Improving Income-Driven Re-
12	payment for the William D. Ford Federal Direct
13	Loan Program" published by the Department of
14	Education in the Federal Register on January 11,
15	2023 (88 Fed. Reg. 1894 et seq.).
16	(b) Prohibition.—The Secretary of Education may
17	not implement any executive action or rule specified in
18	paragraph (1) , (2) , or (3) of subsection (a) (or a substan-
19	tially similar executive action or rule), except as expressly
20	authorized by an Act of Congress.

1SEC. 212. LIMITATION ON AUTHORITY OF SECRETARY TO2PROPOSE OR ISSUE REGULATIONS AND EX-3ECUTIVE ACTIONS.

4 Part G of title IV of the Higher Education Act of
5 1965 (20 U.S.C. 1088 et seq.) is amended by inserting
6 after section 492 the following:

7 "SEC. 492A. LIMITATION ON AUTHORITY OF THE SEC8 RETARY TO PROPOSE OR ISSUE REGULA9 TIONS AND EXECUTIVE ACTIONS.

10 "(a) DRAFT REGULATIONS.—Beginning after the 11 date of enactment of this section, a draft regulation imple-12 menting this title (as described in section 492(b)(1)) that 13 is determined by the Secretary to be economically signifi-14 cant shall be subject to the following requirements (re-15 gardless of whether negotiated rulemaking occurs):

"(1) The Secretary shall determine whether the
draft regulation, if implemented, would result in an
increase in a subsidy cost resulting from a loan
modification.

"(2) If the Secretary determines under paragraph (1) that the draft regulation would result in
an increase in a subsidy cost resulting from a loan
modification, then the Secretary may take no further
action with respect to such regulation.

25 "(b) PROPOSED OR FINAL REGULATIONS AND EXEC26 UTIVE ACTIONS.—Notwithstanding any other provision of

law, beginning after the date of enactment of this section,
 the Secretary may not issue a proposed rule, final regula tion, or executive action implementing this title if the Sec retary determines that the rule, regulation, or executive
 action—

6 "(1) is economically significant; and

7 "(2) would result in an increase in a subsidy8 cost resulting from a loan modification.

9 "(c) Relationship to Other Requirements.— The analyses required under subsections (a) and (b) shall 10 be in addition to any other cost analysis required under 11 law for a regulation implementing this title, including any 12 cost analysis that may be required pursuant to Executive 13 Order 12866 (58 Fed. Reg. 51735; relating to regulatory 14 15 planning and review), Executive Order 13563 (76 Fed. Reg. 3821; relating to improving regulation and regu-16 latory review), or any related or successor orders. 17

18 "(d) DEFINITION.—In this section, the term 'eco-19 nomically significant', when used with respect to a draft, 20 proposed, or final regulation or executive action, means 21 that the regulation or executive action is likely, as deter-22 mined by the Secretary—

23 "(1) to have an annual effect on the economy
24 of \$100,000,000 or more; or

"(2) adversely to affect in a material way the
 economy, a sector of the economy, productivity, com petition, jobs, the environment, public health or safe ty, or State, local, or tribal governments or commu nities.".

6 TITLE III—REPEAL MARKET DIS7 TORTING GREEN TAX CRED8 ITS

9 SEC. 221. AMENDMENT OF 1986 CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

16SEC. 222. MODIFICATION OF CREDIT FOR ELECTRICITY17PRODUCED FROM CERTAIN RENEWABLE RE-18SOURCES.

(a) IN GENERAL.—The following provisions of section 45(d) are each amended by striking "January 1,
2025" each place it appears and inserting "January 1,
2022":

- 23 (1) Paragraph (2)(A).
- 24 (2) Paragraph (3)(A).
- 25 (3) Paragraph (6).

20
(4) Paragraph (7).
(5) Paragraph (9).
(6) Paragraph (11)(B).
(b) BASE CREDIT AMOUNT.—Section 45 is amend-
ed—
(1) in subsection (a)(1), by striking " 0.3 cents"
and inserting "1.5 cents", and
(2) in subsection (b)(2), by striking " 0.3 cent"
each place it appears and inserting "1.5 cent".
(c) Application to Geothermal and Solar.—
Section $45(d)(4)$ is amended by striking "and the con-
struction of which begins before January 1, 2025" and
all that follows and inserting "and which—
"(A) in the case of a facility using solar
energy, is placed in service before January 1,
2006, or
"(B) in the case of a facility using geo-
thermal energy, the construction of which be-
gins before January 1, 2022.
Such term shall not include any property described
in section $48(a)(3)$ the basis of which is taken into
account by the taxpayer for purposes of determining
the energy credit under section 48.".
(d) Election to Treat Qualified Facilities as
ENERGY PROPERTY.—Section 48(a)(5)(C)(ii) is amended

1	by striking "January 1, 2025" and inserting "January 1,
2	2022".
3	(e) WIND FACILITIES.—
4	(1) IN GENERAL.—Section $45(d)(1)$ is amended
5	by striking "January 1, 2025" and inserting "Janu-
6	ary 1, 2022".
7	(2) Application of phaseout percent-
8	AGE.—
9	(A) RENEWABLE ELECTRICITY PRODUC-
10	TION CREDIT.—Section $45(b)(5)$ is amended by
11	striking "which is placed in service before Jan-
12	uary 1, 2022".
13	(B) ENERGY CREDIT.—Section
14	48(a)(5)(E) is amended by striking "placed in
15	service before January 1, 2022, and".
16	(3) Qualified offshore wind facilities
17	UNDER ENERGY CREDIT.—Section $48(a)(5)(F)(i)$ is
18	amended by striking "offshore wind facility, sub-
19	paragraph (E) shall not apply." and inserting "off-
20	shore wind facility—
21	"(I) subparagraph (C)(ii) shall be
22	applied by substituting 'January 1,
23	2026' for 'January 1, 2022',
24	((II) subparagraph (E) shall not
25	apply, and

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1	"(III) for purposes of this para-
2	graph, section $45(d)(1)$ shall be ap-
3	plied by substituting 'January 1,
4	2026' for 'January 1, 2022'.".

5 (f) WAGE AND APPRENTICESHIP REQUIREMENTS.—
6 Section 45(b) is amended by striking paragraphs (6), (7),
7 and (8).

8 (g) DOMESTIC CONTENT, PHASEOUT, AND ENERGY
9 COMMUNITIES.—Section 45(b) is amended by striking
10 paragraphs (9), (10), (11), and (12).

(h) CREDIT REDUCED FOR GRANTS, TAX-EXEMPT
BONDS, SUBSIDIZED ENERGY FINANCING, AND OTHER
CREDITS.—Section 45(b)(3) is amended to read as follows:

15 "(3) CREDIT REDUCED FOR GRANTS, TAX-EX-16 EMPT BONDS, SUBSIDIZED ENERGY FINANCING, AND 17 OTHER CREDITS.—The amount of the credit deter-18 mined under subsection (a) with respect to any 19 project for any taxable year (determined after the 20 application of paragraphs (1) and (2)) shall be re-21 duced by the amount which is the product of the 22 amount so determined for such year and the lesser 23 of $\frac{1}{2}$ or a fraction—

1	"(A) the numerator of which is the sum,
2	for the taxable year and all prior taxable years,
3	of—
4	"(i) grants provided by the United
5	States, a State, or a political subdivision of
6	a State for use in connection with the
7	project,
8	"(ii) proceeds of an issue of State or
9	local government obligations used to pro-
10	vide financing for the project the interest
11	on which is exempt from tax under section
12	103,
13	"(iii) the aggregate amount of sub-
14	sidized energy financing provided (directly
15	or indirectly) under a Federal, State, or
16	local program provided in connection with
17	the project, and
18	"(iv) the amount of any other credit
19	allowable with respect to any property
20	which is part of the project, and
21	"(B) the denominator of which is the ag-
22	gregate amount of additions to the capital ac-
23	count for the project for the taxable year and
24	all prior taxable years.

1 The amounts under the preceding sentence for any 2 taxable year shall be determined as of the close of 3 the taxable year. This paragraph shall not apply 4 with respect to any facility described in subsection 5 (d)(2)(A)(ii).".

6 (i) ROUNDING ADJUSTMENT.—

7 (1) IN GENERAL.—Section 45(b)(2) is amended
8 to read as follows:

9 "(2) CREDIT AND PHASEOUT ADJUSTMENT 10 BASED ON INFLATION.—The 1.5 cent amount in 11 subsection (a), the 8 cent amount in paragraph (1), 12 the 4.375 amount in subsection (e)(8)(A), the 213 amount in subsection (e)(8)(D)(ii)(I), and in sub-14 section (e)(8)(B)(i) the reference price of fuel used 15 as a feedstock (within the meaning of subsection 16 (c)(7)(A) in 2002 shall each be adjusted by multi-17 plying such amount by the inflation adjustment fac-18 tor for the calendar year in which the sale occurs. 19 If any amount as increased under the preceding sen-20 tence is not a multiple of 0.1 cent, such amount 21 shall be rounded to the nearest multiple of 0.1 22 cent.".

23 (2) CONFORMING AMENDMENT.—Section
24 45(b)(4)(A) is amended by striking "last two sen25 tences" and inserting "last sentence".

1	(j) Hydropower.—
2	(1) CREDIT RATE REDUCTION FOR QUALIFIED
3	HYDROELECTRIC PRODUCTION AND MARINE AND
4	HYDROKINETIC RENEWABLE ENERGY.—Section
5	45(b)(4)(A) is amended by striking "or (7)" and in-
6	serting "(7), (9), or (11)".
7	(2) MARINE AND HYDROKINETIC RENEWABLE
8	ENERGY.—Section 45 is amended—
9	(A) in subsection $(c)(10)(A)$ —
10	(i) in clause (iii), by adding "or" at
11	the end,
12	(ii) in clause (iv), by striking ", or"
13	and inserting a period, and
14	(iii) by striking clause (v), and
15	(B) in subsection $(d)(11)(A)$, by striking
16	"25" and inserting "150".
17	(k) Effective Dates.—
18	(1) IN GENERAL.—Except as provided in para-
19	graphs (2) and (3) , the amendments made by this
20	section shall apply to facilities placed in service after
21	December 31, 2021.
22	(2) CREDIT REDUCED FOR GRANTS, TAX-EX-
23	EMPT BONDS, SUBSIDIZED ENERGY FINANCING, AND
24	OTHER CREDITS.—The amendment made by sub-

section (h) shall apply to facilities the construction
of which begins after August 16, 2022.
(3) Domestic content, phaseout, energy
COMMUNITIES.—The amendments made by sub-
sections (g) and (j) shall apply to facilities placed in
service after December 31, 2022.
SEC. 223. MODIFICATION OF ENERGY CREDIT.
(a) IN GENERAL.—The following provisions of sec-
tion 48 are each amended by striking "January 1, 2025"
each place it appears and inserting "January 1, 2024":
(1) Subsection (a)(2)(A)(i)(II).
(2) Subsection (a)(3)(A)(ii).
(3) Subsection $(c)(1)(E)$.
(4) Subsection $(c)(2)(D)$.
(5) Subsection $(c)(3)(A)(iv)$.
(6) Subsection $(c)(4)(C)$.
(7) Subsection $(c)(5)(D)$.
(b) CERTAIN ENERGY PROPERTY.—Section
48(a)(3)(A)(vii) is amended by striking "January 1,
2035" and inserting "January 1, 2024".
(c) PHASEOUT OF CREDIT.—Section 48(a) is amend-
ed by striking paragraphs (6) and (7) and inserting the
following new paragraphs:
"(6) Phaseout for solar energy prop-
ERTY.—

1	"(A) IN GENERAL.—Subject to subpara-
2	graph (B), in the case of any energy property
3	described in paragraph (3)(A)(i) the construc-
4	tion of which begins before January 1, 2024,
5	the energy percentage determined under para-
6	graph (2) shall be equal to—
7	"(i) in the case of any property the
8	construction of which begins after Decem-
9	ber 31, 2019, and before January 1, 2023,
10	26 percent, and
11	"(ii) in the case of any property the
12	construction of which begins after Decem-
13	ber 31, 2022, and before January 1, 2024,
14	22 percent.
15	"(B) PLACED IN SERVICE DEADLINE.—In
16	the case of any energy property described in
17	paragraph $(3)(A)(i)$ the construction of which
18	begins before January 1, 2024, and which is
19	not placed in service before January 1, 2026,
20	the energy percentage determined under para-
21	graph (2) shall be equal to 10 percent.
22	"(7) Phaseout for certain other energy
23	PROPERTY.—
24	"(A) IN GENERAL.—Subject to subpara-
25	graph (B), in the case of any qualified fuel cell

1	property, qualified small wind property, waste
2	energy recovery property, or energy property
3	described in paragraph (3)(A)(ii), the energy
4	percentage determined under paragraph (2)
5	shall be equal to—
6	"(i) in the case of any property the
7	construction of which begins after Decem-
8	ber 31, 2019, and before January 1, 2023,
9	26 percent, and
10	"(ii) in the case of any property the
11	construction of which begins after Decem-
12	ber 31, 2022, and before January 1, 2024,
13	22 percent.
14	"(B) Placed in service deadline.—In
14 15	the case of any energy property described in
15	the case of any energy property described in
15 16	the case of any energy property described in subparagraph (A) which is not placed in service
15 16 17	the case of any energy property described in subparagraph (A) which is not placed in service before January 1, 2026, the energy percentage
15 16 17 18	the case of any energy property described in subparagraph (A) which is not placed in service before January 1, 2026, the energy percentage determined under paragraph (2) shall be equal
15 16 17 18 19	the case of any energy property described in subparagraph (A) which is not placed in service before January 1, 2026, the energy percentage determined under paragraph (2) shall be equal to 0 percent.".
15 16 17 18 19 20	 the case of any energy property described in subparagraph (A) which is not placed in service before January 1, 2026, the energy percentage determined under paragraph (2) shall be equal to 0 percent.". (d) BASE ENERGY PERCENTAGE AMOUNT.—Section
 15 16 17 18 19 20 21 	 the case of any energy property described in subparagraph (A) which is not placed in service before January 1, 2026, the energy percentage determined under paragraph (2) shall be equal to 0 percent.". (d) BASE ENERGY PERCENTAGE AMOUNT.—Section 48(a) is amended—

1	(B) in clause (ii), by striking "2 percent"
2	and inserting "10 percent", and
3	(2) in paragraph (5)(A)(ii), by striking "6 per-
4	cent" and inserting "30 percent".
5	(e) CREDIT FOR GEOTHERMAL.—Section
6	48(a)(2)(A)(i)(II) is amended by striking "clause (i) or
7	(iii) of paragraph (3)(A)" and inserting "paragraph
8	(3)(A)(i)".
9	(f) Energy Storage Technologies, Qualified
10	BIOGAS PROPERTY; MICROGRID CONTROLLERS RE-
11	MOVED.—
12	(1) IN GENERAL.—Section $48(a)(3)(A)$ is
13	amended by inserting "or" at the end of clause (vii)
14	and by striking clauses (ix), (x), and (xi).
15	(2) Conforming changes.—
16	(A) Section $48(a)(2)(A)(i)$ is amended by
17	inserting "and" at the end of subclauses (IV)
18	and (V) and by striking subclauses (VI), (VII),
19	(VIII), and (IX).
20	(B) Section 48(c) is amended by striking
21	paragraphs (6) , (7) , and (8) .
22	(C) Section 45(e) is amended by striking
23	paragraph (12).
24	(D) Section $50(d)(2)$ is amended by strik-
25	ing "At the election of a taxpayer" and all that

1	follows through "equal to or less than 500 kilo-
2	watt hours."
3	(g) FUEL CELLS USING ELECTROMECHANICAL
4	PROCESSES.—
5	(1) IN GENERAL.—Section $48(c)(1)$ is amend-
6	ed—
7	(A) in subparagraph (A)(i)—
8	(i) by striking "or electromechanical",
9	and
10	(ii) by striking "(1 kilowatt in the
11	case of a fuel cell power plant with a linear
12	generator assembly)", and
13	(B) in subparagraph (C)—
14	(i) by striking ", or linear generator
15	assembly", and
16	(ii) by striking "or
17	electromechanical".
18	(2) LINEAR GENERATOR ASSEMBLY LIMITA-
19	TION.—Section 48(c)(1) is amended by striking sub-
20	paragraph (D) and by redesignating subparagraph
21	(E) as subparagraph (D).
22	(h) Dynamic Glass.—Section 48(a)(3)(A)(ii) is
23	amended by striking "or electrochromic glass which uses
24	electricity to change its light transmittance properties in
25	order to heat or cool a structure,".

(i) COORDINATION RULE REMOVED.—Paragraph (3) 1 2 of section 50(c) is amended— 3 (1) by inserting "and" at the end of subpara-4 graph (A), (2) by striking ", and" at the end of subpara-5 6 graph (B) and inserting a period, and 7 (3) by striking subparagraph (C). 8 (j) INTERCONNECTION PROPERTY.—Section 48(a) is 9 amended by striking paragraph (8). 10 (k) ENERGY PROJECTS, WAGE REQUIREMENTS, AND 11 APPRENTICESHIP REQUIREMENTS.—Section 48(a) is 12 amended by striking paragraphs (9), (10), and (11). 13 (1) DOMESTIC CONTENT, PHASEOUT FOR ELECTIVE 14 PAYMENT.—Section 48(a) is amended by striking para-15 graphs (12) and (13). (m) RULE FOR PROPERTY FINANCED BY TAX-EX-16 17 EMPT BONDS REMOVED; TEXT OF SPECIAL RULE FOR PROPERTY FINANCED BY SUBSIDIZED ENERGY FINANC-18 Development 19 ING OR INDUSTRIAL BONDS RE-20 STORED.—Section 48(a)(4) is amended to read as follows: 21 "(4) Special rule for property financed 22 BY SUBSIDIZED ENERGY FINANCING OR INDUSTRIAL 23 DEVELOPMENT BONDS.-24 "(A) REDUCTION OF BASIS.—For purposes 25 of applying the energy percentage to any prop-

1	erty, if such property is financed in whole or in
2	part by—
3	"(i) subsidized energy financing, or
4	"(ii) the proceeds of a private activity
5	bond (within the meaning of section 141)
6	the interest on which is exempt from tax
7	under section 103,
8	the amount taken into account as the basis of
9	such property shall not exceed the amount
10	which (but for this subparagraph) would be so
11	taken into account multiplied by the fraction
12	determined under subparagraph (B).
13	"(B) Determination of fraction.—For
14	purposes of subparagraph (A), the fraction de-
15	termined under this subparagraph is 1 reduced
16	by a fraction—
17	"(i) the numerator of which is that
18	portion of the basis of the property which
19	is allocable to such financing or proceeds,
20	and
21	"(ii) the denominator of which is the
22	basis of the property.
23	"(C) Subsidized energy financing.—
24	For purposes of subparagraph (A), the term
25	'subsidized energy financing' means financing

1	provided under a Federal, State, or local pro-
2	gram a principal purpose of which is to provide
3	subsidized financing for projects designed to
4	conserve or produce energy.
5	"(D) TERMINATION.—This paragraph
6	shall not apply to periods after December 31,
7	2008, under rules similar to the rules of section
8	48(m) (as in effect on the day before the date
9	of the enactment of the Revenue Reconciliation
10	Act of 1990).".
11	(n) TREATMENT OF CONTRACTS INVOLVING ENERGY
10	STORAGE.—Section 7701(e) is amended—
12	
12	(1) in paragraph (3)—
13	(1) in paragraph (3) —
13 14	(1) in paragraph (3)—(A) in subparagraph (A)(i), by inserting
13 14 15	 (1) in paragraph (3)— (A) in subparagraph (A)(i), by inserting "or" at the end of subclause (II), by striking
13 14 15 16	 (1) in paragraph (3)— (A) in subparagraph (A)(i), by inserting "or" at the end of subclause (II), by striking "or" at the end of subclause (III) and inserting
 13 14 15 16 17 	 (1) in paragraph (3)— (A) in subparagraph (A)(i), by inserting "or" at the end of subclause (II), by striking "or" at the end of subclause (III) and inserting "and", and by striking subclause (IV), and
 13 14 15 16 17 18 	 (1) in paragraph (3)— (A) in subparagraph (A)(i), by inserting "or" at the end of subclause (II), by striking "or" at the end of subclause (III) and inserting "and", and by striking subclause (IV), and (B) by striking subparagraph (F), and
 13 14 15 16 17 18 19 	 (1) in paragraph (3)— (A) in subparagraph (A)(i), by inserting "or" at the end of subclause (II), by striking "or" at the end of subclause (III) and inserting "and", and by striking subclause (IV), and (B) by striking subparagraph (F), and (2) in paragraph (4), by striking "water treat-
 13 14 15 16 17 18 19 20 	 (1) in paragraph (3)— (A) in subparagraph (A)(i), by inserting "or" at the end of subclause (II), by striking "or" at the end of subclause (III) and inserting "and", and by striking subclause (IV), and (B) by striking subparagraph (F), and (2) in paragraph (4), by striking "water treatment works facility, or storage facility" and insert-
 13 14 15 16 17 18 19 20 21 	 (1) in paragraph (3)— (A) in subparagraph (A)(i), by inserting "or" at the end of subclause (II), by striking "or" at the end of subclause (III) and inserting "and", and by striking subclause (IV), and (B) by striking subparagraph (F), and (2) in paragraph (4), by striking "water treatment works facility, or storage facility" and inserting

(p) REGULATIONS.—Section 48(a) is amended by
 striking paragraph (15).

3 (q) EFFECTIVE DATES.—

4 (1) IN GENERAL.—Except as provided in para5 graphs (2) and (3), the amendments made by this
6 section shall apply to property placed in service after
7 December 31, 2021.

8 (2) OTHER PROPERTY.—The amendments
9 made by subsections (f), (g), (h), (i), (j), (l), (n),
10 and (o) shall apply to property placed in service
11 after December 31, 2022.

12 (3) Removal of rule for property fi-13 NANCED BY TAX EXEMPT BONDS.—The amendment 14 made by subsection (m) shall apply to property the 15 construction of which begins after August 16, 2022. 16 SEC. 224. REPEAL OF INCREASE IN ENERGY CREDIT FOR 17 SOLAR AND WIND FACILITIES PLACED IN 18 SERVICE IN CONNECTION WITH LOW-INCOME 19 **COMMUNITIES.**

20 (a) IN GENERAL.—Section 48 is amended by striking21 subsection (e).

(b) EFFECTIVE DATE.—The amendments made bythis section shall take effect on January 1, 2023.

1	SEC. 225. MODIFICATION OF CREDIT FOR CARBON OXIDE
2	SEQUESTRATION.
3	(a) Carbon Oxide Capture Requirements.—
4	(1) IN GENERAL.—Section $45Q(d)$ is amended
5	to read as follows:
6	"(d) QUALIFIED FACILITY.—For purposes of this
7	section, the term 'qualified facility' means any industrial
8	facility or direct air capture facility—
9	((1) the construction of which begins before
10	January 1, 2026, and—
11	"(A) construction of carbon capture equip-
12	ment begins before such date, or
13	"(B) the original planning and design for
14	such facility includes installation of carbon cap-
15	ture equipment, and
16	"(2) which captures—
17	"(A) in the case of a facility which emits
18	not more than 500,000 metric tons of carbon
19	oxide into the atmosphere during the taxable
20	year, not less than 25,000 metric tons of quali-
21	fied carbon oxide during the taxable year which
22	is utilized in a manner described in subsection
23	(f)(5),
24	"(B) in the case of an electricity gener-
25	ating facility which is not described in subpara-
26	graph (A), not less than 500,000 metric tons of

1	qualified carbon oxide during the taxable year,
2	or
3	"(C) in the case of a direct air capture fa-
4	cility or any facility not described in subpara-
5	graph (A) or (B), not less than 100,000 metric
6	tons of qualified carbon oxide during the tax-
7	able year.".
8	(2) Definitions removed.—
9	(A) IN GENERAL.—Section 45Q(e) is
10	amended by striking paragraphs (1) and (2)
11	and redesignating paragraphs (3) through (5)
12	as paragraphs (1) through (3), respectively.
13	(B) Conforming Amendment.—Section
14	142(0)(1)(B) is amended by striking "section
15	45Q(e)(3)" and inserting "section $45Q(e)(1)$ ".
16	(b) Modified Applicable Dollar Amount.—Sec-
17	tion $45Q(b)(1)$ is amended to read as follows:
18	"(1) Applicable dollar amount.—
19	"(B) IN GENERAL.—The applicable dollar
20	amount shall be an amount equal to—
21	"(i) for any taxable year beginning in
22	a calendar year after 2016 and before
23	2027—
24	"(I) for purposes of paragraph
25	(3) of subsection (a), the dollar
	51
----	---
1	amount established by linear inter-
2	polation between $$22.66$ and $$50$ for
3	each calendar year during such pe-
4	riod, and
5	"(II) for purposes of paragraph
6	(4) of such subsection, the dollar
7	amount established by linear inter-
8	polation between $$12.83$ and $$35$ for
9	each calendar year during such pe-
10	riod, and
11	"(ii) for any taxable year beginning in
12	a calendar year after 2026—
13	"(I) for purposes of paragraph
14	(3) of subsection (a), an amount equal
15	to the product of \$50 and the infla-
16	tion adjustment factor for such cal-
17	endar year determined under section
18	43(b)(3)(B) for such calendar year,
19	determined by substituting '2025' for
20	'1990', and
21	"(II) for purposes of paragraph
22	(4) of such subsection, an amount
23	equal to the product of $\$35$ and the
24	inflation adjustment factor for such
25	calendar year determined under sec-

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1	tion $43(b)(3)(B)$ for such calendar
2	year, determined by substituting
3	'2025' for '1990'.
4	"(C) ROUNDING.—The applicable dollar
5	amount determined under subparagraph (A)
6	shall be rounded to the nearest cent.".
7	(c) WAGE AND APPRENTICESHIP REQUIREMENTS.—
8	Section 45Q is amended by striking subsection (h) and
9	by redesignating subsection (i) as subsection (h).
10	(d) Credit Reduced for Tax-exempt Bonds
11	Section 45Q(f) is amended by striking paragraph (8).
12	(e) Application of Section for Certain Carbon
13	CAPTURE EQUIPMENT.—Section 45Q(g) is amended by
14	striking "the earlier of January 1, 2023, and".
15	(f) Election.—Section 45Q(f) is amended by strik-
16	ing paragraph (9).
17	(g) NO REGULATIONS FOR BASELINE CARBON
18	OXIDE PRODUCTION.—Subsection (h) of section 45Q, as
19	redesignated by subsection (c), is amended—
20	(1) in paragraph (1), by adding "and" at the
21	end,
22	(2) in paragraph (2), by striking ", and" and
23	inserting a period, and
24	(3) by striking paragraph (3).
25	(h) Effective Dates.—

(1) IN GENERAL.—Except as provided in para-1 2 graphs (2), (3), and (4), the amendments made by 3 this section shall apply to facilities or equipment 4 placed in service after December 31, 2022. (2)5 CARBON OXIDE CAPTURE **REQUIRE-**6 MENTS.—The amendments made by subsection (a) 7 shall apply to facilities or equipment the construc-8 tion of which begins after August 16, 2022. 9 (3) Application of section for certain 10 CARBON CAPTURE EQUIPMENT.—The amendments 11 made by subsection (e) shall take effect on August 12 16, 2022. 13 (4) ELECTION.—The amendment made by sub-14 section (f) shall apply to carbon oxide captured and 15 disposed of after December 31, 2021. 16 SEC. 226. ZERO-EMISSION NUCLEAR POWER PRODUCTION 17 **CREDIT REPEALED.** 18 (a) IN GENERAL.—Subpart D of part IV of sub-19 chapter A of chapter 1 is amended by striking section 45U 20 (and by striking the item relating to such section in the 21 table of sections for such subpart). 22 (b) CONFORMING AMENDMENTS.—Section 38(b) is 23 amended-24 (1) in paragraph (32), by adding "plus" at the

25 end,

1	(2) in paragraph (33), by striking the comma
2	at the end and inserting a period, and
3	(3) by striking paragraph (34).
4	(c) EFFECTIVE DATE.—The amendments made by
5	this section shall apply to electricity produced and sold
6	after December 31, 2023, in taxable years beginning after
7	such date.
8	SEC. 227. INCENTIVES FOR BIODIESEL, RENEWABLE DIE-
9	SEL, AND ALTERNATIVE FUELS.
10	(a) Biodiesel and Renewable Diesel Credit.—
11	Section 40A(g) is amended by striking "December 31,
12	2024" and inserting "December 31, 2022".
13	(b) Biodiesel Mixture Credit.—
14	(1) IN GENERAL.—Section $6426(c)(6)$ is
15	amended by striking "December 31, 2024" and in-
16	serting "December 31, 2022".
17	(2) FUELS NOT USED FOR TAXABLE PUR-
18	POSES.—Section 6427(e)(6)(B) is amended by strik-
19	ing "December 31, 2024" and inserting "December
20	31, 2022".
21	(c) Alternative Fuel Credit.—Section
22	6426(d)(5) is amended by striking "December 31, 2024"
23	and inserting "December 31, 2021".

(d) ALTERNATIVE FUEL MIXTURE CREDIT.—Section
 6426(e)(3) is amended by striking "December 31, 2024"
 and inserting "December 31, 2021".

4 (e) PAYMENTS FOR ALTERNATIVE FUELS.—Section
5 6427(e)(6)(C) is amended by striking "December 31,
6 2024" and inserting "December 31, 2021".

7 (f) REPEAL OF SPECIAL RULE.—Subsection (g) of
8 section 13201 of Public Law 117–169 is repealed.

9 (g) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to fuel sold or used after December
11 31, 2021.

12 SEC. 228. SECOND GENERATION BIOFUEL INCENTIVES.

(a) IN GENERAL.—Section 40(b)(6)(j)(i) is amended
by striking "2025" and inserting "2022".

(b) EFFECTIVE DATE.—The amendment made by
subsection (a) shall apply to qualified second generation
biofuel production after December 31, 2021.

18 SEC. 229. REPEAL OF SUSTAINABLE AVIATION FUEL CRED-

19

IT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by striking section 40B
(and by striking the item relating to such section in the
table of sections for such subpart).

24 (b) CONFORMING AMENDMENT.—Section 38(b) is25 amended by striking paragraph (35).

	12
1	(c) Coordination With Biodiesel Removed.—
2	(1) IN GENERAL.—Section 40A(d)(1) is amend-
3	ed by striking "or 40B".
4	(2) Conforming Amendment.—Section
5	40A(f) is amended by adding at the end the fol-
6	lowing:
7	"(4) CERTAIN AVIATION FUEL.—
8	"(A) IN GENERAL.—Except as provided in
9	the last 3 sentences of paragraph (3), the term
10	'renewable diesel' shall include fuel derived from
11	biomass which meets the requirements of a De-
12	partment of Defense specification for military
13	jet fuel or an American Society of Testing and
14	Materials specification for aviation turbine fuel.
15	"(B) Application of mixture cred-
16	ITS.—In the case of fuel which is treated as re-
17	newable diesel solely by reason of subparagraph
18	(A), subsection (b)(1) and section $6426(c)$ shall
19	be applied with respect to such fuel by treating
20	kerosene as though it were diesel fuel.".
21	(3) SUSTAINABLE AVIATION FUEL CREDIT PRO-
22	VISIONS REMOVED.—Section 6426 is amended by
23	striking subsection (k).
24	(d) Conforming Amendments.—
25	(1) Section 6426 is amended—

1	(A) in subsection $(a)(1)$, by striking "(e),
2	and (k)" and inserting "and (e)", and
3	(B) in subsection (h), by striking "under
4	section 40, 40A, or 40B" and inserting "under
5	section 40 or 40A".
6	(2) Section 6427(e) is amended—
7	(A) in the heading, by striking "ALTER-
8	NATIVE FUEL, OR SUSTAINABLE AVIATION
9	FUEL" and inserting "OR ALTERNATIVE
10	FUEL",
11	(B) in paragraph (1), by striking "or the
12	sustainable aviation fuel mixture credit", and
13	(C) in paragraph (6)—
14	(i) in subparagraph (C), by adding
15	"and" at the end,
16	(ii) in subparagraph (D), by striking
17	", and" and inserting a period, and
18	(iii) by striking subparagraph (E).
19	(3) Section $4101(a)(1)$ is amended by striking
20	"every person producing or importing sustainable
21	aviation fuel (as defined in section 40B),".
22	(4) Section 87 is amended—
23	(A) in paragraph (1), by adding "and" at
24	the end,

	11
1	(B) in paragraph (2), by striking ", and"
2	and inserting a period, and
3	(C) by striking paragraph (3).
4	(e) EFFECTIVE DATE.—The amendments made by
5	this section shall apply to fuel sold or used after December
6	31, 2022.
7	SEC. 230. CLEAN HYDROGEN REPEALS.
8	(a) Credit for Production of Clean Hydrogen
9	Repealed.—
10	(1) IN GENERAL.—Subpart D of part IV of
11	subchapter A of chapter 1 is amended by striking
12	section $45V$ (and by striking the item relating to
13	such section in the table of sections for such sub-
14	part).
15	(2) Conforming Amendment.—Section 38(b)
16	is amended by striking paragraph (36).
17	(3) Effective date.—The amendments made
18	by this section shall apply to hydrogen produced
19	after December 31, 2022.
20	(b) Credit for Electricity Produced From Re-
21	NEWABLE RESOURCES ALLOWED IF ELECTRICITY IS
22	Used to Produce Clean Hydrogen.—
23	(1) IN GENERAL.—Section 45(e) is amended by
24	striking paragraph (13).

1	(2) Effective date.—The amendments made
2	by this subsection shall apply to electricity produced
3	after December 31, 2022.
4	(c) Election to Treat Clean Hydrogen Pro-
5	DUCTION FACILITIES AS ENERGY PROPERTY.—
6	(1) IN GENERAL.—Section 48(a) is amended by
7	striking paragraph (15) and by redesignating para-
8	graph (16) as paragraph (15).
9	(2) Effective date.—The amendments made
10	by this subsection shall apply to property placed in
11	service after December 31, 2022.
12	(d) Reinstatement of Alternative Fuel Cred-
13	it for Liquefied Hydrogen.—
14	(1) IN GENERAL.—Section $6426(d)(2)$ is
15	amended by redesignating subparagraphs (D), (E),
16	and (F) as subparagraphs (E), (F), and (G), respec-
17	tively, and by inserting after subparagraph (C) the
18	following:
19	"(D) liquefied hydrogen,".
20	(2) Conforming Amendment.—Section
21	6426(e)(2) is amended by striking "(E)" and insert-
22	ing ''(F)''.
23	(3) Effective date.—The amendments made
24	by this subsection shall apply to fuel sold or used
25	after December 31, 2022.

1 SEC. 231. NONBUSINESS ENERGY PROPERTY CREDIT.

2 (a) IN GENERAL.—Section 25C is amended to read3 as follows:

4 "SEC. 25C. NONBUSINESS ENERGY PROPERTY.

5 "(a) ALLOWANCE OF CREDIT.—In the case of an in6 dividual, there shall be allowed as a credit against the tax
7 imposed by this chapter for the taxable year an amount
8 equal to the sum of—

9 "(1) 10 percent of the amount paid or incurred
10 by the taxpayer for qualified energy efficiency im11 provements installed during such taxable year, and
12 "(2) the amount of the residential energy prop13 erty expenditures paid or incurred by the taxpayer
14 during such taxable year.

15 "(b) LIMITATIONS.—

"(1) LIFETIME LIMITATION.—The credit allowed under this section with respect to any taxpayer for any taxable year shall not exceed the excess (if any) of \$500 over the aggregate credits allowed under this section with respect to such taxpayer for all prior taxable years ending after December 31, 2005.

"(2) WINDOWS.—In the case of amounts paid
or incurred for components described in subsection
(c)(3)(B) by any taxpayer for any taxable year, the
credit allowed under this section with respect to such

1	amounts for such year shall not exceed the excess (if
2	any) of \$200 over the aggregate credits allowed
3	under this section with respect to such amounts for
4	all prior taxable years ending after December 31,
5	2005.
6	"(3) LIMITATION ON RESIDENTIAL ENERGY
7	PROPERTY EXPENDITURES.—The amount of the
8	credit allowed under this section by reason of sub-
9	section (a)(2) shall not exceed—
10	"(A) \$50 for any advanced main air circu-
11	lating fan,
12	"(B) \$150 for any qualified natural gas,
13	propane, or oil furnace or hot water boiler, and
14	"(C) \$300 for any item of energy-efficient
15	building property.
16	"(c) Qualified Energy Efficiency Improve-
17	MENTS.—For purposes of this section—
18	"(1) IN GENERAL.—The term 'qualified energy
19	efficiency improvements' means any energy efficient
20	building envelope component, if—
21	"(A) such component is installed in or on
22	a dwelling unit located in the United States and
23	owned and used by the taxpayer as the tax-
24	payer's principal residence (within the meaning
25	of section 121),

1	"(B) the original use of such component
2	commences with the taxpayer, and
3	"(C) such component reasonably can be ex-
4	pected to remain in use for at least 5 years.
5	"(2) Energy efficient building envelope
6	COMPONENT.—The term 'energy efficient building
7	envelope component' means a building envelope com-
8	ponent which meets—
9	"(A) applicable Energy Star program re-
10	quirements, in the case of a roof or roof prod-
11	ucts,
12	"(B) version 6.0 Energy Star program re-
13	quirements, in the case of an exterior window,
14	a skylight, or an exterior door, and
15	"(C) the prescriptive criteria for such com-
16	ponent established by the 2009 International
17	Energy Conservation Code, as such Code (in-
18	cluding supplements) is in effect on the date of
19	the enactment of the American Recovery and
20	Reinvestment Tax Act of 2009, in the case of
21	any other component.
22	"(3) Building envelope component.—The
23	term 'building envelope component' means—
24	"(A) any insulation material or system
25	which is specifically and primarily designed to

19
reduce the heat loss or gain of a dwelling unit
when installed in or on such dwelling unit,
"(B) exterior windows (including sky-
lights),
"(C) exterior doors, and
"(D) any metal roof or asphalt roof in-
stalled on a dwelling unit, but only if such roof
has appropriate pigmented coatings or cooling
granules which are specifically and primarily
designed to reduce the heat gain of such dwell-
ing unit.
"(4) MANUFACTURED HOMES INCLUDED.—The
term 'dwelling unit' includes a manufactured home
which conforms to Federal Manufactured Home
Construction and Safety Standards (part 3280 of
title 24, Code of Federal Regulations).
"(d) Residential Energy Property Expendi-
TURES.—For purposes of this section—
"(1) IN GENERAL.—The term 'residential en-
ergy property expenditures' means expenditures
made by the taxpayer for qualified energy property
which is—
"(A) installed on or in connection with a
dwelling unit located in the United States and
owned and used by the taxpayer as the tax-

1	payer's principal residence (within the meaning
2	of section 121), and
3	"(B) originally placed in service by the tax-
4	payer.
5	Such term includes expenditures for labor costs
6	properly allocable to the onsite preparation, assem-
7	bly, or original installation of the property.
8	"(2) Qualified energy property.—
9	"(A) IN GENERAL.—The term 'qualified
10	energy property' means—
11	"(i) energy-efficient building property,
12	"(ii) a qualified natural gas, propane,
13	or oil furnace or hot water boiler, or
14	"(iii) an advanced main air circulating
15	fan.
16	"(B) Performance and quality stand-
17	ARDS.—Property described under subparagraph
18	(A) shall meet the performance and quality
19	standards, and the certification requirements (if
20	any), which—
21	"(i) have been prescribed by the Sec-
22	retary by regulations (after consultation
23	with the Secretary of Energy or the Ad-
24	ministrator of the Environmental Protec-

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1	"(ii) are in effect at the time of the
2	acquisition of the property, or at the time
3	of the completion of the construction, re-
4	construction, or erection of the property,
5	as the case may be.
6	"(C) Requirements and standards
7	FOR AIR CONDITIONERS AND HEAT PUMPS
8	The standards and requirements prescribed by
9	the Secretary under subparagraph (B) with re-
10	spect to the energy efficiency ratio (EER) for
11	central air conditioners and electric heat
12	pumps—
13	"(i) shall require measurements to be
14	based on published data which is tested by
15	manufacturers at 95 degrees Fahrenheit,
16	and
17	"(ii) may be based on the certified
18	data of the Air Conditioning and Refrig-
19	eration Institute that are prepared in part-
20	nership with the Consortium for Energy
21	Efficiency.
22	"(3) Energy-efficient building prop-
23	ERTY.—The term 'energy-efficient building property'
24	means—

1	"(A) an electric heat pump water heater
2	which yields a Uniform Energy Factor of at
3	least 2.2 in the standard Department of Energy
4	test procedure,
5	"(B) an electric heat pump which achieves
6	the highest efficiency tier established by the
7	Consortium for Energy Efficiency, as in effect
8	on January 1, 2009,
9	"(C) a central air conditioner which
10	achieves the highest efficiency tier established
11	by the Consortium for Energy Efficiency, as in
12	effect on January 1, 2009, and
13	"(D) a natural gas, propane, or oil water
14	heater which has either a Uniform Energy Fac-
15	tor of at least 0.82 or a thermal efficiency of
16	at least 90 percent.
17	"(4) QUALIFIED NATURAL GAS, PROPANE, OR
18	OIL FURNACE OR HOT WATER BOILER.—The term
19	'qualified natural gas, propane, or oil furnace or hot
20	water boiler' means a natural gas, propane, or oil
21	furnace or hot water boiler which achieves an annual
22	fuel utilization efficiency rate of not less than 95.
23	"(5) Advanced main air circulating fan.—
24	The term 'advanced main air circulating fan' means
25	a fan used in a natural gas, propane, or oil furnace

1	and which has an annual electricity use of no more
2	than 2 percent of the total annual energy use of the
3	furnace (as determined in the standard Department
4	of Energy test procedures).
5	"(e) Special Rules.—For purposes of this sec-
6	tion—
7	"(1) Application of Rules.—Rules similar to
8	the rules under paragraphs (4) , (5) , (6) , (7) , and (8)
9	of section 25D(e) shall apply.
10	"(2) Joint ownership of energy items.—
11	"(A) IN GENERAL.—Any expenditure oth-
12	erwise qualifying as an expenditure under this
13	section shall not be treated as failing to so
14	qualify merely because such expenditure was
15	made with respect to two or more dwelling
16	units.
17	"(B) LIMITS APPLIED SEPARATELY.—In
18	the case of any expenditure described in sub-
19	paragraph (A), the amount of the credit allow-
20	able under subsection (a) shall (subject to para-
21	graph (1)) be computed separately with respect
22	to the amount of the expenditure made for each
23	dwelling unit.
24	"(3) Property financed by subsidized en-
25	ERGY FINANCING.—For purposes of determining the

amount of expenditures made by any individual with
respect to any property, there shall not be taken into
account expenditures which are made from subsidized energy financing (as defined in section
48(a)(4)(C)).

6 "(f) BASIS ADJUSTMENTS.—For purposes of this 7 subtitle, if a credit is allowed under this section for any 8 expenditure with respect to any property, the increase in 9 the basis of such property which would (but for this sub-10 section) result from such expenditure shall be reduced by 11 the amount of the credit so allowed.

12 "(g) TERMINATION.—This section shall not apply13 with respect to any property placed in service—

14 "(1) after December 31, 2007, and before Jan-15 uary 1, 2009, or

16 "(2) after December 31, 2021.".

17 (b) Conforming Amendments.—

18 (1) Section 1016(a)(33) is amended by striking
19 "section 25C(g)" and inserting "25C(f)".

20 (2) Section 6213(g)(2) is amended—

21 (A) by adding "and" at the end of sub-22 paragraph (P),

(B) by striking the comma at the end of
subparagraph (Q) and inserting a period, and
(C) by striking subparagraphs (R) and (S).

1	(c) EFFECTIVE DATE.—The amendments made by
2	this section shall apply to property placed in service after
3	December 31, 2021.
4	SEC. 232. RESIDENTIAL CLEAN ENERGY CREDIT REVERTED
5	TO CREDIT FOR RESIDENTIAL ENERGY EFFI-
6	CIENT PROPERTY.
7	(a) EXTENSION REVERSED.—
8	(1) IN GENERAL.—Section 25D(h) is amended
9	by striking "December 31, 2034" and inserting
10	"December 31, 2023".
11	(2) Phaseout restored.—Section 25D(g) is
12	amended—
13	(A) in paragraph (1), by adding "and" at
14	the end,
15	(B) in paragraph (2), by striking "before
16	January 1, 2022, 26 percent," and inserting
17	"before January 1, 2023, 26 percent, and",
18	(C) in paragraph (3), by striking "Decem-
19	ber 31, 2021, and before January 1, 2033, 30
20	percent," and inserting "December 31, 2022,
21	and before January 1, 2024, 22 percent.", and
22	(D) by striking paragraphs (4) and (5).
23	(b) Residential Clean Energy Credit for Bat-
24	TERY STORAGE TECHNOLOGY REMOVED; BIOMASS EX-
25	PENDITURE PROVISIONS RESTORED.—

1	(1) IN GENERAL.—Paragraph (6) of section
2	25D(a) is amended to read as follows:
3	"(6) the qualified biomass fuel property expend-
4	itures,",
5	(2) Definition of qualified biomass fuel
6	PROPERTY EXPENDITURES RESTORED.—Paragraph
7	(6) of section 25D(d) is amended to read as follows:
8	"(6) Qualified biomass fuel property ex-
9	PENDITURE.—
10	"(A) IN GENERAL.—The term 'qualified
11	biomass fuel property expenditure' means an
12	expenditure for property—
13	"(i) which uses the burning of bio-
14	mass fuel to heat a dwelling unit located in
15	the United States and used as a residence
16	by the taxpayer, or to heat water for use
17	in such a dwelling unit, and
18	"(ii) which has a thermal efficiency
19	rating of at least 75 percent (measured by
20	the higher heating value of the fuel).
21	"(B) BIOMASS FUEL.—For purposes of
22	this section, the term 'biomass fuel' means any
23	plant-derived fuel available on a renewable or
24	recurring basis.".
25	(c) Conforming Amendments.—

1	(1) Section 25D(d)(3) is amended by striking ",
2	without regard to subparagraph (D) thereof".
3	(2) The heading for section 25D is amended by
4	striking "CLEAN ENERGY CREDIT" and inserting
5	"ENERGY EFFICIENT PROPERTY" .
6	(3) The table of sections for subpart A of part
7	IV of subchapter A of chapter 1 is amended by
8	striking the item relating to section 25D and insert-
9	ing the following:
	"Sec. 25D. Residential energy efficient property."
10	(d) Effective Dates.—
11	(1) IN GENERAL.—Except as provided in para-
12	graph (2), the amendments made by this section
13	shall apply to expenditures made after December 31,
14	2021.
15	(2) RESIDENTIAL CLEAN ENERGY CREDIT FOR
16	BATTERY STORAGE TECHNOLOGY REMOVED; BIO-
17	MASS EXPENDITURE PROVISIONS RESTORED.—The
18	amendments made by subsection (b) shall apply to
19	expenditures made after December 31, 2022.
20	SEC. 233. ENERGY EFFICIENT COMMERCIAL BUILDINGS DE-
21	DUCTION.
22	(a) IN GENERAL.—
23	(1) MAXIMUM AMOUNT OF DEDUCTION RULES
24	RESTORED.—Section 179D(b) is amended to read as
25	follows:

1	"(b) Maximum Amount of Deduction.—The de-
2	duction under subsection (a) with respect to any building
3	for any taxable year shall not exceed the excess (if any)
4	of—
5	"(1) the product of—
6	"(A) \$1.80 , and
7	"(B) the square footage of the building,
8	over
9	((2) the aggregate amount of the deductions
10	under subsection (a) with respect to the building for
11	all prior taxable years.".
12	(2) Modification of efficiency stand-
13	ARD.—Section $179D(c)(1)(D)$ is amended by strik-
14	ing "25 percent" and inserting "50 percent".
15	(3) REFERENCE STANDARD.—Section
16	179D(c)(2) is amended to read as follows:
17	"(2) Reference standard 90.1.—The term
18	'Reference Standard 90.1' means, with respect to
19	any property, the most recent Standard 90.1 pub-
20	lished by the American Society of Heating, Refrig-
21	erating, and Air Conditioning Engineers and the Il-
22	luminating Engineering Society of North America
23	which has been affirmed by the Secretary, after con-
24	sultation with the Secretary of Energy, for purposes
25	of this section not later than the date that is 2 years

1	before the date that construction of such property
2	begins.".
3	(4) PARTIAL ALLOWANCE.—
4	(A) IN GENERAL.—Section 179D(d) is
5	amended—
6	(i) by redesignating paragraphs (1)
7	through (5) as paragraphs (2) through (6) ,
8	respectively, and
9	(ii) by inserting before paragraph (2)
10	the following:
11	"(1) PARTIAL ALLOWANCE.—
12	"(A) IN GENERAL.—Except as provided in
13	subsection (f), if—
14	"(i) the requirement of subsection
15	(c)(1)(D) is not met, but
16	"(ii) there is a certification in accord-
17	ance with paragraph (6) that any system
18	referred to in subsection $(c)(1)(C)$ satisfies
19	the energy-savings targets established by
20	the Secretary under subparagraph (B)
21	with respect to such system,
22	then the requirement of subsection $(c)(1)(D)$
23	shall be treated as met with respect to such sys-
24	tem, and the deduction under subsection (a)
25	shall be allowed with respect to energy efficient

1	commercial building property installed as part
2	of such system and as part of a plan to meet
3	such targets, except that subsection (b) shall be
4	applied to such property by substituting '\$.60'
5	for '\$1.80'.
6	"(B) REGULATIONS.—The Secretary, after
7	consultation with the Secretary of Energy, shall
8	establish a target for each system described in
9	subsection $(c)(1)(C)$ such that, if such targets
10	were met for all such systems, the building
11	would meet the requirements of subsection
12	(c)(1)(D).".
13	(B) Conforming Amendments.—
14	(i) Section $179D(c)(1)(D)$ is amend-
15	ed—
16	(I) by striking "subsection
17	(d)(5)" and inserting "subsection
18	(d)(6)", and
19	(II) by striking "subsection
20	(d)(1)" and inserting "subsection
21	(d)(2)".
22	(ii) Paragraph (3)(A) of section
23	179D(d), as redesignated by subparagraph
24	(A), is amended by striking "paragraph
25	(1)" and inserting "paragraph (2) ".

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(iii) Paragraph (5) of section
179D(d), as redesignated by subparagraph
(A), is amended by striking "paragraph
(2)(B)(iii)" and inserting "paragraph
(3)(B)(iii)".
(iv) Section $179D(h)(2)$ is amended
by inserting "or (d)(1)(A)" after "sub-
section (c)(1)(D)".
(5) Allocation of deduction for public
PROPERTY.—Paragraph (4) of section 179D(d), as
redesignated by paragraph (4)(A), is amended to
read as follows:
"(4) Allocation of deduction for public
PROPERTY.—In the case of energy efficient commer-
cial building property installed on or in property
owned by a Federal, State, or local government or
a political subdivision thereof, the Secretary shall
promulgate a regulation to allow the allocation of
the deduction to the person primarily responsible for
designing the property in lieu of the owner of such
property. Such person shall be treated as the tax-
payer for purposes of this section.".
(6) Alternative deduction for energy ef-
FICIENT BUILDING RETROFIT PROPERTY RE-
PEALED.—

1	(A) IN GENERAL.—Section 179D is
2	amended by striking subsection (f).
3	(B) RESTORATION OF TEXT RELATING TO
4	INTERIM RULES FOR LIGHTING SYSTEMS.—Sec-
5	tion 179D is amended by inserting after sub-
6	section (e) the following:
7	"(f) Interim Rules for Lighting Systems.—
8	Until such time as the Secretary issues final regulations
9	under subsection $(d)(1)(B)$ with respect to property which
10	is part of a lighting system—
11	"(1) IN GENERAL.—The lighting system target
12	under subsection (d)(1)(A)(ii) shall be a reduction in
13	lighting power density of 25 percent (50 percent in
14	the case of a warehouse) of the minimum require-
15	ments in Table 9.5.1 or Table 9.6.1 (not including
16	additional interior lighting power allowances) of
17	Standard 90.1–2007.
18	"(2) Reduction in deduction if reduction
19	LESS THAN 40 PERCENT.—
20	"(A) IN GENERAL.—If, with respect to the
21	lighting system of any building other than a
22	warehouse, the reduction in lighting power den-
23	sity of the lighting system is not at least 40
24	percent, only the applicable percentage of the
25	amount of deduction otherwise allowable under

1	this section with respect to such property shall
2	be allowed.
3	"(B) Applicable percentage.—For
4	purposes of subparagraph (A), the applicable
5	percentage is the number of percentage points
6	(not greater than 100) equal to the sum of—
7	"(i) 50, and
8	"(ii) the amount which bears the same
9	ratio to 50 as the excess of the reduction
10	of lighting power density of the lighting
11	system over 25 percentage points bears to
12	15.
13	"(C) EXCEPTIONS.—This subsection shall
14	not apply to any system—
15	"(i) the controls and circuiting of
16	which do not comply fully with the manda-
17	tory and prescriptive requirements of
18	Standard 90.1–2007 and which do not in-
19	clude provision for bilevel switching in all
20	occupancies except hotel and motel guest
21	rooms, store rooms, restrooms, and public
22	lobbies, or
23	"(ii) which does not meet the min-
24	imum requirements for calculated lighting
25	levels as set forth in the Illuminating Engi-

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1	neering Society of North America Lighting
2	Handbook, Performance and Application,
3	Ninth Edition, 2000.".
4	(7) INFLATION ADJUSTMENT.—Section
5	179D(g) is amended—
6	(A) by inserting "or subsection $(d)(1)(A)$ "
7	after "subsection (b)",
8	(B) by striking "2022" and inserting
9	"2020", and
10	(C) by striking "calendar year 2021" and
11	inserting "calendar year 2019".
12	(b) Special Rule for Real Estate Investment
13	TRUSTS REMOVED.—Section 312(k)(3)(B) is amended to
13 14	
	TRUSTS REMOVED.—Section 312(k)(3)(B) is amended to
14	TRUSTS REMOVED.—Section 312(k)(3)(B) is amended to read as follows:
14 15	TRUSTS REMOVED.—Section 312(k)(3)(B) is amended to read as follows: "(B) TREATMENT OF AMOUNTS DEDUCT-
14 15 16	TRUSTS REMOVED.—Section 312(k)(3)(B) is amended to read as follows: "(B) TREATMENT OF AMOUNTS DEDUCT- IBLE UNDER SECTION 179, 179B, 179C, 179D, OR
14 15 16 17	TRUSTS REMOVED.—Section 312(k)(3)(B) is amended to read as follows: "(B) TREATMENT OF AMOUNTS DEDUCT- IBLE UNDER SECTION 179, 179B, 179C, 179D, OR 179E.—For purposes of computing the earnings
14 15 16 17 18	TRUSTS REMOVED.—Section 312(k)(3)(B) is amended to read as follows: "(B) TREATMENT OF AMOUNTS DEDUCT- IBLE UNDER SECTION 179, 179B, 179C, 179D, OR 179E.—For purposes of computing the earnings and profits of a corporation, any amount de-
14 15 16 17 18 19	TRUSTS REMOVED.—Section 312(k)(3)(B) is amended to read as follows: "(B) TREATMENT OF AMOUNTS DEDUCT- IBLE UNDER SECTION 179, 179B, 179C, 179D, OR 179E.—For purposes of computing the earnings and profits of a corporation, any amount de- ductible under section 179, 179B, 179C, 179D,
 14 15 16 17 18 19 20 	TRUSTS REMOVED.—Section 312(k)(3)(B) is amended to read as follows: "(B) TREATMENT OF AMOUNTS DEDUCT- IBLE UNDER SECTION 179, 179B, 179C, 179D, OR 179E.—For purposes of computing the earnings and profits of a corporation, any amount de- ductible under section 179, 179B, 179C, 179D, or 179E shall be allowed as a deduction ratably
 14 15 16 17 18 19 20 21 	TRUSTS REMOVED.—Section 312(k)(3)(B) is amended to read as follows: "(B) TREATMENT OF AMOUNTS DEDUCT- IBLE UNDER SECTION 179, 179B, 179C, 179D, OR 179E.—For purposes of computing the earnings and profits of a corporation, any amount de- ductible under section 179, 179B, 179C, 179D, or 179E shall be allowed as a deduction ratably over the period of 5 taxable years (beginning

1 (c) CONFORMING AMENDMENT.—Paragraph (2) of 2 section 179D(d), as redesignated by subsection (a)(4)(A), is amended by striking "not later than the date that is 3 4 years before the date such property is placed in service" 4 5 and inserting "not later than the date that is 2 years before the date that construction of such property begins". 6 7 (d) EFFECTIVE DATES.—The amendments made by 8 this section shall apply to taxable years beginning after 9 December 31, 2022.

10sec. 234. MODIFICATIONS TO NEW ENERGY EFFICIENT11HOME CREDIT.

(a) EXTENSION REVERSED.—Section 45L(h) is
amended by striking "December 31, 2032" and inserting
"December 31, 2021".

(b) DECREASE IN CREDIT AMOUNTS.—Paragraph
(2) of section 45L(a) is amended to read as follows:

17 "(2) APPLICABLE AMOUNT.—For purposes of
18 paragraph (1), the applicable amount is an amount
19 equal to—

20 "(A) in the case of a dwelling unit de21 scribed in paragraph (1) or (2) of subsection
22 (c), \$2,000, and

23 "(B) in the case of a dwelling unit de24 scribed in paragraph (3) of subsection (c),
25 \$1,000.".

(c) REVERSAL OF MODIFICATION OF ENERGY SAV ING REQUIREMENTS.—Section 45L(c) is amended to read
 as follows:

4 "(c) ENERGY SAVING REQUIREMENTS.—A dwelling
5 unit meets the energy saving requirements of this sub6 section if such unit is—

7 "(1) certified—

8 "(A) to have a level of annual heating and 9 cooling energy consumption which is at least 50 10 percent below the annual level of heating and 11 cooling energy consumption of a comparable 12 dwelling unit—

"(i) which is constructed in accordance with the standards of chapter 4 of the
2006 International Energy Conservation
Code, as such Code (including supplements) is in effect on January 1, 2006,
and

19 "(ii) for which the heating and cooling
20 equipment efficiencies correspond to the
21 minimum allowed under the regulations es22 tablished by the Department of Energy
23 pursuant to the National Appliance Energy
24 Conservation Act of 1987 and in effect at
25 the time of completion of construction, and

1	"(B) to have building envelope component
2	improvements account for at least $\frac{1}{5}$ of such
3	50 percent,
4	((2) a manufactured home which conforms to
5	Federal Manufactured Home Construction and Safe-
6	ty Standards (part 3280 of title 24, Code of Federal
7	Regulations) and which meets the requirements of
8	paragraph (1), or
9	"(3) a manufactured home which conforms to
10	Federal Manufactured Home Construction and Safe-
11	ty Standards (part 3280 of title 24, Code of Federal
12	Regulations) and which—
13	"(A) meets the requirements of paragraph
14	(1) applied by substituting '30 percent' for '50
15	percent' both places it appears therein and by
16	substituting $^{1}/_{3}$ for $^{1}/_{5}$ in subparagraph (B)
17	thereof, or
18	"(B) meets the requirements established
19	by the Administrator of the Environmental Pro-
20	tection Agency under the Energy Star Labeled
21	Homes program.".
22	(d) Prevailing Wage Requirement Removed.—
23	Section 45L is amended by striking subsection (g) and
24	redesignating subsection (h) as subsection (g).

(e) BASIS ADJUSTMENT.—Section 45L(e) is amended
 by striking "This subsection shall not apply for purposes
 of determining the adjusted basis of any building under
 section 42".

5 (f) EFFECTIVE DATES.—The amendments made by
6 this section shall apply to dwelling units acquired after
7 December 31, 2021.

8 SEC. 235. CLEAN VEHICLE CREDIT.

9 (a) PER VEHICLE DOLLAR LIMITATION.—Section
10 30D(b) is amended by striking paragraphs (2) and (3) and
11 inserting the following:

12 "(2) BASE AMOUNT.—The amount determined
13 under this paragraph is \$2,500.

"(3) BATTERY CAPACITY.—In the case of a vehicle which draws propulsion energy from a battery
with not less than 5 kilowatt hours of capacity, the
amount determined under this paragraph is \$417,
plus \$417 for each kilowatt hour of capacity in excess of 5 kilowatt hours. The amount determined
under this paragraph shall not exceed \$5,000.".

(b) FINAL ASSEMBLY.—Section 30D(d) is amend22 ed—

23 (1) in paragraph (1)—

24 (A) in subparagraph (E), by adding "and"
25 at the end,

1	(B) in subparagraph (F)(ii), by striking
2	the comma at the end and inserting a period,
3	and
4	(C) by striking subparagraph (G), and
5	(2) by striking paragraph (5) .
6	(c) DEFINITION.—
7	(1) IN GENERAL.—Section 30D(d), as amended
8	by subsection (b), is amended—
9	(A) in the heading, by striking "CLEAN"
10	and inserting "QUALIFIED PLUG-IN ELECTRIC
11	DRIVE MOTOR",
12	(B) in paragraph (1)—
13	(i) in the matter preceding subpara-
14	graph (A), by striking "clean" and insert-
15	ing "qualified plug-in electric drive motor",
16	(ii) in subparagraph (C), by striking
17	"qualified" before "manufacturer",
18	(iii) in subparagraph (F)(i), by strik-
19	ing "7" and inserting "4", and
20	(iv) by striking subparagraph (H),
21	(C) in paragraph (3)—
22	(i) in the heading, by striking "QUALI-
23	FIED MANUFACTURER" and inserting
24	"MANUFACTURER", and

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1	(ii) by striking "The term 'qualified
2	manufacturer' means" and all that follows
3	through the period and inserting "The
4	term "manufacturer" has the meaning
5	given such term in regulations prescribed
6	by the Administrator of the Environmental
7	Protection Agency for purposes of the ad-
8	ministration of title II of the Clean Air Act
9	(42 U.S.C. 7521 et seq.).", and
10	(D) by striking paragraph (6).
11	(2) Conforming Amendments.—Section 30D
12	is amended—
13	(A) in subsection (a), by striking "new
14	clean vehicle" and inserting "new qualified
15	plug-in electric drive motor vehicle", and
16	(B) in subsection $(b)(1)$, by striking "new
17	clean vehicle" and inserting "new qualified
18	plug-in electric drive motor vehicle".
19	(d) Critical Mineral Requirements Re-
20	MOVED.—Section 30D is amended by striking subsection
21	(e).
22	(e) Limitation on Number of Vehicles Eligible
23	for Credit Restored.—
24	(1) IN GENERAL.—Section 30D is amended by
25	inserting after subsection (d) the following:

"(e) LIMITATION ON NUMBER OF NEW QUALIFIED
 PLUG-IN ELECTRIC DRIVE MOTOR VEHICLES ELIGIBLE
 FOR CREDIT.—

4 "(1) IN GENERAL.—In the case of a new quali5 fied plug-in electric drive motor vehicle sold during
6 the phaseout period, only the applicable percentage
7 of the credit otherwise allowable under subsection
8 (a) shall be allowed.

9 "(2) PHASEOUT PERIOD.—For purposes of this 10 subsection, the phaseout period is the period begin-11 ning with the second calendar quarter following the 12 calendar quarter which includes the first date on 13 which the number of new qualified plug-in electric 14 drive motor vehicles manufactured by the manufac-15 turer of the vehicle referred to in paragraph (1) sold 16 for use in the United States after December 31, 17 2009, is at least 200,000.

18 "(3) APPLICABLE PERCENTAGE.—For purposes
19 of paragraph (1), the applicable percentage is—

20 "(A) 50 percent for the first 2 calendar
21 quarters of the phaseout period,

"(B) 25 percent for the 3rd and 4th calendar quarters of the phaseout period, and (C)
"(C) 0 percent for each calendar quarter
thereafter.

1	"(4) Controlled Groups.—Rules similar to
2	the rules of section $30B(f)(4)$ shall apply for pur-
3	poses of this subsection.".
4	(2) EXCLUDED ENTITIES.—Section 30D(d), as
5	amended by Public Law 117–169, is amended by
6	striking paragraph (7).
7	(f) Special Rules Repealed.—Section 30D(f) is
8	amended by striking paragraphs (8) , (9) , (10) , and (11) .
9	(g) Transfer of Credit Repealed.—
10	(1) IN GENERAL.—Section 30D is amended by
11	striking subsection (g).
12	(2) RESTORATION OF TEXT RELATING TO
13	PLUG-IN ELECTRIC VEHICLES.—Section 30D is
14	amended by inserting after subsection (f) the fol-
15	lowing:
16	"(g) Credit Allowed for 2- and 3-wheeled
17	PLUG-IN ELECTRIC VEHICLES.—
18	"(1) IN GENERAL.—In the case of a qualified
19	2- or 3-wheeled plug-in electric vehicle—
20	"(A) there shall be allowed as a credit
21	against the tax imposed by this chapter for the
22	taxable year an amount equal to the sum of the
23	applicable amount with respect to each such
24	qualified 2- or 3-wheeled plug-in electric vehicle
1	placed in service by the taxpayer during the
----	---
2	taxable year, and
3	"(B) the amount of the credit allowed
4	under subparagraph (A) shall be treated as a
5	credit allowed under subsection (a).
6	"(2) Applicable amount.—For purposes of
7	paragraph (1), the applicable amount is an amount
8	equal to the lesser of—
9	"(A) 10 percent of the cost of the qualified
10	2- or 3-wheeled plug-in electric vehicle, or \$
11	"(B) 2,500.
12	"(3) QUALIFIED 2- OR 3-WHEELED PLUG-IN
13	ELECTRIC VEHICLE.—The term 'qualified 2- or 3-
14	wheeled plug-in electric vehicle' means any vehicle
15	which—
16	"(A) has 2 or 3 wheels,
17	"(B) meets the requirements of subpara-
18	graphs (A), (B), (C), (E), and (F) of subsection
19	(d)(1) (determined by substituting '2.5 kilowatt
20	hours' for '4 kilowatt hours' in subparagraph
21	(F)(i)),
22	"(C) is manufactured primarily for use on
23	public streets, roads, and highways,
24	"(D) is capable of achieving a speed of 45
25	miles per hour or greater, and

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1	"(E) is acquired—
2	"(i) after December 31, 2011, and be-
3	fore January 1, 2014, or
4	"(ii) in the case of a vehicle that has
5	2 wheels, after December 31, 2014, and
6	before January 1, 2022.".
7	(3) Conforming amendments reversed.—
8	Section 30D(f), as amended by Public Law 117–
9	169, is amended—
10	(A) by inserting after paragraph (2) the
11	following:
12	"(3) PROPERTY USED BY TAX-EXEMPT ENTITY.—In
13	the case of a vehicle the use of which is described in para-
14	graph (3) or (4) of section 50(b) and which is not subject
15	to a lease, the person who sold such vehicle to the person
16	or entity using such vehicle shall be treated as the tax-
17	payer that placed such vehicle in service, but only if such
18	person clearly discloses to such person or entity in a docu-
19	ment the amount of any credit allowable under subsection
20	(a) with respect to such vehicle (determined without re-
21	gard to subsection (c)). For purposes of subsection (c),
22	property to which this paragraph applies shall be treated
23	as of a character subject to an allowance for deprecia-
24	tion.", and

(B) in paragraph (8), by striking ", includ-
ing any vehicle with respect to which the tax-
payer elects the application of subsection (g)".
(h) TERMINATION REPEALED.—Section 30D is
amended by striking subsection (h).
(i) Additional Conforming Amendments.—
(1) The heading of section 30D is amended by
striking "CLEAN VEHICLE CREDIT" and inserting
"NEW QUALIFIED PLUG-IN ELECTRIC DRIVE
MOTOR VEHICLES''.
(2) Section 30B is amended—
(A) in subsection (h)(8) by inserting ", ex-
cept that no benefit shall be recaptured if such
property ceases to be eligible for such credit by
reason of conversion to a qualified plug-in elec-
tric drive motor vehicle", before the period at
the end, and
(B) by inserting after subsection (h) the
following subsection:
"(i) Plug-in Conversion Credit.—
"(1) IN GENERAL.—For purposes of subsection
(a), the plug-in conversion credit determined under
this subsection with respect to any motor vehicle
which is converted to a qualified plug-in electric
which is converted to a quantied pragin electric

cost of the converting such vehicle as does not ex ceed \$40,000.

3 "(2) QUALIFIED PLUG-IN ELECTRIC DRIVE 4 MOTOR VEHICLE.—For purposes of this subsection, 5 the term "qualified plug-in electric drive motor vehicle" means any new qualified plug-in electric 6 7 drive motor vehicle (as defined in section 30D, de-8 termined without regard to whether such vehicle is 9 made by a manufacturer or whether the original use 10 of such vehicle commences with the taxpayer).

11 "(3) CREDIT ALLOWED IN ADDITION TO OTHER 12 CREDITS.—The credit allowed under this subsection 13 shall be allowed with respect to a motor vehicle not-14 withstanding whether a credit has been allowed with 15 respect to such motor vehicle under this section 16 (other than this subsection) in any preceding taxable 17 year.

18 "(4) TERMINATION.—This subsection shall not
19 apply to conversions made after December 31,
20 2011.".

21 (3) Section 38(b)(30) is amended by striking
22 "clean" and inserting "qualified plug-in electric
23 drive motor".

24 (4) Section 6213(g)(2) is amended by striking
25 subparagraph (T).

1	(5) Section 6501(m) is amended by striking
2	"30D(f)(6)" and inserting "30D(e)(4)".
3	(6) The table of sections for subpart B of part
4	IV of subchapter A of chapter 1 is amended by
5	striking the item relating to section 30D and insert-
6	ing after the item relating to section 30C the fol-
7	lowing item:
	"Sec. 30D. New qualified plug-in electric drive motor vehicles."
8	(j) Gross up Repealed.—Section 13401 of Public
9	Law 117–169 is amended by striking subsection (j).
10	(k) Transition Rule Repealed.—Section 13401
11	of Public Law 117–169 is amended by striking subsection
12	(l).
12 13	(l). (l) Effective Dates.—
13	(1) Effective Dates.—
13 14	(l) EFFECTIVE DATES.—(1) IN GENERAL.—Except as provided in para-
13 14 15	 (l) EFFECTIVE DATES.— (1) IN GENERAL.—Except as provided in paragraphs (2), (3), (4), and (5), the amendments made
13 14 15 16	 (l) EFFECTIVE DATES.— (1) IN GENERAL.—Except as provided in paragraphs (2), (3), (4), and (5), the amendments made by this section shall apply to vehicles placed in serv-
13 14 15 16 17	 (l) EFFECTIVE DATES.— (1) IN GENERAL.—Except as provided in paragraphs (2), (3), (4), and (5), the amendments made by this section shall apply to vehicles placed in service after December 31, 2022.
 13 14 15 16 17 18 	 (l) EFFECTIVE DATES.— (1) IN GENERAL.—Except as provided in paragraphs (2), (3), (4), and (5), the amendments made by this section shall apply to vehicles placed in service after December 31, 2022. (2) FINAL ASSEMBLY.—The amendments made
 13 14 15 16 17 18 19 	 (l) EFFECTIVE DATES.— (1) IN GENERAL.—Except as provided in paragraphs (2), (3), (4), and (5), the amendments made by this section shall apply to vehicles placed in service after December 31, 2022. (2) FINAL ASSEMBLY.—The amendments made by subsection (b) shall apply to vehicles sold after
 13 14 15 16 17 18 19 20 	 (1) EFFECTIVE DATES.— (1) IN GENERAL.—Except as provided in paragraphs (2), (3), (4), and (5), the amendments made by this section shall apply to vehicles placed in service after December 31, 2022. (2) FINAL ASSEMBLY.—The amendments made by subsection (b) shall apply to vehicles sold after August 16, 2022.

1	(4) TRANSFER OF CREDIT.—The amendments
2	made by subsection (g) shall apply to vehicles placed
3	in service after December 31, 2023.
4	(5) TRANSITION RULE.—The amendment made
5	by subsection (k) shall take effect as if included in
6	Public Law 117–169.
7	SEC. 236. REPEAL OF CREDIT FOR PREVIOUSLY-OWNED
8	CLEAN VEHICLES.
9	(a) IN GENERAL.—Subpart A of part IV of sub-
10	chapter A of chapter 1 is amended by striking section 25E
11	(and by striking the item relating to such section in the
12	table of sections for such subpart).
13	(b) Conforming Amendment.—Section 6213(g)(2)
14	is amended by striking subparagraph (U).
15	(c) EFFECTIVE DATE.—The amendments made by
16	this section shall apply to vehicles acquired after Decem-
17	ber 31, 2022.
18	SEC. 237. REPEAL OF CREDIT FOR QUALIFIED COMMER-
19	CIAL CLEAN VEHICLES.
20	(a) IN GENERAL.—Subpart D of part IV of sub-
21	chapter A of chapter 1 is amended by striking section 45W
22	(and by striking the item relating to such section in the
23	table of sections for such subpart).
24	(b) Conforming Amendments.—

(1) Section 38(b) is amended by striking para graph (37).

3 (2) Section 6213(g)(2) is amended by striking
4 subparagraph (V).

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall apply to vehicles acquired after Decem7 ber 31, 2022.

8 SEC. 238. ALTERNATIVE FUEL REFUELING PROPERTY 9 CREDIT.

10 (a) IN GENERAL.—Section 30C(i) is amended by
11 striking "December 31, 2032" and inserting "December
12 31, 2021".

13 (b) PROPERTY OF A CHARACTER SUBJECT TO DE-14 PRECIATION.—

(1) IN GENERAL.—Section 30C(a) is amended
by striking "(6 percent in the case of property of a
character subject to depreciation)".

18 (2) MODIFICATION OF CREDIT LIMITATION.—
19 Subsection (b) of section 30C is amended—

20 (A) in the matter preceding paragraph 21 (1)—

(i) by striking "with respect to any
single item of" and inserting "with respect
to all", and

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(ii) by inserting "at a location" before
"shall not exceed", and
(B) in paragraph (1), by striking
"\$100,000 in the case of any such item of prop-
erty" and inserting "\$30,000 in the case of a
property".
(3) BIDIRECTIONAL CHARGING EQUIPMENT NOT
INCLUDED; ELIGIBLE CENSUS TRACT REQUIREMENT
REMOVED.—Section 30C(c) is amended to read as
follows:
"(c) Qualified Alternative Fuel Vehicle Re-
FUELING PROPERTY.—For purposes of this section, the
term 'qualified alternative fuel vehicle refueling property'
has the same meaning as the term 'qualified clean-fuel ve-
hicle refueling property' would have under section 179A
if—
"(1) paragraph (1) of section $179A(d)$ did not
apply to property installed on property which is used
as the principal residence (within the meaning of
section 121) of the taxpayer, and
((2)) only the following were treated as clean-
burning fuels for purposes of section 179A(d):
"(A) Any fuel at least 85 percent of the
volume of which consists of one or more of the
following: ethanol, natural gas, compressed nat-

1	ural gas, liquified natural gas, liquefied petro-
2	leum gas, or hydrogen.
3	"(B) Any mixture—
4	"(i) which consists of two or more of
5	the following: biodiesel (as defined in sec-
6	tion $40A(d)(1)$, diesel fuel (as defined in
7	section $4083(a)(3)$), or kerosene, and
8	"(ii) at least 20 percent of the volume
9	of which consists of biodiesel (as so de-
10	fined) determined without regard to any
11	kerosene in such mixture.
12	"(C) Electricity.".
13	(c) CERTAIN ELECTRIC CHARGING STATIONS NOT
14	Included as Qualified Alternative Fuel Vehicle
15	Refueling Property; Wage and Apprenticeship
16	REQUIREMENTS REMOVED.—Section 30C is amended by
17	striking subsections (f) and (g) and redesignating sub-
18	sections (h) and (i) as subsections (f) and (g), respectively.
19	(d) EFFECTIVE DATE.—The amendments made by
20	this section shall apply to property placed in service after
21	December 31, 2021.

1	SEC. 239. ADVANCED ENERGY PROJECT CREDIT EXTEN-
2	SION REVERSED.
3	(a) IN GENERAL.—Section 48C is amended by strik-
4	ing subsection (e) and redesignating subsection (f) as sub-
5	section (e).
6	(b) Modification of Qualifying Advanced En-
7	ERGY PROJECTS.—Section 48C(c)(1)(A) is amended—
8	(1) by striking ", any portion of the qualified
9	investment of which is certified by the Secretary
10	under subsection (e) as eligible for a credit under
11	this section",
12	(2) in clause (i)—
13	(A) by striking "an industrial or manufac-
14	turing facility for the production or recycling
15	of" and inserting "a manufacturing facility for
16	the production of",
17	(B) in subclause (I), by striking "water,",
18	(C) in subclause (II), by striking "energy
19	storage systems and components" and inserting
20	"an energy storage system for use with electric
21	or hybrid-electric motor vehicles",
22	(D) in subclause (III), by striking "grid
23	modernization equipment or components" and
24	inserting "grids to support the transmission of
25	intermittent sources of renewable energy, in-
26	cluding storage of such energy",

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1	(E) in subclause (IV), by striking ", re-
2	move, use, or sequester carbon oxide emissions"
3	and inserting "and sequester carbon dioxide
4	emissions",
5	(F) by striking subclause (V) and inserting
6	the following:
7	"(V) property designed to refine
8	or blend renewable fuels or to produce
9	energy conservation technologies (in-
10	cluding energy-conserving lighting
11	technologies and smart grid tech-
12	nologies),",
13	(G) by striking subclauses (VI), (VII), and
14	(VIII),
15	(H) by inserting after subclause (V) the
16	following:
17	"(VI) new qualified plug-in elec-
18	tric drive motor vehicles (as defined
19	by section 30D) or components which
20	are designed specifically for use with
21	such vehicles, including electric mo-
22	tors, generators, and power control
23	units, or", and

1	(I) by redesignating subclause (IX) as sub-
2	clause (VII), and inserting ", and" at the end
3	of such subclause, and
4	(3) by striking clauses (ii) and (iii) and insert-
5	ing the following:
6	"(ii) any portion of the qualified in-
7	vestment of which is certified by the Sec-
8	retary under subsection (d) as eligible for
9	a credit under this section.".
10	(c) Conforming Amendment.—Subparagraph (A)
11	of section $48C(c)(2)$ is amended to read as follows:
12	"(A) which is necessary for the production
10	
13	of property described in paragraph (1)(A)(i),".
13 14	(d) DENIAL OF DOUBLE BENEFIT.—Section 48C(e),
14	(d) DENIAL OF DOUBLE BENEFIT.—Section 48C(e),
14 15	(d) DENIAL OF DOUBLE BENEFIT.—Section 48C(e), as redesignated by this section, is amended by striking
14 15 16	(d) DENIAL OF DOUBLE BENEFIT.—Section 48C(e), as redesignated by this section, is amended by striking "48B, 48E, 45Q, or 45V" and inserting "or 48B".
14 15 16 17	 (d) DENIAL OF DOUBLE BENEFIT.—Section 48C(e), as redesignated by this section, is amended by striking "48B, 48E, 45Q, or 45V" and inserting "or 48B". (e) EFFECTIVE DATE.—The amendments made by
14 15 16 17 18	 (d) DENIAL OF DOUBLE BENEFIT.—Section 48C(e), as redesignated by this section, is amended by striking "48B, 48E, 45Q, or 45V" and inserting "or 48B". (e) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2023.
14 15 16 17 18 19	 (d) DENIAL OF DOUBLE BENEFIT.—Section 48C(e), as redesignated by this section, is amended by striking "48B, 48E, 45Q, or 45V" and inserting "or 48B". (e) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2023. SEC. 240. REPEAL OF ADVANCED MANUFACTURING PRO-
 14 15 16 17 18 19 20 	 (d) DENIAL OF DOUBLE BENEFIT.—Section 48C(e), as redesignated by this section, is amended by striking "48B, 48E, 45Q, or 45V" and inserting "or 48B". (e) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2023. SEC. 240. REPEAL OF ADVANCED MANUFACTURING PRO- DUCTION CREDIT.
 14 15 16 17 18 19 20 21 	 (d) DENIAL OF DOUBLE BENEFIT.—Section 48C(e), as redesignated by this section, is amended by striking "48B, 48E, 45Q, or 45V" and inserting "or 48B". (e) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2023. SEC. 240. REPEAL OF ADVANCED MANUFACTURING PRO- DUCTION CREDIT. (a) IN GENERAL.—Subpart D of part IV of sub-

(b) CONFORMING AMENDMENT.—Section 38(b) is
 amended by striking paragraph (38).

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall apply to components produced and sold
5 after December 31, 2022.

6 SEC. 241. REPEAL OF CLEAN ELECTRICITY PRODUCTION 7 CREDIT.

8 (a) IN GENERAL.—Subpart D of part IV of sub9 chapter A of chapter 1 is amended by striking section 45Y
10 (and by striking the item relating to such section in the
11 table of sections for such subpart).

12 (b) CONFORMING AMENDMENT.—Section 38(b) is13 amended by striking paragraph (39).

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall apply to facilities placed in service after
16 December 31, 2024.

17 SEC. 242. REPEAL OF CLEAN ELECTRICITY INVESTMENT 18 CREDIT.

(a) IN GENERAL.—Subpart E of part IV of subchapter A of chapter 1 is amended by striking section 48E
(and by striking the item relating to such section in the
table of sections for such subpart).

23 (b) Conforming Amendments.—

24 (1) Section 46, as amended by Public Law
25 117–169, is amended—

1	(A) in paragraph (5), by adding "and" at
2	the end,
3	(B) in paragraph (6), by striking ", and"
4	and inserting a period, and
5	(C) by striking paragraph (7).
6	(2) Section $49(a)(1)(C)$, as amended by Public
7	Law 117–169, is amended—
8	(A) by adding "and" at the end of clause
9	(v),
10	(B) by striking the comma at the end of
11	clause (vi) and inserting a period, and
12	(C) by striking clauses (vii) and (viii).
13	(3) Section $50(a)(2)(E)$, as amended by Public
14	Law 117–169, is amended by striking " $48D(b)(5)$,
15	or $48E(e)$ " and inserting "or $48D(b)(5)$ ".
16	(4) Section $50(c)(3)$, as amended by Public
17	Law 117–169, is amended by striking "or clean elec-
18	tricity investment credit".
19	(c) EFFECTIVE DATE.—The amendments made by
20	this section shall apply to facilities and property placed
21	in service after December 31, 2024.

1	SEC. 243. COST RECOVERY FOR QUALIFIED FACILITIES,
2	QUALIFIED PROPERTY, AND ENERGY STOR-
3	AGE TECHNOLOGY REMOVED.
4	(a) IN GENERAL.—Section 168(e)(3)(B), as amended
5	by Public Law 117–169, is amended—
6	(1) in clause (vi)(III), by adding "and" at the
7	end,
8	(2) in clause (vii), by striking ", and," at the
9	end and inserting a period, and
10	(3) by striking clause (viii).
11	(b) EFFECTIVE DATE.—The amendments made by
12	this section shall apply to facilities and property placed
13	in service after December 31, 2024.
14	SEC. 244. REPEAL OF CLEAN FUEL PRODUCTION CREDIT.
15	(a) IN GENERAL.—Subpart D of part IV of sub-
16	chapter A of chapter 1 is amended by striking section 45Z
17	(and by striking the item relating to such section in the
18	table of sections for such subpart).
19	(b) Conforming Amendments.—
20	(1) Section $30C(c)(1)(B)$, as amended by Public
21	Law 117–169, is amended by striking clause (iv).
22	(2) Section 38(b), as amended by Public Law
23	117–169, is amended by striking paragraph (40).
24	(3) Section $4101(a)(1)$, as amended by Public
25	Law 117–169, is amended by striking "every person

producing a fuel eligible for the clean fuel production
 credit (pursuant to section 45Z),".

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall apply to transportation fuel produced
5 after December 31, 2024.

6 SEC. 245. REPEAL OF SECTIONS RELATING TO ELECTIVE 7 PAYMENT FOR ENERGY PROPERTY AND 8 ELECTRICITY PRODUCED FROM CERTAIN RE-9 NEWABLE RESOURCES; TRANSFER OF CRED-10 ITS.

(a) IN GENERAL.—Subchapter B of chapter 65 is
amended by striking sections 6417 and 6418 (and by
striking the items relating to such sections in the table
of sections for such subchapter).

15 (b) Conforming Amendments.—

(1) Section 50(d) is amended by striking "In
the case of a real estate investment trust making an
election under section 6418, paragraphs (1)(B) and
(2)(B) of the section 46(e) referred to in paragraph
(1) of this subsection shall not apply to any investment credit property of such real estate investment
trust to which such election applies".

23 (2) Section 39(a) is amended by striking para24 graph (4).

(3) Section 13801 of Public Law 117–169 is
 amended by striking subsection (f).

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall apply to taxable years beginning after
5 December 31, 2022.

6 TITLE IV—FAMILY AND SMALL 7 BUSINESS TAXPAYER PRO8 TECTION

9 SEC. 251. RESCISSION OF CERTAIN BALANCES MADE AVAIL-

10 ABLE TO THE INTERNAL REVENUE SERVICE. 11 The unobligated balances of amounts appropriated or 12 otherwise made available for activities of the Internal Revenue Service by paragraphs (1)(A)(ii), (1)(A)(iii), (1)(B), 13 14 (2), (3), (4), and (5) of section 10301 of Public Law 117– 15 169 (commonly known as the "Inflation Reduction Act of 2022") as of the date of the enactment of this Act are 16 rescinded. 17

DIVISION C—GROW THE 1 **ECONOMY** 2 **I—TEMPORARY ASSIST-**TITLE 3 ANCE TO NEEDY FAMILIES 4 5 SEC. 301. RECALIBRATION OF THE CASELOAD REDUCTION 6 CREDIT. 7 Section 407(b)(3) of the Social Security Act (42) 8 U.S.C. 607(b)(3) is amended in each of subparagraphs (A)(ii) and (B), by striking "2005" and inserting "2022". 9 10 SEC. 302. ELIMINATING EXCESS MAINTENANCE OF EFFORT 11 SPENDING IN DETERMINING CASELOAD RE-12 **DUCTION CREDIT.**

13 Section 407(b)(3) of the Social Security Act (42
14 U.S.C. 607(b)(3)) is amended by adding at the end the
15 following:

16 "(C) EXCLUSION OF CERTAIN CASES.— 17 The Secretary shall determine the minimum 18 participation rate of a State for a fiscal year 19 under this subsection without regard to cases 20 that are funded by an amount expended in ex-21 cess of the applicable percentage of the historic 22 defined section expenditures (as in 409(a)(7)(B)(ii)) of the State for the fiscal 23 24 year.".

1 SEC. 303. ELIMINATION OF SMALL CHECKS SCHEME.

2 Section 407(b) of the Social Security Act (42 U.S.C. 3 607(b)) is amended by adding at the end the following: 4 "(6) SPECIAL RULE REGARDING CALCULATION 5 OF THE MINIMUM PARTICIPATION RATE.—The Sec-6 retary shall determine participation rates under this 7 section without regard to any individual engaged in 8 work who is described in section 408(a)(2), who is 9 not in compliance with section 408(a)(3), or with re-10 spect to whom the assessment required by section 11 408(b)(1) has not been made.".

12 SEC. 304. REPORTING OF WORK OUTCOMES.

13 Section 411 of the Social Security Act (42 U.S.C.14 611) is amended by adding at the end the following:

15 "(e) Reporting Performance Indicators.—

"(1) IN GENERAL.—Each Sate, in consultation
with the Secretary, shall collect and submit to the
Secretary the information necessary for each indicator described in paragraph (2), for fiscal year
2025 and each fiscal year thereafter.

21 "(2) INDICATORS OF PERFORMANCE.—The in22 dicators described in this paragraph for a fiscal year
23 are the following:

24 "(A) The percentage of individuals who
25 were work-eligible individuals as of the time of
26 exit from the program, who are in unsubsidized

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employment during the second quarter after the exit.

"(B) The percentage of individuals who were work-eligible individuals who were in unsubsidized employment in the second quarter after the exit, who are also in unsubsidized employment during the fourth quarter after the exit.

9 "(C) The median earnings of individuals 10 who were work-eligible individuals as of the 11 time of exit from the program, who are in un-12 subsidized employment during the second quar-13 ter after the exit.

14 "(D) The percentage of individuals who 15 have not attained 24 years of age, are attending 16 high school or enrolled in an equivalency pro-17 gram, and are work-eligible individuals or were 18 work-eligible individuals as of the time of exit 19 from the program, who obtain a high school de-20 gree or its recognized equivalent while receiving 21 assistance under the State program funded 22 under this part or within 1 year after the exit. 23 "(3) DEFINITION OF EXIT.—In paragraph (2), 24 the term 'exit' means, with respect to a State pro-

1	gram funded under this part, ceases to receive as-
2	sistance under the program funded by this part.

3 "(4) REGULATIONS.—In order to ensure na4 tionwide comparability of data, the Secretary, after
5 consultation with the Secretary of Labor and with
6 States, shall issue regulations governing the report7 ing of performance indicators under this sub8 section.".

9 SEC. 305. EFFECTIVE DATE.

10 The amendments made by this title shall take effect11 on October 1, 2025.

12 TITLE II—SNAP EXEMPTIONS

13 SEC. 311. AGE-RELATED EXEMPTION FROM WORK RE-14QUIREMENT TO RECEIVE SNAP.

15 Section 6(o)(3)(A) of the Food and Nutrition Act of
16 2008 (7 U.S.C. 2015(6)(o)(3)(A)) is amended by striking
17 "50" and inserting "56".

18 SEC. 312. RULE OF CONSTRUCTION FOR EXEMPTION AD-

19 JUSTMENT.

20 Section 6(o)(6) of the Food and Nutrition Act of
21 2008 (7 U.S.C. 2015(6)(o)(6)) is amended by adding at
22 end the following:

23	"(I) RULE OF CONSTRUCTION FOR EXEMP-
24	tion adjustment.—During fiscal year 2025
25	and each subsequent fiscal year, nothing in this

1	paragraph shall be interpreted to allow a State
2	agency to accumulate unused exemptions to be
3	provided beyond the subsequent fiscal year.".
4	TITLE III—COMMUNITY ENGAGE-
5	MENT REQUIREMENT FOR AP-
6	PLICABLE INDIVIDUALS
7	SECTION 321. COMMUNITY ENGAGEMENT REQUIREMENT
8	FOR APPLICABLE INDIVIDUALS.
9	(a) IN GENERAL.—Section 1903(i) of the Social Se-
10	curity Act (42 U.S.C. 1396b(i)) is amended—
11	(1) in paragraph (26), by striking "; or" and
12	inserting a semicolon;
13	(2) in paragraph (27) , by striking the period at
14	the end and inserting "; or";
15	(3) by inserting after paragraph (27) the fol-
16	lowing new paragraph:
17	"(28) with respect to any amount expended for
18	medical assistance for an applicable individual for a
19	month in a calendar year if such individual did not
20	meet the community engagement requirement under
21	section 1905(jj) for 3 or more preceding months
22	during such calendar year while such individual was
23	an applicable individual and was enrolled in a State
24	plan (or waiver of such plan) under this title."; and

1 (4) in the flush left matter at the end, by strik-2 ing "and (18)," and inserting "(18), and (28)". 3 (b) Community Engagement Requirement.— 4 Section 1905 of the Social Security Act (42 U.S.C. 1396d) 5 is amended by adding at the end the following new sub-6 section: 7 "(jj) Community Engagement Requirement for 8 APPLICABLE INDIVIDUALS.— 9 "(1) Community engagement requirement 10 DESCRIBED.—For purposes of section 1903(i)(28), 11 the community engagement requirement described in 12 this subsection with respect to an applicable indi-13 vidual and a month is that such individual satisfies 14 at least one of the following with respect to such 15 month: "(A) The individual works 80 hours or 16 17 more per month, or has a monthly income that 18 is at least equal to the Federal minimum wage 19 under section 6 of the Fair Labor Standards 20 Act of 1938, multiplied by 80 hours.

21 "(B) The individual completes 80 hours or
22 more of community service per month.

23 "(C) The individual participates in a work
24 program for at least 80 hours per month.

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"(D) The individual participates in a combination of work, including community service, and a work program for a total of at least 80 hours per month.

5 "(2) VERIFICATION.—For purposes of verifying 6 the compliance of an applicable individual with the 7 community engagement requirement under para-8 graph (1), a State Medicaid agency shall, whenever 9 possible, prioritize the utilization of existing data-10 bases or other verification measures, including the 11 National Change of Address Database Maintained 12 by the United States Postal Service, State health 13 and human services agencies, payroll databases, or 14 other reliable sources of information, prior to seek-15 ing additional verification from such individual.

16 "(3) DEFINITIONS.—In this subsection:
17 "(A) APPLICABLE INDIVIDUAL.—The term

17 (A) APPLICABLE INDIVIDUAL.—The term
18 'applicable individual' means any individual who
19 is not—

20 "(i) under 19 years of age or age 56
21 or older;

22 "(ii) physically or mentally unfit for
23 employment, as determined by a physician
24 or other medical professional;

"(iii) pregnant;

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1	"(iv) the parent or caretaker of a de-
2	pendent child;
3	"(v) the parent or caretaker of an in-
4	capacitated person;
5	"(vi) complying with work require-
6	ments under a different program under
7	Federal law;
8	"(vii) participating in a drug or alco-
9	hol treatment and rehabilitation program
10	(as defined in section 3(h) of the Food and
11	Nutrition Act of 2008); or
12	"(viii) enrolled in an educational pro-
13	gram at least half time.
14	"(B) EDUCATIONAL PROGRAM.—The term
15	'educational program' means—
16	"(i) an institution of higher education
17	(as defined in section 101(a) of the Higher
18	Education Act of 1965);
19	"(ii) a program of career and tech-
20	nical education (as defined in section 3 of
21	the Carl D. Perkins Career and Technical
22	Education Act of 2006); or
23	"(iii) any other educational program
24	approved by the Secretary.

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"(C) STATE MEDICAID AGENCY.—The
 term 'State Medicaid agency' means the State
 agency responsible for administering the State
 Medicaid plan.
 "(D) WORK PROGRAM.—The term 'work
 program' has the meaning given such term in

section 6(0)(1) of the Food and Nutrition Act

8 of 2008.".

9 (c) STATE OPTION TO DISENROLL CERTAIN INDIVID-10 UALS.—Section 1902(a) of the Social Security Act (42) 11 U.S.C. 1396a(a)) is amended by adding at the end of the flush left text following paragraph (87) the following: 12 13 "Notwithstanding any of the preceding provisions of this subsection, at the option of a State, such State may elect 14 15 to disenroll an applicable individual for a month if, with respect to medical assistance furnished to such individual 16 17 for such month, no Federal financial participation would be available, pursuant to section 1903(i)(28).". 18

19 TITLE IV—REGULATIONS FROM 20 THE EXECUTIVE IN NEED OF 21 SCRUTINY

22 SEC. 331. SHORT TITLE.

23 This title may be cited as the "Regulations from the

24 Executive in Need of Scrutiny Act of 2023".

1 SEC. 332. PURPOSE.

2 The purpose of this title is to increase accountability 3 for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution 4 5 grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge 6 7 while failing to conduct appropriate oversight and retain 8 accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result 9 in more carefully drafted and detailed legislation, an im-10 proved regulatory process, and a legislative branch that 11 is truly accountable to the American people for the laws 12 13 imposed upon them.

14 SEC. 333. CONGRESSIONAL REVIEW OF AGENCY RULE-

15 MAKING.

16 Chapter 8 of title 5, United States Code, is amended17 to read as follows:

18 "CHAPTER 8—CONGRESSIONAL REVIEW
 19 OF AGENCY RULEMAKING

"Sec.

"801. Congressional review.

"802. Congressional approval procedure for major rules.

"803. Congressional disapproval procedure for nonmajor rules.

"804. Definitions.

"805. Judicial review.

- "806. Exemption for monetary policy.
- "807. Effective date of certain rules.

1 "§ 801. Congressional review

"(a)(1)(A) Before a rule may take effect, the Federal 2 3 agency promulgating such rule shall publish in the Federal Register a list of information on which the rule is based, 4 5 including data, scientific and economic studies, and costbenefit analyses, and identify how the public can access 6 7 such information online, and shall submit to each House of the Congress and to the Comptroller General a report 8 9 containing-

10 "(i) a copy of the rule;

11 "(ii) a concise general statement relating to the12 rule;

"(iii) a classification of the rule as a major or
nonmajor rule, including an explanation of the classification specifically addressing each criteria for a
major rule contained within subparagraphs (A)
through (C) of section 804(2);

18 "(iv) a list of any other related regulatory ac-19 tions intended to implement the same statutory pro-20 vision or regulatory objective as well as the indi-21 vidual and aggregate economic effects of those ac-22 tions; and

23 "(v) the proposed effective date of the rule.
24 "(B) On the date of the submission of the report
25 under subparagraph (A), the Federal agency promulgating

1	the rule shall submit to the Comptroller General and make
2	available to each House of Congress—
3	"(i) a complete copy of the cost-benefit analysis
4	of the rule, if any, including an analysis of any jobs
5	added or lost, differentiating between public and pri-
6	vate sector jobs;
7	"(ii) the agency's actions pursuant to sections
8	603, 604, 605, 607, and 609 of this title;
9	"(iii) the agency's actions pursuant to sections
10	202, 203, 204, and 205 of the Unfunded Mandates
11	Reform Act of 1995; and
12	"(iv) any other relevant information or require-
13	ments under any other Act and any relevant Execu-
14	tive orders.
15	"(C) Upon receipt of a report submitted under sub-
16	paragraph (A), each House shall provide copies of the re-
17	port to the chairman and ranking member of each stand-
18	ing committee with jurisdiction under the rules of the
19	House of Representatives or the Senate to report a bill
20	to amend the provision of law under which the rule is
21	issued.
22	"(2)(A) The Comptroller General shall provide a re-
23	nort on each major rule to the committees of jurisdiction

22 "(2)(A) The Comptroller General shall provide a re23 port on each major rule to the committees of jurisdiction
24 by the end of 15 calendar days after the submission or
25 publication date. The report of the Comptroller General

shall include an assessment of the agency's compliance
 with procedural steps required by paragraph (1)(B) and
 an assessment of whether the major rule imposes any new
 limits or mandates on private-sector activity.

5 "(B) Federal agencies shall cooperate with the Comp6 troller General by providing information relevant to the
7 Comptroller General's report under subparagraph (A).

8 "(3) A major rule relating to a report submitted 9 under paragraph (1) shall take effect upon enactment of 10 a joint resolution of approval described in section 802 or 11 as provided for in the rule following enactment of a joint 12 resolution of approval described in section 802, whichever 13 is later.

14 "(4) A nonmajor rule shall take effect as provided
15 by section 803 after submission to Congress under para16 graph (1).

17 "(5) If a joint resolution of approval relating to a 18 major rule is not enacted within the period provided in 19 subsection (b)(2), then a joint resolution of approval relat-20 ing to the same rule may not be considered under this 21 chapter in the same Congress by either the House of Rep-22 resentatives or the Senate.

23 "(b)(1) A major rule shall not take effect unless the
24 Congress enacts a joint resolution of approval described
25 under section 802.

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1 "(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or 2 3 legislative days, as applicable, beginning on the date on 4 which the report referred to in subsection (a)(1)(A) is re-5 ceived by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session 6 7 of Congress), then the rule described in that resolution 8 shall be deemed not to be approved and such rule shall not take effect. 9

10 "(c)(1) Notwithstanding any other provision of this 11 section (except subject to paragraph (3)), a major rule 12 may take effect for one 90-calendar-day period if the 13 President makes a determination under paragraph (2) and 14 submits written notice of such determination to the Con-15 gress.

16 "(2) Paragraph (1) applies to a determination made
17 by the President by Executive order that the major rule
18 should take effect because such rule is—

19 "(A) necessary because of an imminent threat20 to health or safety or other emergency;

21 "(B) necessary for the enforcement of criminal
22 laws;

23 "(C) necessary for national security; or
24 "(D) issued pursuant to any statute imple25 menting an international trade agreement.

"(3) An exercise by the President of the authority
 under this subsection shall have no effect on the proce dures under section 802.

4 "(d)(1) In addition to the opportunity for review oth5 erwise provided under this chapter, in the case of any rule
6 for which a report was submitted in accordance with sub7 section (a)(1)(A) during the period beginning on the date
8 occurring—

9 "(A) in the case of the Senate, 60 session days; 10 or

11 "(B) in the case of the House of Representa-12 tives, 60 legislative days,

13 before the date the Congress is scheduled to adjourn a
14 session of Congress through the date on which the same
15 or succeeding Congress first convenes its next session, sec16 tions 802 and 803 shall apply to such rule in the suc17 ceeding session of Congress.

18 "(2)(A) In applying sections 802 and 803 for pur19 poses of such additional review, a rule described under
20 paragraph (1) shall be treated as though—

21 "(i) such rule were published in the Federal
22 Register on—

23 "(I) in the case of the Senate, the 15th24 session day; or

1	"(II) in the case of the House of Rep-
2	resentatives, the 15th legislative day,
3	
	after the succeeding session of Congress first con-
4	venes; and
5	"(ii) a report on such rule were submitted to
6	Congress under subsection $(a)(1)$ on such date.
7	"(B) Nothing in this paragraph shall be construed
8	to affect the requirement under subsection $(a)(1)$ that a
9	report shall be submitted to Congress before a rule can
10	take effect.
11	"(3) A rule described under paragraph (1) shall take
12	effect as otherwise provided by law (including other sub-
10	
13	sections of this section).
13 14	sections of this section)."§ 802. Congressional approval procedure for major
14	"§802. Congressional approval procedure for major
14 15	"§802. Congressional approval procedure for major rules
14 15 16	"§ 802. Congressional approval procedure for major rules "(a)(1) For purposes of this section, the term 'joint
14 15 16 17	"§ 802. Congressional approval procedure for major rules "(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a re-
14 15 16 17 18	"§802. Congressional approval procedure for major rules "(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a re- port classifying a rule as major pursuant to section
14 15 16 17 18 19	"§802. Congressional approval procedure for major rules "(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a re- port classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—
14 15 16 17 18 19 20	"§802. Congressional approval procedure for major rules "(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a re- port classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that— "(A) bears no preamble;
14 15 16 17 18 19 20 21	*\$802. Congressional approval procedure for major rules "(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that— "(A) bears no preamble; "(B) bears the following title (with blanks filled
 14 15 16 17 18 19 20 21 22 	*\$802. Congressional approval procedure for major rules "(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that— "(A) bears no preamble; "(B) bears the following title (with blanks filled as appropriate): 'Approving the rule submitted by

1	Congress approves the rule submitted by re-
2	lating to'; and
3	"(D) is introduced pursuant to paragraph (2) .
4	"(2) After a House of Congress receives a report
5	classifying a rule as major pursuant to section
6	801(a)(1)(A)(iii), the majority leader of that House (or
7	his or her respective designee) shall introduce (by request,
8	if appropriate) a joint resolution described in paragraph
9	(1)—
10	"(A) in the case of the House of Representa-
11	tives, within 3 legislative days; and
12	"(B) in the case of the Senate, within 3 session
13	days.
14	((3) A joint resolution described in paragraph (1)
15	shall not be subject to amendment at any stage of pro-
16	ceeding.
17	"(b) A joint resolution described in subsection (a)
18	shall be referred in each House of Congress to the commit-
19	tees having jurisdiction over the provision of law under
20	which the rule is issued.
21	"(c) In the Senate, if the committee or committees
22	to which a joint resolution described in subsection (a) has
23	been referred have not reported it at the end of 15 session
24	days after its introduction, such committee or committees
25	shall be automatically discharged from further consider-

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1 ation of the resolution and it shall be placed on the cal2 endar. A vote on final passage of the resolution shall be
3 taken on or before the close of the 15th session day after
4 the resolution is reported by the committee or committees
5 to which it was referred, or after such committee or com6 mittees have been discharged from further consideration
7 of the resolution.

8 ((d)(1)) In the Senate, when the committee or com-9 mittees to which a joint resolution is referred have re-10 ported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a 11 joint resolution described in subsection (a), it is at any 12 13 time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion 14 15 to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against 16 consideration of the joint resolution) are waived. The mo-17 tion is not subject to amendment, or to a motion to post-18 pone, or to a motion to proceed to the consideration of 19 other business. A motion to reconsider the vote by which 20 21 the motion is agreed to or disagreed to shall not be in 22 order. If a motion to proceed to the consideration of the 23 joint resolution is agreed to, the joint resolution shall re-24 main the unfinished business of the Senate until disposed 25 of.

1 "(2) In the Senate, debate on the joint resolution, 2 and on all debatable motions and appeals in connection 3 therewith, shall be limited to not more than 2 hours, which 4 shall be divided equally between those favoring and those 5 opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, 6 7 or a motion to postpone, or a motion to proceed to the 8 consideration of other business, or a motion to recommit 9 the joint resolution is not in order.

10 "(3) In the Senate, immediately following the conclu-11 sion of the debate on a joint resolution described in sub-12 section (a), and a single quorum call at the conclusion of 13 the debate if requested in accordance with the rules of the 14 Senate, the vote on final passage of the joint resolution 15 shall occur.

"(4) Appeals from the decisions of the Chair relating
to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection
(a) shall be decided without debate.

20 "(e) In the House of Representatives, if any com-21 mittee to which a joint resolution described in subsection 22 (a) has been referred has not reported it to the House 23 at the end of 15 legislative days after its introduction, 24 such committee shall be discharged from further consider-25 ation of the joint resolution, and it shall be placed on the
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appropriate calendar. On the second and fourth Thursdays 1 2 of each month it shall be in order at any time for the 3 Speaker to recognize a Member who favors passage of a 4 joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for 5 immediate consideration in the House without intervention 6 7 of any point of order. When so called up a joint resolution 8 shall be considered as read and shall be debatable for 1 9 hour equally divided and controlled by the proponent and 10 an opponent, and the previous question shall be considered 11 as ordered to its passage without intervening motion. It 12 shall not be in order to reconsider the vote on passage. 13 If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker 14 15 may recognize a Member under this subsection, such vote shall be taken on that day. 16

17 "(f)(1) If, before passing a joint resolution described
18 in subsection (a), one House receives from the other a
19 joint resolution having the same text, then—

20 "(A) the joint resolution of the other House21 shall not be referred to a committee; and

22 "(B) the procedure in the receiving House shall
23 be the same as if no joint resolution had been re24 ceived from the other House until the vote on pas25 sage, when the joint resolution received from the

other House shall supplant the joint resolution of
 the receiving House.

3 "(2) This subsection shall not apply to the House of
4 Representatives if the joint resolution received from the
5 Senate is a revenue measure.

6 "(g) If either House has not taken a vote on final
7 passage of the joint resolution by the last day of the period
8 described in section 801(b)(2), then such vote shall be
9 taken on that day.

10 "(h) This section and section 803 are enacted by11 Congress—

12 "(1) as an exercise of the rulemaking power of 13 the Senate and House of Representatives, respec-14 tively, and as such are deemed to be part of the 15 rules of each House, respectively, but applicable only 16 with respect to the procedure to be followed in that 17 House in the case of a joint resolution described in 18 subsection (a) and superseding other rules only 19 where explicitly so; and

"(2) with full recognition of the constitutional
right of either House to change the rules (so far as
they relate to the procedure of that House) at any
time, in the same manner and to the same extent as
in the case of any other rule of that House.

1 "§ 803. Congressional disapproval procedure for 2 nonmajor rules

3 "(a) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the 4 5 period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and 6 7 ending 60 days thereafter (excluding days either House 8 of Congress is adjourned for more than 3 days during a 9 session of Congress), the matter after the resolving clause 10 of which is as follows: 'That Congress disapproves the nonmajor rule submitted by the 11 _____ relating to 12 , and such rule shall have no force or effect.' (The 13 blank spaces being appropriately filled in).

14 "(b) A joint resolution described in subsection (a)
15 shall be referred to the committees in each House of Con16 gress with jurisdiction.

17 "(c) In the Senate, if the committee to which is re-18 ferred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint 19 resolution) at the end of 15 session days after the date 20 21 of introduction of the joint resolution, such committee may 22 be discharged from further consideration of such joint res-23 olution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be 24 placed on the calendar. 25

1 ((d)(1)) In the Senate, when the committee to which 2 a joint resolution is referred has reported, or when a com-3 mittee is discharged (under subsection (c)) from further 4 consideration of a joint resolution described in subsection 5 (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) 6 7 for a motion to proceed to the consideration of the joint 8 resolution, and all points of order against the joint resolu-9 tion (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to 10 a motion to postpone, or to a motion to proceed to the 11 12 consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall 13 not be in order. If a motion to proceed to the consideration 14 15 of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until 16 17 disposed of.

18 "(2) In the Senate, debate on the joint resolution, 19 and on all debatable motions and appeals in connection 20 therewith, shall be limited to not more than 10 hours, 21 which shall be divided equally between those favoring and 22 those opposing the joint resolution. A motion to further 23 limit debate is in order and not debatable. An amendment 24 to, or a motion to postpone, or a motion to proceed to

the consideration of other business, or a motion to recom mit the joint resolution is not in order.

3 "(3) In the Senate, immediately following the conclu4 sion of the debate on a joint resolution described in sub5 section (a), and a single quorum call at the conclusion of
6 the debate if requested in accordance with the rules of the
7 Senate, the vote on final passage of the joint resolution
8 shall occur.

9 "(4) Appeals from the decisions of the Chair relating
10 to the application of the rules of the Senate to the proce11 dure relating to a joint resolution described in subsection
12 (a) shall be decided without debate.

13 "(e) In the Senate, the procedure specified in sub14 section (c) or (d) shall not apply to the consideration of
15 a joint resolution respecting a nonmajor rule—

- 16 "(1) after the expiration of the 60 session days
 17 beginning with the applicable submission or publica18 tion date; or
- "(2) if the report under section 801(a)(1)(A)
 was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session
 days beginning on the 15th session day after the
 succeeding session of Congress first convenes.

24 "(f) If, before the passage by one House of a joint25 resolution of that House described in subsection (a), that

1	House receives from the other House a joint resolution
2	described in subsection (a), then the following procedures
3	shall apply:
4	"(1) The joint resolution of the other House
5	shall not be referred to a committee.
6	"(2) With respect to a joint resolution described
7	in subsection (a) of the House receiving the joint
8	resolution—
9	"(A) the procedure in that House shall be
10	the same as if no joint resolution had been re-
11	ceived from the other House; but
12	"(B) the vote on final passage shall be on
13	the joint resolution of the other House.
13 14	the joint resolution of the other House. *********************
14	"§ 804. Definitions
14 15	"§ 804. Definitions "For purposes of this chapter:
14 15 16	"§ 804. Definitions "For purposes of this chapter: "(1) The term 'Federal agency' means any
14 15 16 17	"§ 804. Definitions "For purposes of this chapter: "(1) The term 'Federal agency' means any agency as that term is defined in section 551(1).
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1	"(B) a major increase in costs or prices for
2	consumers, individual industries, Federal,
3	State, or local government agencies, or geo-
4	graphic regions; or
5	"(C) significant adverse effects on competi-
6	tion, employment, investment, productivity, in-
7	novation, or the ability of United States-based
8	enterprises to compete with foreign-based enter-
9	prises in domestic and export markets.
10	"(3) The term 'nonmajor rule' means any rule
11	that is not a major rule.
12	"(4) The term 'rule' has the meaning given
13	such term in section 551, except that such term does
14	not include—
15	"(A) any rule of particular applicability,
16	including a rule that approves or prescribes for
17	the future rates, wages, prices, services, or al-
18	lowances therefore, corporate or financial struc-
19	tures, reorganizations, mergers, or acquisitions
20	thereof, or accounting practices or disclosures
21	bearing on any of the foregoing;
22	"(B) any rule relating to agency manage-
23	ment or personnel; or
24	"(C) any rule of agency organization, pro-
25	cedure, or practice that does not substantially

1	affect the rights or obligations of non-agency
2	parties.
3	"(5) The term 'submission or publication date',
4	except as otherwise provided in this chapter,
5	means—
6	"(A) in the case of a major rule, the date
7	on which the Congress receives the report sub-
8	mitted under section $801(a)(1)$; and
9	"(B) in the case of a nonmajor rule, the
10	later of—
11	"(i) the date on which the Congress
12	receives the report submitted under section
13	801(a)(1); and
14	"(ii) the date on which the nonmajor
15	rule is published in the Federal Register, if
16	so published.
17	"§805. Judicial review
18	"(a) No determination, finding, action, or omission
19	under this chapter shall be subject to judicial review.
20	"(b) Notwithstanding subsection (a), a court may de-
21	termine whether a Federal agency has completed the nec-
22	essary requirements under this chapter for a rule to take
23	effect.
24	"(c) The enactment of a joint resolution of approval
25	under section 802 shall not be interpreted to serve as a

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grant or modification of statutory authority by Congress
 for the promulgation of a rule, shall not extinguish or af fect any claim, whether substantive or procedural, against
 any alleged defect in a rule, and shall not form part of
 the record before the court in any judicial proceeding con cerning a rule except for purposes of determining whether
 or not the rule is in effect.

8 "§ 806. Exemption for monetary policy

9 "Nothing in this chapter shall apply to rules that con10 cern monetary policy proposed or implemented by the
11 Board of Governors of the Federal Reserve System or the
12 Federal Open Market Committee.

13 "§ 807. Effective date of certain rules

14 "Notwithstanding section 801—

"(1) any rule that establishes, modifies, opens,
closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related
to hunting, fishing, or camping; or

"(2) any rule other than a major rule which an
agency for good cause finds (and incorporates the
finding and a brief statement of reasons therefore in
the rule issued) that notice and public procedure
thereon are impracticable, unnecessary, or contrary
to the public interest,

shall take effect at such time as the Federal agency pro mulgating the rule determines.".

3 SEC. 334. BUDGETARY EFFECTS OF RULES SUBJECT TO 4 SECTION 802 OF TITLE 5, UNITED STATES 5 CODE.

6 Section 257(b)(2) of the Balanced Budget and Emer7 gency Deficit Control Act of 1985 (2 U.S.C. 907(b)(2))
8 is amended by adding at the end the following new sub9 paragraph:

10 "(E) BUDGETARY EFFECTS OF RULES 11 SUBJECT TO SECTION 802 OF TITLE 5, UNITED 12 STATES CODE.—Any rule subject to the con-13 gressional approval procedure set forth in sec-14 tion 802 of chapter 8 of title 5, United States 15 Code, affecting budget authority, outlays, or re-16 ceipts shall be assumed to be effective unless it 17 is not approved in accordance with such sec-18 tion.".

19 SEC. 335. GOVERNMENT ACCOUNTABILITY OFFICE STUDY 20 OF RULES.

(a) IN GENERAL.—The Comptroller General of the
United States shall conduct a study to determine, as of
the date of the enactment of this section—

1 (1) how many rules (as such term is defined in 2 section 804 of title 5. United States Code) were in effect; 3 4 (2) how many major rules (as such term is de-5 fined in section 804 of title 5, United States Code) 6 were in effect; and 7 (3) the total estimated economic cost imposed by all such rules. 8 9 (b) REPORT.—Not later than 1 year after the date of the enactment of this section, the Comptroller General 10 11 of the United States shall submit a report to Congress 12 that contains the findings of the study conducted under 13 subsection (a). **DIVISION D—H.R. 1. THE LOWER** 14 **ENERGY COSTS ACT** 15 I—INCREASING TITLE AMER-16 ICAN ENERGY PRODUCTION, 17 EXPORTS, INFRASTRUCTURE, 18 CRITICAL **MINERALS** AND 19 PROCESSING 20 21 SEC. 10001. SECURING AMERICA'S CRITICAL MINERALS 22 SUPPLY. 23 (a) AMENDMENT TO THE DEPARTMENT OF ENERGY 24 ORGANIZATION ACT.—The Department of Energy Organization Act (42 U.S.C. 7101 et seq.) is amended— 25

1	(1) in section 2, by adding at the end the fol-
2	lowing:
3	"(d) As used in sections $102(20)$ and $203(a)(12)$, the
4	term 'critical energy resource' means any energy re-
5	source—
6	((1) that is essential to the energy sector and
7	energy systems of the United States; and
8	((2) the supply chain of which is vulnerable to
9	disruption.";
10	(2) in section 102, by adding at the end the fol-
11	lowing:
12	((20) To ensure there is an adequate and reli-
13	able supply of critical energy resources that are es-
14	sential to the energy security of the United States.";
15	and
16	(3) in section $203(a)$, by adding at the end the
17	following:
18	"(12) Functions that relate to securing the sup-
19	ply of critical energy resources, including identifying
20	and mitigating the effects of a disruption of such
21	supply on—
22	"(A) the development and use of energy
23	technologies; and
24	"(B) the operation of energy systems.".

1	(b) Securing Critical Energy Resource Supply
2	CHAINS.—
3	(1) IN GENERAL.—In carrying out the require-
4	ments of the Department of Energy Organization
5	Act (42 U.S.C. 7101 et seq.), the Secretary of En-
6	ergy, in consultation with the appropriate Federal
7	agencies, representatives of the energy sector,
8	States, and other stakeholders, shall—
9	(A) conduct ongoing assessments of—
10	(i) energy resource criticality based on
11	the importance of critical energy resources
12	to the development of energy technologies
13	and the supply of energy;
14	(ii) the critical energy resource supply
15	chain of the United States;
16	(iii) the vulnerability of such supply
17	chain; and
18	(iv) how the energy security of the
19	United States is affected by the reliance of
20	the United States on importation of critical
21	energy resources;
22	(B) facilitate development of strategies to
23	strengthen critical energy resource supply
24	chains in the United States, including by—

1	(i) diversifying the sources of the sup-
2	ply of critical energy resources; and
3	(ii) increasing domestic production,
4	separation, and processing of critical en-
5	ergy resources;
6	(C) develop substitutes and alternatives to
7	critical energy resources; and
8	(D) improve technology that reuses and re-
9	cycles critical energy resources.
10	(2) REPORT.—Not later than 1 year after the
11	date of enactment of this title, and annually there-
12	after, the Secretary of Energy shall submit to Con-
13	gress a report containing—
14	(A) the results of the ongoing assessments
15	conducted under paragraph (1)(A);
16	(B) a description of any actions taken pur-
17	suant to the Department of Energy Organiza-
18	tion Act to mitigate potential effects of critical
19	energy resource supply chain disruptions on en-
20	ergy technologies or the operation of energy
21	systems; and
22	(C) any recommendations relating to
23	strengthening critical energy resource supply
24	chains that are essential to the energy security
25	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.
 7101).

6 SEC. 10002. PROTECTING AMERICAN ENERGY PRODUCTION.

7 (a) SENSE OF CONGRESS.—It is the sense of Con8 gress that States should maintain primacy for the regula9 tion of hydraulic fracturing for oil and natural gas produc10 tion on State and private lands.

(b) PROHIBITION ON DECLARATION OF A MORATORIUM ON HYDRAULIC FRACTURING.—Notwithstanding
any other provision of law, the President may not declare
a moratorium on the use of hydraulic fracturing unless
such moratorium is authorized by an Act of Congress.

16 SEC. 10003. RESEARCHING EFFICIENT FEDERAL IMPROVE-

17

MENTS FOR NECESSARY ENERGY REFINING.

18 Not later than 90 days after the date of enactment
19 of this section, the Secretary of Energy shall direct the
20 National Petroleum Council to—

21 (1) submit to the Secretary of Energy and Con22 gress a report containing—

(A) an examination of the role of petrochemical refineries located in the United States
and the contributions of such petrochemical re-

1	fineries to the energy security of the United
2	States, including the reliability of supply in the
3	United States of liquid fuels and feedstocks,
4	and the affordability of liquid fuels for con-
5	sumers in the United States;
6	(B) analyses and projections with respect
7	to—
8	(i) the capacity of petrochemical refin-
9	eries located in the United States;
10	(ii) opportunities for expanding such
11	capacity; and
12	(iii) the risks to petrochemical refin-
13	eries located in the United States;
14	(C) an assessment of any Federal or State
15	executive actions, regulations, or policies that
16	have caused or contributed to a decline in the
17	capacity of petrochemical refineries located in
18	the United States; and
19	(D) any recommendations for Federal
20	agencies and Congress to encourage an increase
21	in the capacity of petrochemical refineries lo-
22	cated in the United States; and
23	(2) make publicly available the report submitted
24	under paragraph (1).

1 SEC. 10004. PROMOTING CROSS-BORDER ENERGY INFRA 2 STRUCTURE.

3 (a) Authorization of Certain Energy Infra4 Structure Projects at an International Bound5 ARY OF THE UNITED STATES.—

6 (1) AUTHORIZATION.—Except as provided in 7 paragraph (3) and subsection (d), no person may 8 construct, connect, operate, or maintain a border-9 crossing facility for the import or export of oil or 10 natural gas, or the transmission of electricity, across 11 an international border of the United States without 12 obtaining a certificate of crossing for the border-13 crossing facility under this subsection.

14 (2) CERTIFICATE OF CROSSING.—

15 (A) REQUIREMENT.—Not later than 120 16 days after final action is taken, by the relevant 17 official or agency identified under subparagraph 18 (B), under the National Environmental Policy 19 Act of 1969 (42 U.S.C. 4321 et seq.) with re-20 spect to a border-crossing facility for which a 21 person requests a certificate of crossing under 22 this subsection, the relevant official or agency, in consultation with appropriate Federal agen-23 24 cies, shall issue a certificate of crossing for the 25 border-crossing facility unless the relevant offi-26 cial or agency finds that the construction, con-

1	
1	nection, operation, or maintenance of the bor-
2	der-crossing facility is not in the public interest
3	of the United States.
4	(B) RELEVANT OFFICIAL OR AGENCY
5	The relevant official or agency referred to in
6	subparagraph (A) is—
7	(i) the Federal Energy Regulatory
8	Commission with respect to border-cross-
9	ing facilities consisting of oil or natural
10	gas pipelines; and
11	(ii) the Secretary of Energy with re-
12	spect to border-crossing facilities consisting
13	of electric transmission facilities.
14	(C) Additional requirement for
15	ELECTRIC TRANSMISSION FACILITIES.—In the
16	case of a request for a certificate of crossing for
17	a border-crossing facility consisting of an elec-
18	tric transmission facility, the Secretary of En-
19	ergy shall require, as a condition of issuing the
20	certificate of crossing under subparagraph (A),
21	that the border-crossing facility be constructed,
22	connected, operated, or maintained consistent
23	with all applicable policies and standards of—
24	(i) the Electric Reliability Organiza-
25	tion and the applicable regional entity; and

1	(ii) any Regional Transmission Orga-
2	nization or Independent System Operator
3	with operational or functional control over
4	the border-crossing facility.
5	(3) EXCLUSIONS.—This subsection shall not
6	apply to any construction, connection, operation, or
7	maintenance of a border-crossing facility for the im-
8	port or export of oil or natural gas, or the trans-
9	mission of electricity—
10	(A) if the border-crossing facility is oper-
11	ating for such import, export, or transmission
12	as of the date of enactment of this section;
13	(B) if a Presidential permit (or similar
14	permit) for the construction, connection, oper-
15	ation, or maintenance has been issued pursuant
16	to any provision of law or Executive order; or
17	(C) if an application for a Presidential per-
18	mit (or similar permit) for the construction,
19	connection, operation, or maintenance is pend-
20	ing on the date of enactment of this section,
21	until the earlier of—
22	(i) the date on which such application
23	is denied; or

(ii) two years after the date of enact-
ment of this section, if such a permit has
not been issued by such date of enactment.
(4) Effect of other laws.—
(A) Application to projects.—Nothing
in this subsection or subsection (d) shall affect
the application of any other Federal statute to
a project for which a certificate of crossing for
a border-crossing facility is requested under
this subsection.
(B) NATURAL GAS ACT.—Nothing in this
subsection or subsection (d) shall affect the re-
quirement to obtain approval or authorization
under sections 3 and 7 of the Natural Gas Act
for the siting, construction, or operation of any
facility to import or export natural gas.
(C) OIL PIPELINES.—Nothing in this sub-
section or subsection (d) shall affect the author-
ity of the Federal Energy Regulatory Commis-
sion with respect to oil pipelines under section
60502 of title 49, United States Code.
(b) TRANSMISSION OF ELECTRIC ENERGY TO CAN-
ada and Mexico.—

1	(1) Repeal of requirement to secure
2	ORDER.—Section 202(e) of the Federal Power Act
3	(16 U.S.C. 824a(e)) is repealed.
4	(2) Conforming Amendments.—
5	(A) STATE REGULATIONS.—Section 202(f)
6	of the Federal Power Act (16 U.S.C. 824a(f))
7	is amended by striking "insofar as such State
8	regulation does not conflict with the exercise of
9	the Commission's powers under or relating to
10	subsection 202(e)".
11	(B) SEASONAL DIVERSITY ELECTRICITY
12	EXCHANGE.—Section 602(b) of the Public Util-
13	ity Regulatory Policies Act of 1978 (16 U.S.C.
14	824a–4(b)) is amended by striking "the Com-
15	mission has conducted hearings and made the
16	findings required under section 202(e) of the
17	Federal Power Act" and all that follows
18	through the period at the end and inserting
19	"the Secretary has conducted hearings and
20	finds that the proposed transmission facilities
21	would not impair the sufficiency of electric sup-
22	ply within the United States or would not im-
23	pede or tend to impede the coordination in the
24	public interest of facilities subject to the juris-
25	diction of the Secretary.".

1 (c) NO PRESIDENTIAL PERMIT REQUIRED.—No 2 Presidential permit (or similar permit) shall be required 3 pursuant to any provision of law or Executive order for 4 the construction, connection, operation, or maintenance of 5 an oil or natural gas pipeline or electric transmission facil-6 ity, or any border-crossing facility thereof.

7 (d) MODIFICATIONS TO EXISTING PROJECTS.—No
8 certificate of crossing under subsection (a), or Presidential
9 permit (or similar permit), shall be required for a modi10 fication to—

(1) an oil or natural gas pipeline or electric
transmission facility that is operating for the import
or export of oil or natural gas or the transmission
of electricity as of the date of enactment of this section;

16 (2) an oil or natural gas pipeline or electric
17 transmission facility for which a Presidential permit
18 (or similar permit) has been issued pursuant to any
19 provision of law or Executive order; or

20 (3) a border-crossing facility for which a certifi21 cate of crossing has previously been issued under
22 subsection (a).

(e) PROHIBITION ON REVOCATION OF PRESIDENTIAL
PERMITS.—Notwithstanding any other provision of law,
the President may not revoke a Presidential permit (or

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similar permit) issued pursuant to Executive Order No. 1 2 13337 (3 U.S.C. 301 note), Executive Order No. 11423 3 (3 U.S.C. 301 note), Executive Order No. 12038 (43 Fed. 4 Reg. 4957), Executive Order No. 10485 (18 Fed. Reg. 5 5397), or any other Executive order for the construction, connection, operation, or maintenance of an oil or natural 6 7 gas pipeline or electric transmission facility, or any bor-8 der-crossing facility thereof, unless such revocation is au-9 thorized by an Act of Congress.

10 (f) Effective Date; Rulemaking Deadlines.—

(1) EFFECTIVE DATE.—Subsections (a)
through (d), and the amendments made by such
subsections, shall take effect on the date that is 1
year after the date of enactment of this section.

15 (2) RULEMAKING DEADLINES.—Each relevant
16 official or agency described in subsection (a)(2)(B)
17 shall—

18 (A) not later than 180 days after the date
19 of enactment of this section, publish in the Fed20 eral Register notice of a proposed rulemaking
21 to carry out the applicable requirements of sub22 section (a); and

(B) not later than 1 year after the date ofenactment of this section, publish in the Fed-

1	eral Register a final rule to carry out the appli-
2	cable requirements of subsection (a).
3	(g) DEFINITIONS.—In this section:
4	(1) BORDER-CROSSING FACILITY.—The term
5	"border-crossing facility" means the portion of an oil
6	or natural gas pipeline or electric transmission facil-
7	ity that is located at an international boundary of
8	the United States.
9	(2) Modification.—The term "modification"
10	includes a reversal of flow direction, change in own-
11	ership, change in flow volume, addition or removal
12	of an interconnection, or an adjustment to maintain
13	flow (such as a reduction or increase in the number
14	of pump or compressor stations).
15	(3) NATURAL GAS.—The term "natural gas"
16	has the meaning given that term in section 2 of the
17	Natural Gas Act (15 U.S.C. 717a).
18	(4) OIL.—The term "oil" means petroleum or
19	a petroleum product.
20	(5) ELECTRIC RELIABILITY ORGANIZATION; RE-
21	GIONAL ENTITY.—The terms "Electric Reliability
22	Organization" and "regional entity" have the mean-
23	ings given those terms in section 215 of the Federal
24	Power Act (16 U.S.C. 8240).

1	(6) INDEPENDENT SYSTEM OPERATOR; RE-
2	GIONAL TRANSMISSION ORGANIZATION.—The terms
3	"Independent System Operator" and "Regional
4	Transmission Organization' have the meanings
5	given those terms in section 3 of the Federal Power
6	Act (16 U.S.C. 796).
7	SEC. 10005. SENSE OF CONGRESS EXPRESSING DIS-
8	APPROVAL OF THE REVOCATION OF THE
9	PRESIDENTIAL PERMIT FOR THE KEYSTONE
10	XL PIPELINE.
11	(a) FINDINGS.—Congress finds the following:
12	(1) On March 29, 2019, TransCanada Key-
13	stone Pipeline, L.P., was granted a Presidential per-
14	mit to construct, connect, operate, and maintain the
15	Keystone XL pipeline.
16	(2) On January 20, 2021, President Biden
17	issued Executive Order No. 13990 (86 Fed. Reg.
18	7037) that revoked the March 2019 Presidential
19	permit for the Keystone XL.
20	(b) SENSE OF CONGRESS.—It is the sense of Con-
21	gress that Congress disapproves of the revocation by
22	President Biden of the Presidential permit for the Key-
23	stone XL pipeline.

1	SEC. 10006. SENSE OF CONGRESS OPPOSING RESTRICTIONS
2	ON THE EXPORT OF CRUDE OIL OR OTHER
3	PETROLEUM PRODUCTS.
4	(a) FINDINGS.—Congress finds the following:
5	(1) The United States has enjoyed a renais-
6	sance in energy production, with the expansion of
7	domestic crude oil and other petroleum product pro-
8	duction contributing to enhanced energy security
9	and significant economic benefits to the national
10	economy.
11	(2) In 2015, Congress recognized the need to
12	adapt to changing crude oil market conditions and
13	repealed all restrictions on the export of crude oil on
14	a bipartisan basis.
15	(3) Section 101 of title I of division O of the
16	Consolidated Appropriations Act, 2016 (42 U.S.C.
17	6212a) established the national policy on oil export
18	restriction, prohibiting any official of the Federal
19	Government from imposing or enforcing any restric-
20	tions on the export of crude oil with limited excep-
21	tions, including a savings clause maintaining the au-
22	thority to prohibit exports under any provision of
23	law that imposes sanctions on a foreign person or
24	foreign government (including any provision of law
25	that prohibits or restricts United States persons
26	from engaging in a transaction with a sanctioned

person or government), including a foreign govern ment that is designated as a state sponsor of ter rorism.

4 (4) Lifting the restrictions on crude oil exports
5 encouraged additional domestic energy production,
6 created American jobs and economic development,
7 and allowed the United States to emerge as the lead8 ing oil producer in the world.

9 (5) In 2019, the United States became a net 10 exporter of petroleum products for the first time 11 since 1952, and the reliance of the United States on 12 foreign imports of petroleum products has declined 13 to historic lows.

14 (6) Free trade, open markets, and competition
15 have contributed to the rise of the United States as
16 a global energy superpower.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-18 gress that the Federal Government should not impose—

19 (1) overly restrictive regulations on the explo20 ration, production, or marketing of energy resources;
21 or

(2) any restrictions on the export of crude oil
or other petroleum products under the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.),
except with respect to the export of crude oil or

1	other petroleum products to a foreign person or for-
2	eign government subject to sanctions under any pro-
3	vision of United States law, including to a country
4	the government of which is designated as a state
5	sponsor of terrorism.
6	SEC. 10007. UNLOCKING OUR DOMESTIC LNG POTENTIAL.
7	Section 3 of the Natural Gas Act (15 U.S.C. 717b)
8	is amended—
9	(1) by striking subsections (a) through (c);
10	(2) by redesignating subsections (e) and (f) as
11	subsections (a) and (b), respectively;
12	(3) by redesignating subsection (d) as sub-
13	section (c), and moving such subsection after sub-
14	section (b), as so redesignated;
15	(4) in subsection (a), as so redesignated, by
16	amending paragraph (1) to read as follows: "(1) The
17	Federal Energy Regulatory Commission (in this sub-
18	section referred to as the 'Commission') shall have
19	the exclusive authority to approve or deny an appli-
20	cation for authorization for the siting, construction,
21	expansion, or operation of a facility to export nat-
22	ural gas from the United States to a foreign country
23	or import natural gas from a foreign country, in-
24	cluding an LNG terminal. In determining whether to
25	approve or deny an application under this para-

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1 graph, the Commission shall deem the exportation or 2 importation of natural gas to be consistent with the 3 public interest. Except as specifically provided in 4 this Act, nothing in this Act is intended to affect 5 otherwise applicable law related to any Federal 6 agency's authorities or responsibilities related to fa-7 cilities to import or export natural gas, including 8 LNG terminals."; and

9 (5) by adding at the end the following new sub-10 section:

11 ((d)(1)) Nothing in this Act limits the authority of 12 the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et 13 seq.), the National Emergencies Act (50 U.S.C. 1601 et 14 15 seq.), part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.), the Trading With the 16 17 Enemy Act (50 U.S.C. 4301 et seq.), or any other provi-18 sion of law that imposes sanctions on a foreign person or foreign government (including any provision of law that 19 prohibits or restricts United States persons from engaging 20 21 in a transaction with a sanctioned person or government), 22 including a country that is designated as a state sponsor 23 of terrorism, to prohibit imports or exports.

24 "(2) In this subsection, the term 'state sponsor of ter-25 rorism' means a country the government of which the Sec-

1	retary of State determines has repeatedly provided sup-
2	port for international terrorism pursuant to—
3	"(A) section $1754(c)(1)(A)$ of the Export Con-
4	trol Reform Act of 2018 (50 U.S.C. $4318(c)(1)(A)$);
5	"(B) section 620A of the Foreign Assistance
6	Act of 1961 (22 U.S.C. 2371);
7	"(C) section 40 of the Arms Export Control Act
8	(22 U.S.C. 2780); or
9	"(D) any other provision of law.".
10	SEC. 10008. SENSE OF CONGRESS EXPRESSING DIS-
11	APPROVAL OF THE DENIAL OF JORDAN COVE
12	PERMITS.
13	(a) FINDINGS.—Congress finds the following:
13 14	(a) FINDINGS.—Congress finds the following:(1) On March 19, 2020, the Federal Energy
14	(1) On March 19, 2020, the Federal Energy
14 15	(1) On March 19, 2020, the Federal Energy Regulatory Commission granted two Federal permits
14 15 16	(1) On March 19, 2020, the Federal Energy Regulatory Commission granted two Federal permits to Jordan Cove Energy Project, L.P., to site, con-
14 15 16 17	(1) On March 19, 2020, the Federal Energy Regulatory Commission granted two Federal permits to Jordan Cove Energy Project, L.P., to site, con- struct, and operate a new liquefied natural gas ex-
14 15 16 17 18	(1) On March 19, 2020, the Federal Energy Regulatory Commission granted two Federal permits to Jordan Cove Energy Project, L.P., to site, con- struct, and operate a new liquefied natural gas ex- port terminal in Coos County, Oregon.
14 15 16 17 18 19	 (1) On March 19, 2020, the Federal Energy Regulatory Commission granted two Federal permits to Jordan Cove Energy Project, L.P., to site, con- struct, and operate a new liquefied natural gas ex- port terminal in Coos County, Oregon. (2) On the same day, the Federal Energy Regu-
 14 15 16 17 18 19 20 	 (1) On March 19, 2020, the Federal Energy Regulatory Commission granted two Federal permits to Jordan Cove Energy Project, L.P., to site, con- struct, and operate a new liquefied natural gas ex- port terminal in Coos County, Oregon. (2) On the same day, the Federal Energy Regu- latory Commission issued a certificate of public con-
 14 15 16 17 18 19 20 21 	 (1) On March 19, 2020, the Federal Energy Regulatory Commission granted two Federal permits to Jordan Cove Energy Project, L.P., to site, con- struct, and operate a new liquefied natural gas ex- port terminal in Coos County, Oregon. (2) On the same day, the Federal Energy Regu- latory Commission issued a certificate of public con- venience and necessity to Pacific Connector Gas

1	(3) The State of Oregon denied the permits and
2	the certificate necessary for these projects.
3	(b) SENSE OF CONGRESS.—It is the sense of Con-
4	gress that Congress disapproves of the denial of these per-
5	mits by the State of Oregon.
6	SEC. 10009. PROMOTING INTERAGENCY COORDINATION
7	FOR REVIEW OF NATURAL GAS PIPELINES.
8	(a) DEFINITIONS.—In this section:
9	(1) COMMISSION.—The term "Commission"
10	means the Federal Energy Regulatory Commission.
11	(2) FEDERAL AUTHORIZATION.—The term
12	"Federal authorization" has the meaning given that
13	term in section $15(a)$ of the Natural Gas Act (15
14	U.S.C. 717n(a)).
15	(3) NEPA REVIEW.—The term "NEPA review"
16	means the process of reviewing a proposed Federal
17	action under section 102 of the National Environ-
18	mental Policy Act of 1969 (42 U.S.C. 4332).
19	(4) PROJECT-RELATED NEPA REVIEW.—The
20	term "project-related NEPA review" means any
21	NEPA review required to be conducted with respect
22	to the issuance of an authorization under section 3
23	of the Natural Gas Act or a certificate of public con-
24	venience and necessity under section 7 of such Act.

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1 (b) COMMISSION NEPA REVIEW RESPONSIBIL-2 ITIES.—In acting as the lead agency under section 15(b)(1) of the Natural Gas Act for the purposes of com-3 4 plying with the National Environmental Policy Act of 5 1969 (42 U.S.C. 4321 et seq.) with respect to an authorization under section 3 of the Natural Gas Act or a certifi-6 7 cate of public convenience and necessity under section 7 8 of such Act, the Commission shall, in accordance with this 9 section and other applicable Federal law—

10 (1) be the only lead agency;

11 (2) coordinate as early as practicable with each 12 agency designated as a participating agency under 13 subsection (d)(3) to ensure that the Commission de-14 velops information in conducting its project-related 15 NEPA review that is usable by the participating 16 agency in considering an aspect of an application for 17 a Federal authorization for which the agency is re-18 sponsible; and

19 (3) take such actions as are necessary and
20 proper to facilitate the expeditious resolution of its
21 project-related NEPA review.

(c) DEFERENCE TO COMMISSION.—In making a decision with respect to a Federal authorization required with
respect to an application for authorization under section
3 of the Natural Gas Act or a certificate of public conven-

ience and necessity under section 7 of such Act, each agen cy shall give deference, to the maximum extent authorized
 by law, to the scope of the project-related NEPA review
 that the Commission determines to be appropriate.

5 (d) PARTICIPATING AGENCIES.—

6 (1) IDENTIFICATION.—The Commission shall identify, not later than 30 days after the Commis-7 8 sion receives an application for an authorization 9 under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under sec-10 11 tion 7 of such Act, any Federal or State agency, 12 local government, or Indian Tribe that may issue a 13 Federal authorization or is required by Federal law 14 to consult with the Commission in conjunction with 15 the issuance of a Federal authorization required for such authorization or certificate. 16

17 (2) INVITATION.—

18 (A) IN GENERAL.—Not later than 45 days 19 after the Commission receives an application for 20 an authorization under section 3 of the Natural 21 Gas Act or a certificate of public convenience 22 and necessity under section 7 of such Act, the 23 Commission shall invite any agency identified 24 under paragraph (1) to participate in the review 25 process for the applicable Federal authorization.

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1 (B) DEADLINE.—An invitation issued 2 under subparagraph (A) shall establish a dead-3 line by which a response to the invitation shall 4 be submitted to the Commission, which may be 5 extended by the Commission for good cause.

6 (3) DESIGNATION AS PARTICIPATING AGEN-7 CIES.—Not later than 60 days after the Commission 8 receives an application for an authorization under 9 section 3 of the Natural Gas Act or a certificate of 10 public convenience and necessity under section 7 of 11 such Act, the Commission shall designate an agency 12 identified under paragraph (1) as a participating 13 agency with respect to an application for authoriza-14 tion under section 3 of the Natural Gas Act or a 15 certificate of public convenience and necessity under 16 section 7 of such Act unless the agency informs the Commission, in writing, by the deadline established 17 18 pursuant to paragraph (2)(B), that the agency—

(A) has no jurisdiction or authority with
respect to the applicable Federal authorization;
(B) has no special expertise or information
relevant to any project-related NEPA review; or
(C) does not intend to submit comments
for the record for the project-related NEPA review conducted by the Commission.

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(4) Effect of non-designation.—

2 (A) EFFECT ON AGENCY.—Any agency 3 that is not designated as a participating agency 4 under paragraph (3) with respect to an applica-5 tion for an authorization under section 3 of the 6 Natural Gas Act or a certificate of public con-7 venience and necessity under section 7 of such 8 Act may not request or conduct a NEPA review 9 that is supplemental to the project-related 10 NEPA review conducted by the Commission, 11 unless the agency—

(i) demonstrates that such review is
legally necessary for the agency to carry
out responsibilities in considering an aspect of an application for a Federal authorization; and

17 (ii) requires information that could
18 not have been obtained during the project19 related NEPA review conducted by the
20 Commission.

(B) COMMENTS; RECORD.—The Commission shall not, with respect to an agency that is
not designated as a participating agency under
paragraph (3) with respect to an application for
an authorization under section 3 of the Natural

1	Gas Act or a certificate of public convenience
2	and necessity under section 7 of such Act—
3	(i) consider any comments or other in-
4	formation submitted by such agency for
5	the project-related NEPA review conducted
6	by the Commission; or
7	(ii) include any such comments or
8	other information in the record for such
9	project-related NEPA review.
10	(e) WATER QUALITY IMPACTS.—
11	(1) IN GENERAL.—Notwithstanding section 401
12	of the Federal Water Pollution Control Act (33
13	U.S.C. 1341), an applicant for a Federal authoriza-
14	tion shall not be required to provide a certification
15	under such section with respect to the Federal au-
16	thorization.
17	(2) COORDINATION.—With respect to any
18	NEPA review for a Federal authorization to conduct
19	an activity that will directly result in a discharge
20	into the navigable waters (within the meaning of the
21	Federal Water Pollution Control Act), the Commis-
22	sion shall identify as an agency under subsection
23	(d)(1) the State in which the discharge originates or
24	will originate, or, if appropriate, the interstate water
25	pollution control agency having jurisdiction over the
navigable waters at the point where the discharge
 originates or will originate.

3 (3) PROPOSED CONDITIONS.—A State or interstate agency designated as a participating agency 4 5 pursuant to paragraph (2) may propose to the Com-6 mission terms or conditions for inclusion in an au-7 thorization under section 3 of the Natural Gas Act 8 or a certificate of public convenience and necessity 9 under section 7 of such Act that the State or inter-10 state agency determines are necessary to ensure that 11 any activity described in paragraph (2) conducted 12 pursuant to such authorization or certification will 13 comply with the applicable provisions of sections 14 301, 302, 303, 306, and 307 of the Federal Water 15 Pollution Control Act.

16 (4) Commission consideration of condi-17 TIONS.—The Commission may include a term or 18 condition in an authorization under section 3 of the 19 Natural Gas Act or a certificate of public conven-20 ience and necessity under section 7 of such Act pro-21 posed by a State or interstate agency under para-22 graph (3) only if the Commission finds that the term 23 or condition is necessary to ensure that any activity 24 described in paragraph (2) conducted pursuant to 25 such authorization or certification will comply with

the applicable provisions of sections 301, 302, 303,
 306, and 307 of the Federal Water Pollution Con trol Act.

4 (f) Schedule.—

5 (1)DEADLINE FOR FEDERAL AUTHORIZA-6 TIONS.—A deadline for a Federal authorization re-7 quired with respect to an application for authoriza-8 tion under section 3 of the Natural Gas Act or a 9 certificate of public convenience and necessity under 10 section 7 of such Act set by the Commission under 11 section 15(c)(1) of such Act shall be not later than 12 90 days after the Commission completes its project-13 related NEPA review, unless an applicable schedule 14 is otherwise established by Federal law.

15 (2) CONCURRENT REVIEWS.—Each Federal and
16 State agency—

17 (A) that may consider an application for a 18 Federal authorization required with respect to 19 an application for authorization under section 3 20 of the Natural Gas Act or a certificate of public 21 convenience and necessity under section 7 of 22 such Act shall formulate and implement a plan 23 for administrative, policy, and procedural mech-24 anisms to enable the agency to ensure comple-25 tion of Federal authorizations in compliance

1	with schedules established by the Commission
2	under section $15(c)(1)$ of such Act; and
3	(B) in considering an aspect of an applica-
4	tion for a Federal authorization required with
5	respect to an application for authorization
6	under section 3 of the Natural Gas Act or a
7	certificate of public convenience and necessity
8	under section 7 of such Act, shall—
9	(i) formulate and implement a plan to
10	enable the agency to comply with the
11	schedule established by the Commission
12	under section $15(c)(1)$ of such Act;
13	(ii) carry out the obligations of that
14	agency under applicable law concurrently,
15	and in conjunction with, the project-related
16	NEPA review conducted by the Commis-
17	sion, and in compliance with the schedule
18	established by the Commission under sec-
19	tion $15(c)(1)$ of such Act, unless the agen-
20	cy notifies the Commission in writing that
21	doing so would impair the ability of the
22	agency to conduct needed analysis or oth-
23	erwise carry out such obligations;
24	(iii) transmit to the Commission a
25	statement—

1	(I) acknowledging receipt of the
2	schedule established by the Commis-
3	sion under section $15(c)(1)$ of the
4	Natural Gas Act; and
5	(II) setting forth the plan formu-
6	lated under clause (i) of this subpara-
7	$\operatorname{graph};$
8	(iv) not later than 30 days after the
9	agency receives such application for a Fed-
10	eral authorization, transmit to the appli-
11	cant a notice—
12	(I) indicating whether such appli-
13	cation is ready for processing; and
14	(II) if such application is not
15	ready for processing, that includes a
16	comprehensive description of the in-
17	formation needed for the agency to
18	determine that the application is
19	ready for processing;
20	(v) determine that such application
21	for a Federal authorization is ready for
22	processing for purposes of clause (iv) if
23	such application is sufficiently complete for
24	the purposes of commencing consideration,
25	regardless of whether supplemental infor-

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1	mation is necessary to enable the agency to
2	complete the consideration required by law
3	with respect to such application; and
4	(vi) not less often than once every 90
5	days, transmit to the Commission a report
6	describing the progress made in consid-
7	ering such application for a Federal au-
8	thorization.
9	(3) FAILURE TO MEET DEADLINE.—If a Fed-
10	eral or State agency, including the Commission, fails
11	to meet a deadline for a Federal authorization set
12	forth in the schedule established by the Commission
13	under section $15(c)(1)$ of the Natural Gas Act, not
14	later than 5 days after such deadline, the head of
15	the relevant Federal agency (including, in the case
16	of a failure by a State agency, the Federal agency
17	overseeing the delegated authority) shall notify Con-
18	gress and the Commission of such failure and set
19	forth a recommended implementation plan to ensure
20	completion of the action to which such deadline ap-
21	plied.
22	(g) Consideration of Applications for Fed-
23	ERAL AUTHORIZATION.—
24	(1) Issue identification and resolu-
25	TION.—

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1 (A) IDENTIFICATION.—Federal and State 2 agencies that may consider an aspect of an ap-3 plication for a Federal authorization shall iden-4 tify, as early as possible, any issues of concern 5 that may delay or prevent an agency from 6 working with the Commission to resolve such 7 issues and granting such authorization.

8 (B) ISSUE RESOLUTION.—The Commission 9 may forward any issue of concern identified 10 under subparagraph (A) to the heads of the rel-11 evant agencies (including, in the case of an 12 issue of concern that is a failure by a State 13 agency, the Federal agency overseeing the dele-14 gated authority, if applicable) for resolution.

15 (2) REMOTE SURVEYS.—If a Federal or State 16 agency considering an aspect of an application for a 17 Federal authorization requires the person applying 18 for such authorization to submit data, the agency 19 shall consider any such data gathered by aerial or 20 other remote means that the person submits. The 21 agency may grant a conditional approval for the 22 Federal authorization based on data gathered by 23 aerial \mathbf{or} remote means, conditioned on the 24 verification of such data by subsequent onsite in-25 spection.

(3) APPLICATION PROCESSING.—The Commis sion, and Federal and State agencies, may allow a
 person applying for a Federal authorization to fund
 a third-party contractor to assist in reviewing the
 application for such authorization.

6 (h) TRANSPARENCY, ACCOUNTABILITY, Effi-7 CIENCY.—For an application for an authorization under 8 section 3 of the Natural Gas Act or a certificate of public 9 convenience and necessity under section 7 of such Act that 10 requires multiple Federal authorizations, the Commission, with input from any Federal or State agency considering 11 12 an aspect of the application, shall track and make available to the public on the Commission's website information 13 related to the actions required to complete the Federal au-14 15 thorizations. Such information shall include the following:

16 (1) The schedule established by the Commission
17 under section 15(c)(1) of the Natural Gas Act.

(2) A list of all the actions required by each applicable agency to complete permitting, reviews, and
other actions necessary to obtain a final decision on
the application.

22 (3) The expected completion date for each such23 action.

24 (4) A point of contact at the agency responsible25 for each such action.

(5) In the event that an action is still pending
 as of the expected date of completion, a brief expla nation of the reasons for the delay.

4 (i) PIPELINE SECURITY.—In considering an application for an authorization under section 3 of the Natural 5 Gas Act or a certificate of public convenience and neces-6 7 sity under section 7 of such Act, the Federal Energy Reg-8 ulatory Commission shall consult with the Administrator 9 of the Transportation Security Administration regarding 10 the applicant's compliance with security guidance and best practice recommendations of the Administration regarding 11 12 pipeline infrastructure security, pipeline cybersecurity, 13 pipeline personnel security, and other pipeline security 14 measures.

(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).

1	SEC. 10010. INTERIM HAZARDOUS WASTE PERMITS FOR
2	CRITICAL ENERGY RESOURCE FACILITIES.
3	Section 3005(e) of the Solid Waste Disposal Act (42 $$
4	U.S.C. 6925(e)) is amended—
5	(1) in paragraph $(1)(A)$ —
6	(A) in clause (i), by striking "or" at the
7	end;
8	(B) in clause (ii), by inserting "or" after
9	"this section,"; and
10	(C) by adding at the end the following:
11	"(iii) is a critical energy resource facility,";
12	and
13	(2) by adding at the end the following:
14	"(4) DEFINITIONS.—For the purposes of this sub-
15	section:
16	"(A) CRITICAL ENERGY RESOURCE.—The term
17	'critical energy resource' means, as determined by
18	the Secretary of Energy, any energy resource—
19	"(i) that is essential to the energy sector
20	and energy systems of the United States; and
21	"(ii) the supply chain of which is vulner-
22	able to disruption.
23	"(B) CRITICAL ENERGY RESOURCE FACILITY.—
24	The term 'critical energy resource facility' means a
21	The term critical energy resource facility means a
25	facility that processes or refines a critical energy re-

SEC. 10011. FLEXIBLE AIR PERMITS FOR CRITICAL ENERGY RESOURCE FACILITIES.

3 (a) IN GENERAL.—The Administrator of the Envi4 ronmental Protection Agency shall, as necessary, revise
5 regulations under parts 70 and 71 of title 40, Code of
6 Federal Regulations, to—

7 (1) authorize the owner or operator of a critical 8 energy resource facility to utilize flexible air permit-9 ting (as described in the final rule titled "Operating 10 Permit Programs; Flexible Air Permitting Rule" 11 published by the Environmental Protection Agency in the Federal Register on October 6, 2009 (74 Fed. 12 13 Reg. 51418)) with respect to such critical energy re-14 source facility; and

(2) facilitate flexible, market-responsive operations (as described in the final rule identified in
paragraph (1)) with respect to critical energy resource facilities.

19 (b) DEFINITIONS.—In this section:

20 (1) CRITICAL ENERGY RESOURCE.—The term
21 "critical energy resource" means, as determined by
22 the Secretary of Energy, any energy resource—

23 (A) that is essential to the energy sector
24 and energy systems of the United States; and
25 (B) the supply chain of which is vulnerable

to disruption.

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1 (2) CRITICAL ENERGY RESOURCE FACILITY.— 2 The term "critical energy resource facility" means a 3 facility that processes or refines a critical energy re-4 source. 5 SEC. 10012. NATIONAL SECURITY OR ENERGY SECURITY 6 WAIVERS TO PRODUCE CRITICAL ENERGY 7 **RESOURCES.** 8 (a) CLEAN AIR ACT REQUIREMENTS.— 9 (1) IN GENERAL.—If the Administrator of the 10 Environmental Protection Agency, in consultation 11 with the Secretary of Energy, determines that, by 12 reason of a sudden increase in demand for, or a 13 shortage of, a critical energy resource, or another 14 cause, the processing or refining of a critical energy 15 resource at a critical energy resource facility is nec-16 essary to meet the national security or energy secu-17 rity needs of the United States, then the Adminis-18 trator may, with or without notice, hearing, or other 19 report, issue a temporary waiver of any requirement 20 under the Clean Air Act (42 U.S.C. 7401 et seq.) 21 with respect to such critical energy resource facility 22 that, in the judgment of the Administrator, will 23 allow for such processing or refining at such critical 24 energy resource facility as necessary to best meet 25 such needs and serve the public interest.

1 (2) CONFLICT WITH OTHER ENVIRONMENTAL 2 LAWS.—The Administrator shall ensure that any 3 waiver of a requirement under the Clean Air Act 4 under this subsection, to the maximum extent prac-5 ticable, does not result in a conflict with a require-6 ment of any other applicable Federal, State, or local 7 environmental law or regulation and minimizes any 8 adverse environmental impacts.

9 (3) VIOLATIONS OF OTHER ENVIRONMENTAL 10 LAWS.—To the extent any omission or action taken 11 by a party under a waiver issued under this sub-12 section is in conflict with any requirement of a Fed-13 eral, State, or local environmental law or regulation, 14 such omission or action shall not be considered a 15 violation of such environmental law or regulation, or 16 subject such party to any requirement, civil or crimi-17 nal liability, or a citizen suit under such environ-18 mental law or regulation.

(4) EXPIRATION AND RENEWAL OF WAIVERS.—
A waiver issued under this subsection shall expire
not later than 90 days after it is issued. The Administrator may renew or reissue such waiver pursuant
to paragraphs (1) and (2) for subsequent periods,
not to exceed 90 days for each period, as the Administrator determines necessary to meet the national

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security or energy security needs described in paragraph (1) and serve the public interest. In renewing or reissuing a waiver under this paragraph, the Administrator shall include in any such renewed or reissued waiver such conditions as are necessary to minimize any adverse environmental impacts to the extent practicable.

8 (5) SUBSEQUENT ACTION BY COURT.—If a 9 waiver issued under this subsection is subsequently 10 stayed, modified, or set aside by a court pursuant a 11 provision of law, any omission or action previously 12 taken by a party under the waiver while the waiver 13 was in effect shall remain subject to paragraph (3). 14 (6) CRITICAL ENERGY RESOURCE; CRITICAL EN-15 ERGY RESOURCE FACILITY DEFINED.—The terms

source facility" have the meanings given such terms
in section 3025(f) of the Solid Waste Disposal Act
(as added by this section).

"critical energy resource" and "critical energy re-

20 (b) SOLID WASTE DISPOSAL ACT REQUIREMENTS.—
21 (1) HAZARDOUS WASTE MANAGEMENT.—The
22 Solid Waste Disposal Act (42 U.S.C. 6901 et seq.)
23 is amended by inserting after section 3024 the fol24 lowing:

1 "SEC. 3025. WAIVERS FOR CRITICAL ENERGY RESOURCE2FACILITIES.

3 "(a) IN GENERAL.—If the Administrator, in consultation with the Secretary of Energy, determines that, 4 5 by reason of a sudden increase in demand for, or a shortage of, a critical energy resource, or another cause, the 6 7 processing or refining of a critical energy resource at a 8 critical energy resource facility is necessary to meet the 9 national security or energy security needs of the United States, then the Administrator may, with or without no-10 11 tice, hearing, or other report, issue a temporary waiver of any covered requirement with respect to such critical 12 energy resource facility that, in the judgment of the Ad-13 ministrator, will allow for such processing or refining at 14 such critical energy resource facility as necessary to best 15 16 meet such needs and serve the public interest.

17 "(b) CONFLICT WITH OTHER ENVIRONMENTAL
18 LAWS.—The Administrator shall ensure that any waiver
19 of a covered requirement under this section, to the max20 imum extent practicable, does not result in a conflict with
21 a requirement of any other applicable Federal, State, or
22 local environmental law or regulation and minimizes any
23 adverse environmental impacts.

24 "(c) VIOLATIONS OF OTHER ENVIRONMENTAL
25 LAWS.—To the extent any omission or action taken by
26 a party under a waiver issued under this section is in con-

flict with any requirement of a Federal, State, or local
 environmental law or regulation, such omission or action
 shall not be considered a violation of such environmental
 law or regulation, or subject such party to any require ment, civil or criminal liability, or a citizen suit under such
 environmental law or regulation.

7 "(d) EXPIRATION AND RENEWAL OF WAIVERS.—A 8 waiver issued under this section shall expire not later than 9 90 days after it is issued. The Administrator may renew 10 or reissue such waiver pursuant to subsections (a) and (b) for subsequent periods, not to exceed 90 days for each pe-11 riod, as the Administrator determines necessary to meet 12 13 the national security or energy security needs described in subsection (a) and serve the public interest. In renewing 14 15 or reissuing a waiver under this subsection, the Administrator shall include in any such renewed or reissued waiver 16 such conditions as are necessary to minimize any adverse 17 18 environmental impacts to the extent practicable.

"(e) SUBSEQUENT ACTION BY COURT.—If a waiver
issued under this section is subsequently stayed, modified,
or set aside by a court pursuant a provision of law, any
omission or action previously taken by a party under the
waiver while the waiver was in effect shall remain subject
to subsection (c).

25 "(f) DEFINITIONS.—In this section:

1	"(1) COVERED REQUIREMENT.—The term 'cov-
2	ered requirement' means—
3	"(A) any standard established under sec-
4	tion 3002, 3003, or 3004;
5	"(B) the permit requirement under section
6	3005; or
7	"(C) any other requirement of this Act, as
8	the Administrator determines appropriate.
9	"(2) CRITICAL ENERGY RESOURCE.—The term
10	'critical energy resource' means, as determined by
11	the Secretary of Energy, any energy resource—
12	"(A) that is essential to the energy sector
13	and energy systems of the United States; and
14	"(B) the supply chain of which is vulner-
15	able to disruption.
16	"(3) Critical energy resource facility.—
17	The term 'critical energy resource facility' means a
18	facility that processes or refines a critical energy re-
19	source.".
20	(2) TABLE OF CONTENTS.—The table of con-
21	tents of the Solid Waste Disposal Act is amended by
22	inserting after the item relating to section 3024 the
23	following:

"Sec. 3025. Waivers for critical energy resource facilities.".

1 SEC. 10013. NATURAL GAS TAX REPEAL.

2 (a) REPEAL.—Section 136 of the Clean Air Act (42
3 U.S.C. 7436)(relating to methane emissions and waste re4 duction incentive program for petroleum and natural gas
5 systems) is repealed.

6 (b) RESCISSION.—The unobligated balance of any
7 amounts made available under section 136 of the Clean
8 Air Act (42 U.S.C. 7436)(as in effect on the day before
9 the date of enactment of this Act) is rescinded.

10sec. 10014. Repeal of greenhouse gas reduction11fund.

12 (a) REPEAL.—Section 134 of the Clean Air Act (42
13 U.S.C. 7434)(relating to the greenhouse gas reduction
14 fund) is repealed.

(b) RESCISSION.—The unobligated balance of any
amounts made available under section 134 of the Clean
Air Act (42 U.S.C. 7434)(as in effect on the day before
the date of enactment of this Act) is rescinded.

19 (c) CONFORMING AMENDMENT.—Section 60103 of
20 Public Law 117–169 (relating to the greenhouse gas re21 duction fund) is repealed.

1	SEC. 10015. ENDING FUTURE DELAYS IN CHEMICAL SUB-
2	STANCE REVIEW FOR CRITICAL ENERGY RE-
3	SOURCES.
4	Section 5(a) of the Toxic Substances Control Act (15
5	U.S.C. 2604(a)) is amended by adding at the end the fol-
6	lowing:
7	"(6) Critical energy resources.—
8	"(A) STANDARD.—For purposes of a de-
9	termination under paragraph (3) with respect
10	to a chemical substance that is a critical energy
11	resource, the Administrator shall take into con-
12	sideration economic, societal, and environmental
13	costs and benefits, notwithstanding any require-
14	ment of this section to not take such factors
15	into consideration.
16	"(B) FAILURE TO RENDER DETERMINA-
17	TION.—
18	"(i) ACTIONS AUTHORIZED.—If, with
19	respect to a chemical substance that is a
20	critical energy resource, the Administrator
21	fails to make a determination on a notice
22	under paragraph (3) by the end of the ap-
23	plicable review period and the notice has
24	not been withdrawn by the submitter, the
25	submitter may take the actions described
26	in paragraph (1)(A) with respect to the

1	chemical substance, and the Administrator
2	shall be relieved of any requirement to
3	make such determination.
4	"(ii) NON-DUPLICATION.—A refund of
5	applicable fees under paragraph (4)(A)
6	shall not be made if a submitter takes an
7	action described in paragraph $(1)(A)$ under
8	this subparagraph.
9	"(C) Prerequisite for suggestion of
10	WITHDRAWAL OR SUSPENSION.—The Adminis-
11	trator may not suggest to, or request of, a sub-
12	mitter of a notice under this subsection for a
13	chemical substance that is a critical energy re-
14	source that such submitter withdraw such no-
15	tice, or request a suspension of the running of
16	the applicable review period with respect to
17	such notice, unless the Administrator has—
18	"(i) conducted a preliminary review of
19	such notice; and
20	"(ii) provided to the submitter a draft
21	of a determination under paragraph (3),
22	including any supporting information.
23	"(D) DEFINITION.—For purposes of this
24	paragraph, the term 'critical energy resource'

1	means, as determined by the Secretary of En-
2	ergy, any energy resource—
3	"(i) that is essential to the energy sec-
4	tor and energy systems of the United
5	States; and
6	"(ii) the supply chain of which is vul-

7 nerable to disruption.".

8 SEC. 10016. KEEPING AMERICA'S REFINERIES OPERATING.

9 (a) IN GENERAL.—The owner or operator of a sta-10 tionary source described in subsection (b) of this section shall not be required by the regulations promulgated 11 under section 112(r)(7)(B) of the Clean Air Act (42) 12 U.S.C. 7412(r)(7)(B) to include in any hazard assess-13 ment under clause (ii) of such section 112(r)(7)(B) an as-14 15 sessment of safer technology and alternative risk management measures with respect to the use of hydrofluoric acid 16 in an alkylation unit. 17

(b) STATIONARY SOURCE DESCRIBED.—A stationary
source described in this subsection is a stationary source
(as defined in section 112(r)(2)(C) of the Clean Air Act
(42 U.S.C. 7412(r)(2)(C)) in North American Industry
Classification System code 324—

(1) for which a construction permit or operating
permit has been issued pursuant to the Clean Air
Act (42 U.S.C. 7401 et seq.); or

1	(2) for which the owner or operator dem-
2	onstrates to the Administrator of the Environmental
3	Protection Agency that such stationary source con-
4	forms or will conform to the most recent version of
5	American Petroleum Institute Recommended Prac-
6	tice 751.
7	SEC. 10017. HOMEOWNER ENERGY FREEDOM.
8	(a) IN GENERAL.—The following are repealed:
9	(1) Section 50122 of Public Law 117–169 (42
10	U.S.C. 18795a) (relating to a high-efficiency electric
11	home rebate program).
12	(2) Section 50123 of Public Law 117–169 (42
13	U.S.C. 18795b) (relating to State-based home en-
14	ergy efficiency contractor training grants).
15	(3) Section 50131 of Public Law 117–169 (136
16	Stat. 2041) (relating to assistance for latest and
17	zero building energy code adoption).
18	(b) RESCISSIONS.—The unobligated balances of any
19	amounts made available under each of sections 50122,
20	50123, and 50131 of Public Law 117–169 (42 U.S.C.
21	18795a, 18795b; 136 Stat. 2041) (as in effect on the day
22	before the date of enactment of this Act) are rescinded.
23	(c) Conforming Amendment.—Section
24	50121(c)(7) of Public Law 117–169 (42 U.S.C.
25	18795(c)(7)) is amended by striking ", including a rebate

1 provided under a high-efficiency electric home rebate pro-

2 gram (as defined in section 50122(d)),".

3 SEC. 10018. STUDY.

4 Not later than 180 days after the date of enactment 5 of this Act, the Secretary of Energy, in consultation with 6 the Nuclear Regulatory Commission, shall conduct a study 7 on how to streamline regulatory timelines relating to de-8 veloping new power plants by examining practices relating 9 to various power generating sources, including fossil and 10 nuclear generating sources.

11 SEC. 10019. STATE PRIMARY ENFORCEMENT RESPONSI-12 BILITY.

13 (a) AMENDMENTS.—Section 1422(b) of the Safe
14 Drinking Water Act (42 U.S.C. 300h–1(b)) is amended—
15 (1) in paragraph (2)—

16 (A) by striking "Within ninety days" and
17 inserting "(A) Within ninety days";

(B) by striking "and after reasonable op-portunity for presentation of views"; and

20 (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

1	in part the State's underground injection control pro-
2	gram—
3	"(i) the Administrator shall transmit, in writ-
4	ing, to the State a detailed explanation as to the sta-
5	tus of the application or notice; and
6	"(ii) the State's underground injection control
7	program shall be deemed approved under this sec-
8	tion if—
9	"(I) the Administrator has not after an-
10	other 30 days, pursuant to subparagraph (A),
11	by rule approved, disapproved, or approved in
12	part and disapproved in part the State's under-
13	ground injection control program; and
14	((II) the State has established and imple-
15	mented an effective program (including ade-
16	quate recordkeeping and reporting) to prevent
17	underground injection which endangers drink-
18	ing water sources.";
19	(2) by amending paragraph (4) to read as fol-
20	lows:
21	"(4) Before promulgating any rule under paragraph
22	(2) or (3) of this subsection, the Administrator shall—
23	"(A) provide a reasonable opportunity for pres-
24	entation of views with respect to such rule, including
25	a public hearing and a public comment period; and

1	"(B) publish in the Federal Register notice of
2	the reasonable opportunity for presentation of views
3	provided under subparagraph (A)."; and

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

5 "(5) PREAPPLICATION ACTIVITIES.—The Adminis-6 trator shall work as expeditiously as possible with States 7 to complete any necessary activities relevant to the sub-8 mission of an application under paragraph (1)(A) or no-9 tice under paragraph (1)(B), taking into consideration the 10 need for a complete and detailed submission.

11 "(6) APPLICATION COORDINATION FOR CLASS VI 12 WELLS.—With respect to the underground injection con-13 trol program for Class VI wells (as defined in section 14 40306(a) of the Infrastructure Investment and Jobs Act 15 (42 U.S.C. 300h–9(a))), the Administrator shall designate 16 one individual at the Agency from each regional office to 17 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);

1	"(C) any reasonable opportunity for presen-
2	tation of views provided under paragraph (4)(A) and
3	any notice published under paragraph (4)(B); and
4	"(D) pursuant to the recommendations included
5	in the report required under paragraph (7), the hir-
6	ing of additional staff to carry out subparagraphs
7	(A) through (C).
8	"(7) Evaluation of Resources.—
9	"(A) IN GENERAL.—Not later than 90 days
10	after the date of enactment of this paragraph, the
11	individual designated under paragraph (6) shall
12	transmit to the appropriate Congressional commit-
13	tees a report, including recommendations, regarding
14	the—
15	"(i) availability of staff and resources to
16	promptly carry out the requirements of para-
17	graph (6) ; and
18	"(ii) additional funding amounts needed to
19	do so.
20	"(B) Appropriate congressional commit-
21	TEES DEFINED.—In this paragraph, the term 'ap-
22	propriate Congressional Committees' means—
23	"(i) in the Senate—
24	"(I) the Committee on Environment
25	and Public Works; and

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1	"(II) the Committee on Appropria-
2	tions; and
3	"(ii) in the House of Representatives—
4	"(I) the Committee on Energy and
5	Commerce; and
6	"(II) the Committee on Appropria-
7	tions.".
8	(b) FUNDING.—In each of fiscal years 2023 through
9	2026, amounts made available by title VI of division J
10	of the Infrastructure Investment and Jobs Act under
11	paragraph (7) of the heading "Environmental Protection
12	Agency—State and Tribal Assistance Grants" (Public
13	Law 117–58; 135 Stat. 1402) may also be made available,
14	subject to appropriations, to carry out paragraphs (5), (6),
15	and (7) of section 1422(b) of the Safe Drinking Water
16	Act, as added by this section.
17	(c) RULE OF CONSTRUCTION.—The amendments
18	made by this section shall—
19	(1) apply to all applications submitted to the
20	Environmental Protection Agency after the date of
21	enactment of this Act to establish an underground
22	injection control program under section 1422(b) of
23	the Safe Drinking Water Act (42 U.S.C. 300h–1);
24	and

1	(2) with respect to such applications submitted
2	prior to the date of enactment of this Act, the 270
3	and 300 day deadlines under section $1422(b)(2)(B)$
4	of the Safe Drinking Water Act, as added by this
5	section, shall begin on the date of enactment of this
6	Act.
7	SEC. 10020. USE OF INDEX-BASED PRICING IN ACQUISITION
8	OF PETROLEUM PRODUCTS FOR THE SPR.
9	Section 160(c) of the Energy Policy and Conservation
10	Act (42 U.S.C. 6240(c)) is amended—
11	(1) by redesignating paragraphs (1) through
12	(6) as clauses (i) through (vi), respectively (and ad-
13	justing the margins accordingly);
14	(2) by striking "The Secretary shall" and in-
15	serting the following:
16	"(1) IN GENERAL.—The Secretary shall"; and
17	(3) by striking "Such procedures shall take into
18	account the need to—" and inserting the following:
19	"(2) INCLUSIONS.—Procedures developed under
20	this subsection shall—
21	"(A) require acquisition of petroleum prod-
22	ucts using index-based pricing; and
23	"(B) take into account the need to—".

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1	SEC. 10021. PROHIBITION ON CERTAIN EXPORTS.
2	(a) IN GENERAL.—The Energy Policy and Conserva-
3	tion Act is amended by inserting after section 163 (42)
4	U.S.C. 6243) the following:
5	"SEC. 164. PROHIBITION ON CERTAIN EXPORTS.
6	"(a) IN GENERAL.—The Secretary shall prohibit the
7	export or sale of petroleum products drawn down from the
8	Strategic Petroleum Reserve, under any provision of law,
9	to—
10	"(1) the People's Republic of China;
11	"(2) the Democratic People's Republic of
12	Korea;
13	"(3) the Russian Federation;
14	"(4) the Islamic Republic of Iran;
15	((5) any other country the government of which
16	is subject to sanctions imposed by the United States;
17	and
18	"(6) any entity owned, controlled, or influenced
19	by—
20	"(A) a country referred to in any of para-
21	graphs (1) through (5) ; or
22	"(B) the Chinese Communist Party.
23	"(b) WAIVER.—The Secretary may issue a waiver of
24	the prohibition described in subsection (a) if the Secretary
25	certifies that any export or sale authorized pursuant to

the waiver is in the national security interests of the
 United States.

3 "(c) RULE.—Not later than 60 days after the date
4 of enactment of the Lower Energy Costs Act, the Sec5 retary shall issue a rule to carry out this section.".

6 (b) Conforming Amendments.—

7 (1) DRAWDOWN AND SALE OF PETROLEUM
8 PRODUCTS.—Section 161(a) of the Energy Policy
9 and Conservation Act (42 U.S.C. 6241(a)) is
10 amended by inserting "and section 164" before the
11 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.".

16SEC.10022.SENSEOFCONGRESSEXPRESSINGDIS-17APPROVAL OF THE PROPOSED TAX HIKES ON18THE OIL AND NATURAL GAS INDUSTRY IN19THE PRESIDENT'S FISCAL YEAR 2024 BUDGET20REQUEST.

(a) FINDING.—Congress finds that President Biden's
fiscal year 2024 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 Con gress that Congress disapproves of the proposed tax hike
 on the oil and natural gas industry in the President's fis cal year 2024 budget request.

5 SEC. 10023. DOMESTIC ENERGY INDEPENDENCE REPORT.

6 Not later than 120 days after the date of enactment 7 of this Act, the Administrator of the Environmental Pro-8 tection Agency, in consultation with the Secretary of En-9 ergy, shall submit to Congress a report that identifies and 10 assesses regulations promulgated by the Administrator 11 during the 15-year period preceding the date of enactment 12 of this Act that have—

13 (1) reduced the energy independence of the14 United States;

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

17 (3) decreased the energy output by such energy18 producers;

19 (4) reduced the energy security of the United20 States; or

21 (5) increased energy costs for consumers in the22 United States.

23 SEC. 10024. GAO STUDY.

Not later than 1 year after the date of enactmentof this Act, the Comptroller General of the United States

shall conduct a study on how banning natural gas appli ances will affect the rates and charges for electricity.

3 SEC. 10025. GAS KITCHEN RANGES AND OVENS.

4 The Secretary of Energy may not finalize, implement, 5 administer, or enforce the proposed rule titled "Energy Conservation Program: Energy Conservation Standards 6 7 for Consumer Conventional Cooking Products; Supple-8 mental notice of proposed rulemaking and announcement of public meeting" (88 Fed. Reg. 6818; published Feb-9 10 ruary 1, 2023) with respect to energy conservation stand-11 ards for gas kitchen ranges and ovens, or any substantially 12 similar rule, including any rule that would directly or indi-13 rectly limit consumer access to gas kitchen ranges and 14 ovens.

15 TITLE II—TRANSPARENCY, AC16 COUNTABILITY, PERMITTING, 17 AND PRODUCTION OF AMER18 ICAN RESOURCES

19 SEC. 20001. SHORT TITLE.

20 This title may be cited as the "Transparency, Ac21 countability, Permitting, and Production of American Re22 sources Act" or the "TAPP American Resources Act".

Subtitle A—Onshore and Offshore Leasing and Oversight

3 SEC. 20101. ONSHORE OIL AND GAS LEASING.

4 (a) REQUIREMENT TO IMMEDIATELY RESUME ON-5 SHORE OIL AND GAS LEASE SALES.—

6 (1) IN GENERAL.—The Secretary of the Inte7 rior shall immediately resume quarterly onshore oil
8 and gas lease sales in compliance with the Mineral
9 Leasing Act (30 U.S.C. 181 et seq.).

10 (2) REQUIREMENT.—The Secretary of the Inte11 rior shall ensure—

12 (A) that any oil and gas lease sale pursu-13 ant to paragraph (1) is conducted immediately 14 on completion of all applicable scoping, public 15 comment, and environmental analysis require-16 ments under the Mineral Leasing Act (30 17 U.S.C. 181 et seq.) and the National Environ-18 mental Policy Act of 1969 (42 U.S.C. 4321 et 19 seq.); and

(B) that the processes described in subparagraph (A) are conducted in a timely manner to ensure compliance with subsection (b)(1).
(3) LEASE OF OIL AND GAS LANDS.—Section
17(b)(1)(A) of the Mineral Leasing Act (30 U.S.C.
226(b)(1)(A)) is amended by inserting "Eligible

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1	lands comprise all lands subject to leasing under this
2	Act and not excluded from leasing by a statutory or
3	regulatory prohibition. Available lands are those
4	lands that have been designated as open for leasing
5	under a land use plan developed under section 202
6	of the Federal Land Policy and Management Act of
7	1976 and that have been nominated for leasing
8	through the submission of an expression of interest,
9	are subject to drainage in the absence of leasing, or
10	are otherwise designated as available pursuant to
11	regulations adopted by the Secretary." after "sales
12	are necessary.".
13	(b) Quarterly Lease Sales.—
13 14	(b) QUARTERLY LEASE SALES.—(1) IN GENERAL.—In accordance with the Min-
14	(1) IN GENERAL.—In accordance with the Min-
14 15	(1) IN GENERAL.—In accordance with the Min- eral Leasing Act (30 U.S.C. 181 et seq.), each fiscal
14 15 16	(1) IN GENERAL.—In accordance with the Min- eral Leasing Act (30 U.S.C. 181 et seq.), each fiscal year, the Secretary of the Interior shall conduct a
14 15 16 17	(1) IN GENERAL.—In accordance with the Min- eral Leasing Act (30 U.S.C. 181 et seq.), each fiscal year, the Secretary of the Interior shall conduct a minimum of four oil and gas lease sales in each of
14 15 16 17 18	(1) IN GENERAL.—In accordance with the Min- eral Leasing Act (30 U.S.C. 181 et seq.), each fiscal year, the Secretary of the Interior shall conduct a minimum of four oil and gas lease sales in each of the following States:
14 15 16 17 18 19	 (1) IN GENERAL.—In accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.), each fiscal year, the Secretary of the Interior shall conduct a minimum of four oil and gas lease sales in each of the following States: (A) Wyoming.
14 15 16 17 18 19 20	 (1) IN GENERAL.—In accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.), each fiscal year, the Secretary of the Interior shall conduct a minimum of four oil and gas lease sales in each of the following States: (A) Wyoming. (B) New Mexico.
14 15 16 17 18 19 20 21	 (1) IN GENERAL.—In accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.), each fiscal year, the Secretary of the Interior shall conduct a minimum of four oil and gas lease sales in each of the following States: (A) Wyoming. (B) New Mexico. (C) Colorado.

- 24 (F) North Dakota.
- 25 (G) Oklahoma.

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1	(H) Nevada.
2	(I) Alaska.
3	(J) Any other State in which there is land
4	available for oil and gas leasing under the Min-
5	eral Leasing Act (30 U.S.C. 181 et seq.) or any
6	other mineral leasing law.
7	(2) REQUIREMENT.—In conducting a lease sale
8	under paragraph (1) in a State described in that
9	paragraph, the Secretary of the Interior shall offer
10	all parcels nominated and eligible pursuant to the
11	requirements of the Mineral Leasing Act (30 U.S.C.
12	181 et seq.) for oil and gas exploration, develop-
13	ment, and production under the resource manage-
14	ment plan in effect for the State.
15	(3) Replacement sales.—The Secretary of
16	the Interior shall conduct a replacement sale during
17	the same fiscal year if—
18	(A) a lease sale under paragraph (1) is
19	canceled, delayed, or deferred, including for a
20	lack of eligible parcels; or
21	(B) during a lease sale under paragraph
22	(1) the percentage of acreage that does not re-
23	ceive a bid is equal to or greater than 25 per-

cent of the acreage offered.

1 (4) NOTICE REGARDING MISSED SALES.—Not 2 later than 30 days after a sale required under this 3 subsection is canceled, delayed, deferred, or other-4 wise missed the Secretary of the Interior shall sub-5 mit to the Committee on Natural Resources of the 6 House of Representatives and the Committee on En-7 ergy and Natural Resources of the Senate a report 8 that states what sale was missed and why it was 9 missed.

10 SEC. 20102. LEASE REINSTATEMENT.

11 The reinstatement of a lease entered into under the 12 Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Geo-13 thermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) by 14 the Secretary shall be not considered a major Federal ac-15 tion under section 102(2)(C) of the National Environ-16 mental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

17 SEC. 20103. PROTESTED LEASE SALES.

18 Section 17(b)(1)(A) of the Mineral Leasing Act (30
19 U.S.C. 226(b)(1)(A)) is amended by inserting "The Sec20 retary shall resolve any protest to a lease sale not later
21 than 60 days after such payment." after "annual rental
22 for the first lease year.".

23 SEC. 20104. SUSPENSION OF OPERATIONS.

24 Section 17 of the Mineral Leasing Act (30 U.S.C.25 226) is amended by adding at the end the following:

1 "(r) SUSPENSION OF OPERATIONS PERMITS.—In the 2 event that an oil and gas lease owner has submitted an expression of interest for adjacent acreage that is part of 3 4 the nature of the geological play and has yet to be offered 5 in a lease sale by the Secretary, they may request a suspension of operations from the Secretary of the Interior 6 7 and upon request, the Secretary shall grant the suspension 8 of operations within 15 days. Any payment of acreage 9 rental or of minimum royalty prescribed by such lease likewise shall be suspended during such period of suspension 10 11 of operations and production; and the term of such lease 12 shall be extended by adding any such suspension period thereto.". 13

14 SEC. 20105. ADMINISTRATIVE PROTEST PROCESS REFORM.

15 Section 17 of the Mineral Leasing Act (30 U.S.C.
16 226) is further amended by adding at the end the fol17 lowing:

- 18 "(s) PROTEST FILING FEE.—
- "(1) IN GENERAL.—Before processing any protest filed under this section, the Secretary shall collect a filing fee in the amount described in paragraph (2) from the protestor to recover the cost for
 processing documents filed for each administrative
 protest.
| 1 | "(2) Amount.—The amount described in this |
|----|--|
| 2 | paragraph is calculated as follows: |
| 3 | "(A) For each protest filed in a submission |
| 4 | not exceeding 10 pages in length, the base filing |
| 5 | fee shall be \$150. |
| 6 | "(B) For each submission exceeding 10 |
| 7 | pages in length, in addition to the base filing |
| 8 | fee, an assessment of \$5 per page in excess of |
| 9 | 10 pages shall apply. |
| 10 | "(C) For protests that include more than |
| 11 | one oil and gas lease parcel, right-of-way, or ap- |
| 12 | plication for permit to drill in a submission, an |
| 13 | additional assessment of \$10 per additional |
| 14 | lease parcel, right-of-way, or application for |
| 15 | permit to drill shall apply. |
| 16 | "(3) Adjustment.— |
| 17 | "(A) IN GENERAL.—Beginning on January |
| 18 | 1, 2024, and annually thereafter, the Secretary |
| 19 | shall adjust the filing fees established in this |
| 20 | subsection to whole dollar amounts to reflect |
| 21 | changes in the Producer Price Index, as pub- |
| 22 | lished by the Bureau of Labor Statistics, for |
| 23 | the previous 12 months. |
| 24 | "(B) Publication of adjusted filing |
| 25 | FEES.—At least 30 days before the filing fees |

as adjusted under this paragraph take effect,
 the Secretary shall publish notification of the
 adjustment of such fees in the Federal Reg ister.".

5 SEC. 20106. LEASING AND PERMITTING TRANSPARENCY.

6 (a) REPORT.—Not later than 30 days after the date 7 of the enactment of this section, and annually thereafter, 8 the Secretary of the Interior shall submit to the Com-9 mittee on Natural Resources of the House of Representa-10 tives and the Committee on Energy and Natural Re-11 sources of the Senate a report that describes—

(1) the status of nominated parcels for future
onshore oil and gas and geothermal lease sales, including—

(A) the number of expressions of interest
received each month during the period of 365
days that ends on the date on which the report
is submitted with respect to which the Bureau
of Land Management—

- 20 (i) has not taken any action to review;
 21 (ii) has not completed review; or
 22 (iii) has completed review and deter23 mined that the relevant area meets all ap
 - plicable requirements for leasing, but has

1	not offered the relevant area in a lease
2	sale;
3	(B) how long expressions of interest de-
4	scribed in subparagraph (A) have been pending;
5	and
6	(C) a plan, including timelines, for how the
7	Secretary of the Interior plans to—
8	(i) work through future expressions of
9	interest to prevent delays;
10	(ii) put expressions of interest de-
11	scribed in subparagraph (A) into a lease
12	sale; and
13	(iii) complete review for expressions of
14	interest described in clauses (i) and (ii) of
15	subparagraph (A);
16	(2) the status of each pending application for
17	permit to drill received during the period of 365
18	days that ends on the date on which the report is
19	submitted, including the number of applications re-
20	ceived each month, by each Bureau of Land Man-
21	agement office, including—
22	(A) a description of the cause of delay for
23	pending applications, including as a result of
24	staffing shortages, technical limitations, incom-
25	plete applications, and incomplete review pursu-

1	ant to the National Environmental Policy Act
2	of 1969 (42 U.S.C. 4321 et seq.) or other ap-
3	plicable laws;
4	(B) the number of days an application has
5	been pending in violation of section $17(p)(2)$ of
6	the Mineral Leasing Act (30 U.S.C. 226(p)(2));
7	and
8	(C) a plan for how the office intends to
9	come into compliance with the requirements of
10	section $17(p)(2)$ of the Mineral Leasing Act (30
11	U.S.C. 226(p)(2));
12	(3) the number of permits to drill issued each
13	month by each Bureau of Land Management office
14	during the 5-year period ending on the date on
15	which the report is submitted;
16	(4) the status of each pending application for a
17	license for offshore geological and geophysical sur-
18	veys received during the period of 365 days that
19	ends on the date on which the report is submitted,
20	including the number of applications received each
21	month, by each Bureau of Ocean Energy manage-
22	ment regional office, including—
23	(A) a description of any cause of delay for
24	pending applications, including as a result of
25	staffing shortages, technical limitations, incom-

1	plete applications, and incomplete review pursu-
2	ant to the National Environmental Policy Act
3	of 1969 (42 U.S.C. 4321 et seq.) or other ap-
4	plicable laws;
5	(B) the number of days an application has
6	been pending; and
7	(C) a plan for how the Bureau of Ocean
8	Energy Management intends to complete review
9	of each application;
10	(5) the number of licenses for offshore geologi-
11	cal and geophysical surveys issued each month by
12	each Bureau of Ocean Energy Management regional
13	office during the 5-year period ending on the date on
14	which the report is submitted;
15	(6) the status of each pending application for a
16	permit to drill received during the period of 365
17	days that ends on the date on which the report is
18	submitted, including the number of applications re-
19	ceived each month, by each Bureau of Safety and
20	Environmental Enforcement regional office, includ-
21	ing—
22	(A) a description of any cause of delay for
23	pending applications, including as a result of
24	staffing shortages, technical limitations, incom-
25	plete applications, and incomplete review pursu-

1	ant to the National Environmental Policy Act
2	of 1969 (42 U.S.C. 4321 et seq.) or other ap-
3	plicable laws;
4	(B) the number of days an application has
5	been pending; and
6	(C) steps the Bureau of Safety and Envi-
7	ronmental Enforcement is taking to complete
8	review of each application;
9	(7) the number of permits to drill issued each
10	month by each Bureau of Safety and Environmental
11	Enforcement regional office during the period of 365
12	days that ends on the date on which the report is
13	submitted;
14	(8) how, as applicable, the Bureau of Land
15	Management, the Bureau of Ocean Energy Manage-
16	ment, and the Bureau of Safety and Environmental
17	Enforcement determines whether to—
18	(A) issue a license for geological and geo-
19	physical surveys;
20	(B) issue a permit to drill; and
21	(C) issue, extend, or suspend an oil and
22	gas lease;
23	(9) when determinations described in paragraph
24	(8) are sent to the national office of the Bureau of
25	Land Management, the Bureau of Ocean Energy

1	Management, or the Bureau of Safety and Environ-
2	mental Enforcement for final approval;

3 (10) the degree to which Bureau of Land Man4 agement, Bureau of Ocean Energy Management,
5 and Bureau of Safety and Environmental Enforce6 ment field, State, and regional offices exercise dis7 cretion on such final approval;

8 (11) during the period of 365 days that ends on 9 the date on which the report is submitted, the num-10 ber of auctioned leases receiving accepted bids that 11 have not been issued to winning bidders and the 12 number of days such leases have not been issued; 13 and

(12) a description of the uses of application for
permit to drill fees paid by permit holders during
the 5-year period ending on the date on which the
report is submitted.

(b) PENDING APPLICATIONS FOR PERMITS TO
DRILL.—Not later than 30 days after the date of the enactment of this section, the Secretary of the Interior
shall—

(1) complete all requirements under the National Environmental Policy Act of 1969 (42 U.S.C.
4321 et seq.) and other applicable law that must be

met before issuance of a permit to drill described in
 paragraph (2); and

3 (2) issue a permit for all completed applications
4 to drill that are pending on the date of the enact5 ment of this Act.

6 (c) PUBLIC AVAILABILITY OF DATA.—

7 (1) MINERAL LEASING ACT.—Section 17 of the
8 Mineral Leasing Act (30 U.S.C. 226) is further
9 amended by adding at the end the following:

10 "(t) Public Availability of Data.—

11 "(1) EXPRESSIONS OF INTEREST.—Not later 12 than 30 days after the date of the enactment of this 13 subsection, and each month thereafter, the Secretary 14 shall publish on the website of the Department of 15 the Interior the number of pending, approved, and 16 not approved expressions of interest in nominated 17 parcels for future onshore oil and gas lease sales in 18 the preceding month.

"(2) APPLICATIONS FOR PERMITS TO DRILL.—
Not later than 30 days after the date of the enactment of this subsection, and each month thereafter,
the Secretary shall publish on the website of the Department of the Interior the number of pending and
approved applications for permits to drill in the preceding month in each State office.

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1	"(3) PAST DATA.—Not later than 30 days after
2	the date of the enactment of this subsection, the
3	Secretary shall publish on the website of the Depart-
4	ment of the Interior, with respect to each month
5	during the 5-year period ending on the date of the
6	enactment of this subsection—
7	"(A) the number of approved and not ap-
8	proved expressions of interest for onshore oil
9	and gas lease sales during such 5-year period;
10	and
11	"(B) the number of approved and not ap-
12	proved applications for permits to drill during
13	such 5-year period.".
14	(2) OUTER CONTINENTAL SHELF LANDS ACT.—
15	Section 8 of the Outer Continental Shelf Lands Act
16	(43 U.S.C. 1337) is amended by adding at the end
17	the following:
18	"(q) PUBLIC AVAILABILITY OF DATA.—
19	"(1) Offshore geological and geo-
20	PHYSICAL SURVEY LICENSES.—Not later than 30
21	days after the date of the enactment of this sub-
22	section, and each month thereafter, the Secretary
23	shall publish on the website of the Department of
24	the Interior the number of pending and approved

1	applications for licenses for offshore geological and
2	geophysical surveys in the preceding month.
3	"(2) Applications for permits to drill.—
4	Not later than 30 days after the date of the enact-
5	ment of this subsection, and each month thereafter,
6	the Secretary shall publish on the website of the De-
7	partment of the Interior the number of pending and
8	approved applications for permits to drill on the
9	outer Continental Shelf in the preceding month in
10	each regional office.

11 "(3) PAST DATA.—Not later than 30 days after 12 the date of the enactment of this subsection, the 13 Secretary shall publish on the website of the Depart-14 ment of the Interior, with respect each month during 15 the 5-year period ending on the date of the enact-16 ment of this subsection—

17 "(A) the number of approved applications
18 for licenses for offshore geological and geo19 physical surveys; and

20 "(B) the number of approved applications
21 for permits to drill on the outer Continental
22 Shelf.".

23 (d) REQUIREMENT TO SUBMIT DOCUMENTS AND24 COMMUNICATIONS.—

(1) IN GENERAL.—Not later than 60 days after 1 2 the date of the enactment of this section, the Sec-3 retary of the Interior shall submit to the Committee 4 on Energy and Natural Resources of the Senate and 5 the Committee on Natural Resources of the House 6 of Representatives all documents and communica-7 tions relating to the comprehensive review of Federal 8 oil and gas permitting and leasing practices required 9 under section 208 of Executive Order No. 14008 (86 10 Fed. Reg. 7624; relating to tackling the climate cri-11 sis at home and abroad).

(2) INCLUSIONS.—The submission under paragraph (1) shall include all documents and communications submitted to the Secretary of the Interior
by members of the public in response to any public
meeting or forum relating to the comprehensive review described in that paragraph.

18 SEC. 20107. OFFSHORE OIL AND GAS LEASING.

(a) IN GENERAL.—The Secretary shall conduct all
(a) IN GENERAL.—The Secretary shall conduct all
lease sales described in the 2017–2022 Outer Continental
Shelf Oil and Gas Leasing Proposed Final Program (November 2016) that have not been conducted as of the date
of the enactment of this Act by not later than September
30, 2023.

1 (b) GULF OF MEXICO REGION ANNUAL LEASE 2 SALES.—Notwithstanding any other provision of law, and 3 except within areas subject to existing oil and gas leasing 4 moratoria beginning in fiscal year 2023, the Secretary of 5 the Interior shall annually conduct a minimum of 2 region-wide oil and gas lease sales in the following planning 6 7 areas of the Gulf of Mexico region, as described in the 8 2017–2022 Outer Continental Shelf Oil and Gas Leasing 9 Proposed Final Program (November 2016):

10 (1) The Central Gulf of Mexico Planning Area. 11 (2) The Western Gulf of Mexico Planning Area. 12 (c) Alaska Region Annual Lease Sales.—Notwithstanding any other provision of law, beginning in fis-13 cal year 2023, the Secretary of the Interior shall annually 14 15 conduct a minimum of 2 region-wide oil and gas lease sales in the Alaska region of the Outer Continental Shelf, 16 17 as described in the 2017–2022 Outer Continental Shelf 18 Oil and Gas Leasing Proposed Final Program (November 19 2016).

20 (d) REQUIREMENTS.—In conducting lease sales
21 under subsections (b) and (c), the Secretary of the Interior
22 shall—

(1) issue such leases in accordance with the
Outer Continental Shelf Lands Act (43 U.S.C. 1332
et seq.); and

1	(2) include in each such lease sale all unleased
2	areas that are not subject to a moratorium as of the
3	date of the lease sale.
4	SEC. 20108. FIVE-YEAR PLAN FOR OFFSHORE OIL AND GAS
5	LEASING.
6	Section 18 of the Outer Continental Shelf Lands Act
7	(43 U.S.C. 1344) is amended—
8	(1) in subsection (a)—
9	(A) by striking "subsections (c) and (d) of
10	this section, shall prepare and periodically re-
11	vise," and inserting "this section, shall issue
12	every five years'';
13	(B) by adding at the end the following:
14	"(5) Each five-year program shall include at
15	least two Gulf of Mexico region-wide lease sales per
16	year."; and
17	(C) in paragraph (3), by inserting "domes-
18	tic energy security," after "between";
19	(2) by redesignating subsections (f) through (i)
20	as subsections (h) through (k), respectively; and
21	(3) by inserting after subsection (e) the fol-
22	lowing:
23	"(f) FIVE-YEAR PROGRAM FOR 2023–2028.—The
24	Secretary shall issue the five-year oil and gas leasing pro-
25	gram for 2023 through 2028 and issue the Record of De-

cision on the Final Programmatic Environmental Impact
 Statement by not later than July 1, 2023.

3 "(g) SUBSEQUENT LEASING PROGRAMS.—

4 "(1) IN GENERAL.—Not later than 36 months
5 after conducting the first lease sale under an oil and
6 gas leasing program prepared pursuant to this sec7 tion, the Secretary shall begin preparing the subse8 quent oil and gas leasing program under this sec9 tion.

10 "(2) REQUIREMENT.—Each subsequent oil and 11 gas leasing program under this section shall be ap-12 proved by not later than 180 days before the expira-13 tion of the previous oil and gas leasing program.".

14 SEC. 20109. GEOTHERMAL LEASING.

(a) ANNUAL LEASING.—Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) is amended—

18 (1) in paragraph (2), by striking "2 years" and19 inserting "year";

20 (2) by redesignating paragraphs (3) and (4) as
21 paragraphs (5) and (6), respectively; and

22 (3) after paragraph (2), by inserting the fol-23 lowing:

24 "(3) REPLACEMENT SALES.—If a lease sale25 under paragraph (1) for a year is canceled or de-

layed, the Secretary of the Interior shall conduct a
 replacement sale during the same year.

3 "(4) REQUIREMENT.—In conducting a lease
4 sale under paragraph (2) in a State described in
5 that paragraph, the Secretary of the Interior shall
6 offer all nominated parcels eligible for geothermal
7 development and utilization under the resource management plan in effect for the State.".

9 (b) DEADLINES FOR CONSIDERATION OF GEO10 THERMAL DRILLING PERMITS.—Section 4 of the Geo11 thermal Steam Act of 1970 (30 U.S.C. 1003) is amended
12 by adding at the end the following:

13 "(h) DEADLINES FOR CONSIDERATION OF GEO-14 THERMAL DRILLING PERMITS.—

15 "(1) NOTICE.—Not later than 30 days after the
16 date on which the Secretary receives an application
17 for any geothermal drilling permit, the Secretary
18 shall—

19 "(A) provide written notice to the appli-20 cant that the application is complete; or

21 "(B) notify the applicant that information
22 is missing and specify any information that is
23 required to be submitted for the application to
24 be complete.

"(2) ISSUANCE OF DECISION.—If the Secretary
determines that an application for a geothermal
drilling permit is complete under paragraph (1)(A),
the Secretary shall issue a final decision on the application not later than 30 days after the Secretary
notifies the applicant that the application is complete.".

8 SEC. 20110. LEASING FOR CERTAIN QUALIFIED COAL AP9 PLICATIONS.

10 (a) DEFINITIONS.—In this section:

(1) COAL LEASE.—The term "coal lease"
means a lease entered into by the United States as
lessor, through the Bureau of Land Management,
and the applicant on Bureau of Land Management
Form 3400–012.

16 (2)APPLICATION.—The QUALIFIED term 17 "qualified application" means any application pend-18 ing under the lease by application program adminis-19 tered by the Bureau of Land Management pursuant 20 to the Mineral Leasing Act (30 U.S.C. 181 et seq.) 21 and subpart 3425 of title 43, Code of Federal Regu-22 lations (as in effect on the date of the enactment of 23 this Act), for which the environmental review proc-24 ess under the National Environmental Policy Act of 25 1969 (42 U.S.C. 4321 et seq.) has commenced.

1	(b) Mandatory Leasing and Other Required
2	APPROVALS.—As soon as practicable after the date of the
3	enactment of this Act, the Secretary shall promptly—
4	(1) with respect to each qualified application—
5	(A) if not previously published for public
6	comment, publish a draft environmental assess-
7	ment, as required under the National Environ-
8	mental Policy Act of 1969 (42 U.S.C. 4321 et
9	seq.) and any applicable implementing regula-
10	tions;
11	(B) finalize the fair market value of the
12	coal tract for which a lease by application is
13	pending;
14	(C) take all intermediate actions necessary
15	to grant the qualified application; and
16	(D) grant the qualified application; and
17	(2) with respect to previously awarded coal
18	leases, grant any additional approvals of the Depart-
19	ment of the Interior or any bureau, agency, or divi-
20	sion of the Department of the Interior required for
21	mining activities to commence.
22	SEC. 20111. FUTURE COAL LEASING.
23	Notwithstanding any judicial decision to the contrary
24	or a departmental review of the Federal coal leasing pro-
25	gram, Secretarial Order 3338, issued by the Secretary of

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the Interior on January 15, 2016, shall have no force or
 effect.

3 SEC. 20112. STAFF PLANNING REPORT.

4 The Secretary of the Interior and the Secretary of 5 Agriculture shall each annually submit to the Committee on Natural Resources of the House of Representatives and 6 7 the Committee on Energy and Natural Resources of the 8 Senate a report on the staffing capacity of each respective 9 agency with respect to issuing oil, gas, hardrock mining, coal, and renewable energy leases, rights-of-way, claims, 10 11 easements, and permits. Each such report shall include—

(1) the number of staff assigned to process and
issue oil, gas, hardrock mining, coal, and renewable
energy leases, rights-of-way, claims, easements, and
permits;

16 (2) a description of how many staff are needed
17 to meet statutory requirements for such oil, gas,
18 hardrock mining, coal, and renewable energy leases,
19 rights-of-way, claims, easements, and permits; and

20 (3) how, as applicable, the Department of the
21 Interior or the Department of Agriculture plans to
22 address technological needs and staffing shortfalls
23 and turnover to ensure adequate staffing to process
24 and issue such oil, gas, hardrock mining, coal, and

renewable energy leases, rights-of-way, claims, ease ments, and permits.

3 SEC. 20113. PROHIBITION ON CHINESE COMMUNIST PARTY 4 OWNERSHIP INTEREST.

5 Notwithstanding any other provision of law, the Communist Party of China (or a person acting on behalf of 6 7 the Community Party of China), any entity subject to the 8 jurisdiction of the Government of the People's Republic 9 of China, or any entity that is owned by the Government 10 of the People's Republic of China, may not acquire any interest with respect to lands leased for oil or gas under 11 12 the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et 13 seq.) or American farmland or any lands used for Amer-14 15 ican renewable energy production, or acquire claims subject to the General Mining Law of 1872. 16

17 SEC. 20114. EFFECT ON OTHER LAW.

18 Nothing in this title, or any amendments made by19 this title, shall affect—

20 Presidential (1)the memorandum titled "Memorandum on Withdrawal of Certain Areas of 21 22 the United States Outer Continental Shelf From 23 Leasing Disposition" and dated September 8, 2020; (2)24 the Presidential memorandum titled "Memorandum on Withdrawal of Certain Areas of 25

1	the United States Outer Continental Shelf From
2	Leasing Disposition" and dated September 25,
3	2020;
4	(3) the Presidential memorandum titled
5	"Memorandum on Withdrawal of Certain Areas off
6	the Atlantic Coast on the Outer Continental Shelf
7	From Leasing Disposition" and dated December 20,
8	2016; or
9	(4) the ban on oil and gas development in the
10	Great Lakes described in section 386 of the Energy
11	Policy Act of 2005 (42 U.S.C. 15941).
12	SEC. 20115. REQUIREMENT FOR GAO REPORT ON WIND EN-
13	ERGY IMPACTS.
14	The Secretary of the Interior shall not publish a no-
15	tice for a wind lease sale or hold a lease sale for wind
16	energy development in the Eastern Gulf of Mexico Plan-
17	ning Area, the South Atlantic Planning Area, or the
18	Straits of Florida Planning Area (as described in the

19 2017–2022 Outer Continental Shelf Oil and Gas Leasing
20 Proposed Final Program (November 2016)) until the
21 Comptroller General of the United States publishes a re22 port on all potential adverse effects of wind energy devel23 opment in such areas, including associated infrastructure

24 and vessel traffic, on—

1 (1) military readiness and training activities in 2 the Planning Areas described in this section, includ-3 ing activities within or related to the Eglin Test and 4 Training Complex and the Jacksonville Range Com-5 plex; 6 (2) marine environment and ecology, including species listed as endangered or threatened under the 7 8 Endangered Species Act of 1973 (16 U.S.C. 1531 et 9 seq.) or designated as depleted under the Marine 10 Mammal Protection Act of 1972 (16 U.S.C. 1361 et

11 seq.) in the Planning Areas described in this section;12 and

13 (3) tourism, including the economic impacts
14 that a decrease in tourism may have on the commu15 nities adjacent to the Planning Areas described in
16 this section.

17 SEC. 20116. SENSE OF CONGRESS ON WIND ENERGY DEVEL-

OPMENT SUPPLY CHAIN.

19 It is the sense of Congress that—

20 (1) wind energy development on Federal lands
21 and waters is a burgeoning industry in the United
22 States;

(2) major components of wind infrastructure,
including turbines, are imported in large quantities
from other countries including countries that are na-

1	tional security threats, such as the Government of
2	the People's Republic of China;
3	(3) it is in the best interest of the United
4	States to foster and support domestic supply chains
5	across sectors to promote American energy inde-
6	pendence;
7	(4) the economic and manufacturing opportuni-
8	ties presented by wind turbine construction and
9	component manufacturing should be met by Amer-
10	ican workers and materials that are sourced domes-
11	tically to the greatest extent practicable; and
12	(5) infrastructure for wind energy development
13	in the United States should be constructed with ma-
14	terials produced and manufactured in the United
15	States.
16	SEC. 20117. SENSE OF CONGRESS ON OIL AND GAS ROY-
17	ALTY RATES.
18	It is the sense of Congress that the royalty rate for
19	onshore Federal oil and gas leases should be not more
20	than 12.5 percent in amount or value of the production
21	removed or sold from the lease.
22	SEC. 20118. OFFSHORE WIND ENVIRONMENTAL REVIEW
23	PROCESS STUDY.
24	(a) IN GENERAL.—Not later than 60 days after the

25 date of the enactment of this section, the Comptroller

1	General shall conduct a study to assess the sufficiency of
2	the environmental review processes for offshore wind
3	projects in place as of the date of the enactment of this
4	section of the National Marine Fisheries Service, the Bu-
5	reau of Ocean Energy Management, and any other rel-
6	evant Federal agency.
7	(b) Contents.—The study required under sub-
8	section (a) shall include consideration of the following:
9	(1) The impacts of offshore wind projects on—
10	(A) whales, finfish, and other marine
11	mammals;
12	(B) benthic resources;
13	(C) commercial and recreational fishing;
14	(D) air quality;
15	(E) cultural, historical, and archaeological
16	resources;
17	(F) invertebrates;
18	(G) essential fish habitat;
19	(H) military use and navigation and vessel
20	traffic;
21	(I) recreation and tourism; and
22	(J) the sustainability of shoreline beaches
23	and inlets.
24	(2) The impacts of hurricanes and other severe
25	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 pro vided for local representatives and other interested
 parties.

6 (4) The estimated cost and who pays for off-7 shore wind projects.

8 SEC. 20119. GAO REPORT ON WIND ENERGY IMPACTS.

9 The Comptroller General of the United States shall 10 publish a report on all potential adverse effects of wind 11 energy development in the North Atlantic Planning Area 12 (as described in the 2017–2022 Outer Continental Shelf 13 Oil and Gas Leasing Proposed Final Program (November 14 2016)), including associated infrastructure and vessel 15 traffic, on—

- 16 (1) maritime safety, including the operation of17 radar systems;
- 18 (2) economic impacts related to commercial19 fishing activities; and

20 (3) marine environment and ecology, including
21 species listed as endangered or threatened under the
22 Endangered Species Act of 1973 (16 U.S.C. 1531 et
23 seq.) or designated as depleted under the Marine
24 Mammal Protection Act of 1972 (16 U.S.C. 1361 et
25 seq.) in the North Atlantic Planning Area.

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Subtitle B—Permitting Streamlining

3 SEC. 20201. DEFINITIONS.

4 In this subtitle:

5 (1) ENERGY FACILITY.—The term "energy fa-6 cility" means a facility the primary purpose of which 7 is the exploration for, or the development, produc-8 tion, conversion, gathering, storage, transfer, proc-9 essing, or transportation of, any energy resource.

10 (2) ENERGY STORAGE DEVICE.—The term "en11 ergy storage device"—

12 (A) means any equipment that stores en13 ergy, including electricity, compressed air,
14 pumped water, heat, and hydrogen, which may
15 be converted into, or used to produce, elec16 tricity; and

(B) includes a battery, regenerative fuel
cell, flywheel, capacitor, superconducting magnet, and any other equipment the Secretary
concerned determines may be used to store energy which may be converted into, or used to
produce, electricity.

(3) PUBLIC LANDS.—The term "public lands"
means any land and interest in land owned by the
United States within the several States and adminis-

1	tered by the Secretary of the Interior or the Sec-
2	retary of Agriculture without regard to how the
3	United States acquired ownership, except—
4	(A) lands located on the Outer Continental
5	Shelf; and
6	(B) lands held in trust by the United
7	States for the benefit of Indians, Indian Tribes,
8	Aleuts, and Eskimos.
9	(4) RIGHT-OF-WAY.—The term "right-of-way"
10	means—
11	(A) a right-of-way issued, granted, or re-
12	newed under section 501 of the Federal Land
13	Policy and Management Act of 1976 (43 U.S.C.
14	1761); or
15	(B) a right-of-way granted under section
16	28 of the Mineral Leasing Act (30 U.S.C. 185).
17	(5) Secretary concerned.—The term "Sec-
18	retary concerned" means—
19	(A) with respect to public lands, the Sec-
20	retary of the Interior; and
21	(B) with respect to National Forest Sys-
22	tem lands, the Secretary of Agriculture.
23	(6) LAND USE PLAN.—The term "land use
24	plan" means—

1	(A) a land and resource management plan
2	prepared by the Forest Service for a unit of the
3	National Forest System pursuant to section 6
4	of the Forest and Rangeland Renewable Re-
5	sources Planning Act of 1974 (16 U.S.C.
6	1604);
7	(B) a Land Management Plan developed
8	by the Bureau of Land Management under the
9	Federal Land Policy and Management Act of
10	1976 (43 U.S.C. 1701 et seq.); or
11	(C) a comprehensive conservation plan de-
12	veloped by the United States Fish and Wildlife
13	Service under section $4(e)(1)(A)$ of the National
14	Wildlife Refuge System Administration Act of
15	1966 (16 U.S.C. 668dd(e)(1)(A)).
16	SEC. 20202. BUILDER ACT.
17	(a) PARAGRAPH (2) OF SECTION 102.—Section
18	102(2) of the National Environmental Policy Act of 1969
19	(42 U.S.C. 4332(2)) is amended—
20	(1) in subparagraph (A), by striking "insure"
21	and inserting "ensure";
22	(2) in subparagraph (B), by striking "insure"
23	and inserting "ensure";
24	(3) in subparagraph (C)—

1	(A) by inserting "consistent with the provi-
2	sions of this Act and except as provided by
3	other provisions of law," before "include in
4	every";
5	(B) by striking clauses (i) through (v) and
6	inserting the following:
7	"(i) reasonably foreseeable environmental
8	effects with a reasonably close causal relation-
9	ship to the proposed agency action;
10	"(ii) any reasonably foreseeable adverse en-
11	vironmental effects which cannot be avoided
12	should the proposal be implemented;
13	"(iii) a reasonable number of alternatives
14	to the proposed agency action, including an
15	analysis of any negative environmental impacts
16	of not implementing the proposed agency action
17	in the case of a no action alternative, that are
18	technically and economically feasible, are within
19	the jurisdiction of the agency, meet the purpose
20	and need of the proposal, and, where applicable,
21	meet the goals of the applicant;
22	"(iv) the relationship between local short-
23	term uses of man's environment and the main-
24	tenance and enhancement of long-term produc-
25	tivity; and

1	"(v) any irreversible and irretrievable com-
2	mitments of Federal resources which would be
3	involved in the proposed agency action should it
4	be implemented."; and
5	(C) by striking "the responsible Federal
6	official" and inserting "the head of the lead
7	agency";
8	(4) in subparagraph (D), by striking "Any"
9	and inserting "any";
10	(5) by redesignating subparagraphs (D)
11	through (I) as subparagraphs (F) through (K), re-
12	spectively;
13	(6) by inserting after subparagraph (C) the fol-
14	lowing:
15	"(D) ensure the professional integrity, including
16	scientific integrity, of the discussion and analysis in
17	an environmental document;
18	"(E) make use of reliable existing data and re-
19	sources in carrying out this Act;";
20	(7) by amending subparagraph (G), as redesig-
21	nated, to read as follows:
22	"(G) consistent with the provisions of this Act,
23	study, develop, and describe technically and economi-
24	cally feasible alternatives within the jurisdiction and
25	authority of the agency;"; and

(8) in subparagraph (H), as amended, by in serting "consistent with the provisions of this Act,"
 before "recognize".

4 (b) NEW SECTIONS.—Title I of the National Envi5 ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
6 is amended by adding at the end the following:

7 "SEC. 106. PROCEDURE FOR DETERMINATION OF LEVEL OF
8 REVIEW.

9 "(a) THRESHOLD DETERMINATIONS.—An agency is
10 not required to prepare an environmental document with
11 respect to a proposed agency action if—

"(1) the proposed agency action is not a final
agency action within the meaning of such term in
chapter 5 of title 5, United States Code;

15 "(2) the proposed agency action is covered by
16 a categorical exclusion established by the agency, an17 other Federal agency, or another provision of law;

18 "(3) the preparation of such document would
19 clearly and fundamentally conflict with the require20 ments of another provision of law;

21 "(4) the proposed agency action is, in whole or 22 in part, a nondiscretionary action with respect to 23 which such agency does not have authority to take 24 environmental factors into consideration in deter-25 mining whether to take the proposed action;

"(5) the proposed agency action is a rulemaking
 that is subject to section 553 of title 5, United
 States Code; or

4 "(6) the proposed agency action is an action for
5 which such agency's compliance with another stat6 ute's requirements serve the same or similar func7 tion as the requirements of this Act with respect to
8 such action.

9 "(b) LEVELS OF REVIEW.—

10 "(1) ENVIRONMENTAL IMPACT STATEMENT.—
11 An agency shall issue an environmental impact
12 statement with respect to a proposed agency action
13 that has a significant effect on the quality of the
14 human environment.

15 "(2) Environmental assessment.—An agen-16 cy shall prepare an environmental assessment with 17 respect to a proposed agency action that is not likely 18 to have a significant effect on the quality of the 19 human environment, or if the significance of such ef-20 fect is unknown, unless the agency finds that a cat-21 egorical exclusion established by the agency, another 22 Federal agency, or another provision of law applies. 23 Such environmental assessment shall be a concise 24 public document prepared by a Federal agency to set

1	forth the basis of such agency's finding of no signifi-
2	cant impact.
3	"(3) Sources of information.—In making a
4	determination under this subsection, an agency—
5	"(A) may make use of any reliable data
6	source; and
7	"(B) is not required to undertake new sci-
8	entific or technical research.
9	"SEC. 107. TIMELY AND UNIFIED FEDERAL REVIEWS.
10	"(a) Lead Agency.—
11	"(1) Designation.—
12	"(A) IN GENERAL.—If there are two or
13	more involved Federal agencies, such agencies
14	shall determine, by letter or memorandum,
15	which agency shall be the lead agency based on
16	consideration of the following factors:
17	"(i) Magnitude of agency's involve-
18	ment.
19	"(ii) Project approval or disapproval
20	authority.
21	"(iii) Expertise concerning the ac-
22	tion's environmental effects.
23	"(iv) Duration of agency's involve-
24	ment.

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1"(v) Sequence of agency's involve-2ment.

3 "(B) JOINT LEAD AGENCIES.—In making 4 a determination under subparagraph (A), the 5 involved Federal agencies may, in addition to a 6 Federal agency, appoint such Federal, State, 7 Tribal, or local agencies as joint lead agencies 8 as the involved Federal agencies shall determine 9 appropriate. Joint lead agencies shall jointly 10 fulfill the role described in paragraph (2). 11 "(C) MINERAL PROJECTS.—This para-12 graph shall not apply with respect to a mineral 13 exploration or mine permit. 14 "(2) ROLE.—A lead agency shall, with respect 15 to a proposed agency action— "(A) supervise the preparation of an envi-16 17 ronmental document if, with respect to such 18 proposed agency action, there is more than one 19 involved Federal agency;

20 "(B) request the participation of each co21 operating agency at the earliest practicable
22 time;

23 "(C) in preparing an environmental docu24 ment, give consideration to any analysis or pro25 posal created by a cooperating agency with ju-

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risdiction by law or a cooperating agency with special expertise;

"(D) develop a schedule, in consultation with each involved cooperating agency, the applicant, and such other entities as the lead agency determines appropriate, for completion of any environmental review, permit, or authorization required to carry out the proposed agency action;

10 "(E) if the lead agency determines that a 11 review, permit, or authorization will not be com-12 pleted in accordance with the schedule devel-13 oped under subparagraph (D), notify the agen-14 cy responsible for issuing such review, permit, 15 or authorization of the discrepancy and request 16 that such agency take such measures as such 17 agency determines appropriate to comply with 18 such schedule; and

19 "(F) meet with a cooperating agency that20 requests such a meeting.

21 "(3) COOPERATING AGENCY.—The lead agency
22 may, with respect to a proposed agency action, des23 ignate any involved Federal agency or a State, Trib24 al, or local agency as a cooperating agency. A co25 operating agency may, not later than a date speci-

fied by the lead agency, submit comments to the lead agency. Such comments shall be limited to matters relating to the proposed agency action with respect to which such agency has special expertise or jurisdiction by law with respect to an environmental issue.

7 "(4) REQUEST FOR DESIGNATION.—Anv Fed-8 eral, State, Tribal, or local agency or person that is 9 substantially affected by the lack of a designation of 10 a lead agency with respect to a proposed agency ac-11 tion under paragraph (1) may submit a written re-12 quest for such a designation to an involved Federal 13 agency. An agency that receives a request under this 14 paragraph shall transmit such request to each in-15 volved Federal agency and to the Council.

16 "(5) COUNCIL DESIGNATION.—

17 "(A) REQUEST.—Not earlier than 45 days 18 after the date on which a request is submitted 19 under paragraph (4), if no designation has been 20 made under paragraph (1), a Federal, State, 21 Tribal, or local agency or person that is sub-22 stantially affected by the lack of a designation 23 of a lead agency may request that the Council 24 designate a lead agency. Such request shall con-25 sist ofG:\M\18\MISC\LSGA.XML

1	"(i) a precise description of the nature
2	and extent of the proposed agency action;
3	and
4	"(ii) a detailed statement with respect
5	to each involved Federal agency and each
6	factor listed in paragraph (1) regarding
7	which agency should serve as lead agency.
8	"(B) TRANSMISSION.—The Council shall
9	transmit a request received under subparagraph
10	(A) to each involved Federal agency.
11	"(C) RESPONSE.—An involved Federal
12	agency may, not later than 20 days after the
13	date of the submission of a request under sub-
14	paragraph (A), submit to the Council a re-
15	sponse to such request.
16	"(D) DESIGNATION.—Not later than 40
17	days after the date of the submission of a re-
18	quest under subparagraph (A), the Council
19	shall designate the lead agency with respect to
20	the relevant proposed agency action.
21	"(b) One Document.—
22	"(1) DOCUMENT.—To the extent practicable, if
23	there are 2 or more involved Federal agencies with
24	respect to a proposed agency action and the lead
25	agency has determined that an environmental docu-
1	ment is required, such requirement shall be deemed
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2	satisfied with respect to all involved Federal agencies
3	if the lead agency issues such an environmental doc-
4	ument.
5	"(2) Consideration Timing.—In developing
6	an environmental document for a proposed agency
7	action, no involved Federal agency shall be required
8	to consider any information that becomes available
9	after the sooner of, as applicable—
10	"(A) receipt of a complete application with
11	respect to such proposed agency action; or
12	"(B) publication of a notice of intent or
13	decision to prepare an environmental impact
14	statement for such proposed agency action.
15	"(3) Scope of review.—In developing an en-
16	vironmental document for a proposed agency action,
17	the lead agency and any other involved Federal
18	agencies shall only consider the effects of the pro-
19	posed agency action that—
20	"(A) occur on Federal land; or
21	"(B) are subject to Federal control and re-
22	sponsibility.
23	"(c) Request for Public Comment.—Each notice
24	of intent to prepare an environmental impact statement
25	under section 102 shall include a request for public com-

ment on alternatives or impacts and on relevant informa tion, studies, or analyses with respect to the proposed
 agency action.

4 "(d) STATEMENT OF PURPOSE AND NEED.—Each 5 environmental impact statement shall include a statement of purpose and need that briefly summarizes the under-6 7 lying purpose and need for the proposed agency action. "(e) ESTIMATED TOTAL COST.—The cover sheet for 8 9 each environmental impact statement shall include a statement of the estimated total cost of preparing such environ-10 11 mental impact statement, including the costs of agency 12 full-time equivalent personnel hours, contractor costs, and 13 other direct costs.

14 "(f) PAGE LIMITS.—

15 "(1) ENVIRONMENTAL IMPACT STATEMENTS.—
16 "(A) IN GENERAL.—Except as provided in
17 subparagraph (B), an environmental impact
18 statement shall not exceed 150 pages, not in19 cluding any citations or appendices.

20 "(B) EXTRAORDINARY COMPLEXITY.—An
21 environmental impact statement for a proposed
22 agency action of extraordinary complexity shall
23 not exceed 300 pages, not including any cita24 tions or appendices.

"(2) ENVIRONMENTAL ASSESSMENTS.—An en vironmental assessment shall not exceed 75 pages,
 not including any citations or appendices.

"(g) SPONSOR PREPARATION.—A lead agency shall 4 5 allow a project sponsor to prepare an environmental assessment or an environmental impact statement upon re-6 7 quest of the project sponsor. Such agency may provide 8 such sponsor with appropriate guidance and assist in the 9 preparation. The lead agency shall independently evaluate 10 the environmental document and shall take responsibility 11 for the contents upon adoption.

12 "(h) DEADLINES.—

13 "(1) IN GENERAL.—Except as provided in para14 graph (2), with respect to a proposed agency action,
15 a lead agency shall complete, as applicable—

16 "(A) the environmental impact statement
17 not later than the date that is 2 years after the
18 sooner of, as applicable—

19 "(i) the date on which such agency
20 determines that section 102(2)(C) requires
21 the issuance of an environmental impact
22 statement with respect to such action;
23 "(ii) the date on which such agency

24 notifies the applicant that the application

1	to establish a right-of-way for such action
2	is complete; and
3	"(iii) the date on which such agency
4	issues a notice of intent to prepare the en-
5	vironmental impact statement for such ac-
6	tion; and
7	"(B) the environmental assessment not
8	later than the date that is 1 year after the
9	sooner of, as applicable—
10	"(i) the date on which such agency
11	determines that section $106(b)(2)$ requires
12	the preparation of an environmental as-
13	sessment with respect to such action;
14	"(ii) the date on which such agency
15	notifies the applicant that the application
16	to establish a right-of-way for such action
17	is complete; and
18	"(iii) the date on which such agency
19	issues a notice of intent to prepare the en-
20	vironmental assessment for such action.
21	"(2) DELAY.—A lead agency that determines it
22	is not able to meet the deadline described in para-
23	graph (1) may extend such deadline with the ap-
24	proval of the applicant. If the applicant approves
25	such an extension, the lead agency shall establish a

new deadline that provides only so much additional
 time as is necessary to complete such environmental
 impact statement or environmental assessment.

4 "(3) EXPENDITURES FOR DELAY.—If a lead 5 agency is unable to meet the deadline described in 6 paragraph (1) or extended under paragraph (2), the 7 lead agency must pay \$100 per day, to the extent 8 funding is provided in advance in an appropriations 9 Act, out of the office of the head of the department 10 of the lead agency to the applicant starting on the 11 first day immediately following the deadline de-12 scribed in paragraph (1) or extended under para-13 graph (2) up until the date that an applicant ap-14 proves a new deadline. This paragraph does not 15 apply when the lead agency misses a deadline solely 16 due to delays caused by litigation.

17 "(i) Report.—

18 "(1) IN GENERAL.—The head of each lead
19 agency shall annually submit to the Committee on
20 Natural Resources of the House of Representatives
21 and the Committee on Environment and Public
22 Works of the Senate a report that—

23 "(A) identifies any environmental assess-24 ment and environmental impact statement that

1	such lead agency did not complete by the dead-
2	line described in subsection (h); and
3	"(B) provides an explanation for any fail-
4	ure to meet such deadline.
5	"(2) INCLUSIONS.—Each report submitted
6	under paragraph (1) shall identify, as applicable—
7	"(A) the office, bureau, division, unit, or
8	other entity within the Federal agency respon-
9	sible for each such environmental assessment
10	and environmental impact statement;
11	"(B) the date on which—
12	"(i) such lead agency notified the ap-
13	plicant that the application to establish a
14	right-of-way for the major Federal action
15	is complete;
16	"(ii) such lead agency began the
17	scoping for the major Federal action; or
18	"(iii) such lead agency issued a notice
19	of intent to prepare the environmental as-
20	sessment or environmental impact state-
21	ment for the major Federal action; and
22	"(C) when such environmental assessment
23	and environmental impact statement is expected
24	to be complete.

1 "SEC. 108. JUDICIAL REVIEW.

2	"(a) LIMITATIONS ON CLAIMS.—Notwithstanding
3	any other provision of law, a claim arising under Federal
4	law seeking judicial review of compliance with this Act,
5	of a determination made under this Act, or of Federal ac-
6	tion resulting from a determination made under this Act,
7	shall be barred unless—
8	"(1) in the case of a claim pertaining to a pro-
9	posed agency action for which—
10	"(A) an environmental document was pre-
11	pared and an opportunity for comment was pro-
12	vided;
13	"(B) the claim is filed by a party that par-
14	ticipated in the administrative proceedings re-
15	garding such environmental document; and
16	"(C) the claim—
17	"(i) is filed by a party that submitted
18	a comment during the public comment pe-
19	riod for such administrative proceedings
20	and such comment was sufficiently detailed
21	to put the lead agency on notice of the
22	issue upon which the party seeks judicial
23	review; and
24	"(ii) is related to such comment;
25	((2) except as provided in subsection (b), such
26	claim is filed not later than 120 days after the date

1	of publication of a notice in the Federal Register of
2	agency intent to carry out the proposed agency ac-
3	tion;
4	"(3) such claim is filed after the issuance of a
5	record of decision or other final agency action with
6	respect to the relevant proposed agency action;
7	"(4) such claim does not challenge the estab-
8	lishment or use of a categorical exclusion under sec-
9	tion 102; and
10	"(5) such claim concerns—
11	"(A) an alternative included in the envi-
12	ronmental document; or
13	"(B) an environmental effect considered in
14	the environmental document.
15	"(b) Supplemental Environmental Impact
16	Statement.—
17	"(1) SEPARATE FINAL AGENCY ACTION.—The
18	issuance of a Federal action resulting from a final
19	supplemental environmental impact statement shall
20	be considered a final agency action for the purposes
21	of chapter 5 of title 5, United States Code, separate
22	from the issuance of any previous environmental im-
23	pact statement with respect to the same proposed
24	agency action.

1 "(2) DEADLINE FOR FILING A CLAIM.—A claim 2 seeking judicial review of a Federal action resulting 3 from a final supplemental environmental review 4 issued under section 102(2)(C) shall be barred un-5 less— 6 "(A) such claim is filed within 120 days of 7 the date on which a notice of the Federal agen-8 cy action resulting from a final supplemental 9 environmental impact statement is issued; and

"(B) such claim is based on information
contained in such supplemental environmental
impact statement that was not contained in a
previous environmental document pertaining to
the same proposed agency action.

15 "(c) PROHIBITION ON INJUNCTIVE RELIEF.—Not16 withstanding any other provision of law, a violation of this
17 Act shall not constitute the basis for injunctive relief.

18 "(d) RULE OF CONSTRUCTION.—Nothing in this sec-19 tion shall be construed to create a right of judicial review 20 or place any limit on filing a claim with respect to the 21 violation of the terms of a permit, license, or approval. 22 "(e) REMAND.—Notwithstanding any other provision 23 of law, no proposed agency action for which an environ-24 mental document is required shall be vacated or otherwise limited, delayed, or enjoined unless a court concludes al-25

lowing such proposed action will pose a risk of an immi nent and substantial environmental harm and there is no
 other equitable remedy available as a matter of law.

4 "SEC. 109. DEFINITIONS.

5 "In this title:

6 "(1) CATEGORICAL EXCLUSION.—The term 7 'categorical exclusion' means a category of actions 8 that a Federal agency has determined normally does 9 not significantly affect the quality of the human en-10 vironment within the meaning of section 102(2)(C).

"(2) COOPERATING AGENCY.—The term 'cooperating agency' means any Federal, State, Tribal,
or local agency that has been designated as a cooperating agency under section 107(a)(3).

15 "(3) COUNCIL.—The term 'Council' means the
16 Council on Environmental Quality established in
17 title II.

18 "(4) ENVIRONMENTAL ASSESSMENT.—The
19 term 'environmental assessment' means an environ20 mental assessment prepared under section
21 106(b)(2).

"(5) ENVIRONMENTAL DOCUMENT.—The term
"environmental document' means an environmental
impact statement, an environmental assessment, or
a finding of no significant impact.

1	"(6) Environmental impact statement
2	The term 'environmental impact statement' means a
3	detailed written statement that is required by section
4	102(2)(C).
5	"(7) FINDING OF NO SIGNIFICANT IMPACT.—
6	The term 'finding of no significant impact' means a
7	determination by a Federal agency that a proposed
8	agency action does not require the issuance of an en-
9	vironmental impact statement.
10	"(8) INVOLVED FEDERAL AGENCY.—The term
11	'involved Federal agency' means an agency that,
12	with respect to a proposed agency action—
13	"(A) proposed such action; or
14	"(B) is involved in such action because
15	such action is directly related, through func-
16	tional interdependence or geographic proximity,
17	to an action such agency has taken or has pro-
18	posed to take.
19	"(9) LEAD AGENCY.—
20	"(A) IN GENERAL.—Except as provided in
21	subparagraph (B), the term 'lead agency'
22	means, with respect to a proposed agency ac-
23	tion—
24	"(i) the agency that proposed such ac-
25	tion; or

	220
1	"(ii) if there are 2 or more involved
2	Federal agencies with respect to such ac-
3	tion, the agency designated under section
4	107(a)(1).
5	"(B) Specification for mineral ex-
6	PLORATION OR MINE PERMITS.—With respect
7	to a proposed mineral exploration or mine per-
8	mit, the term 'lead agency' has the meaning
9	given such term in section 40206(a) of the In-
10	frastructure Investment and Jobs Act.
11	"(10) Major federal action.—
12	"(A) IN GENERAL.—The term 'major Fed-
13	eral action' means an action that the agency
14	carrying out such action determines is subject
15	to substantial Federal control and responsi-
16	bility.
17	"(B) EXCLUSION.—The term 'major Fed-
18	eral action' does not include—
19	"(i) a non-Federal action—
20	"(I) with no or minimal Federal
21	funding;
22	"(II) with no or minimal Federal
23	involvement where a Federal agency
24	cannot control the outcome of the
25	project; or

1	"(III) that does not include Fed-
2	eral land;
3	"(ii) funding assistance solely in the
4	form of general revenue sharing funds
5	which do not provide Federal agency com-
6	pliance or enforcement responsibility over
7	the subsequent use of such funds;
8	"(iii) loans, loan guarantees, or other
9	forms of financial assistance where a Fed-
10	eral agency does not exercise sufficient
11	control and responsibility over the effect of
12	the action;
13	"(iv) farm ownership and operating
14	loan guarantees by the Farm Service
15	Agency pursuant to sections 305 and 311
16	through 319 of the Consolidated Farmers
17	Home Administration Act of 1961 (7
18	U.S.C. 1925 and 1941 through 1949);
19	"(v) business loan guarantees pro-
20	vided by the Small Business Administra-
21	tion pursuant to section 7(a) or (b) and of
22	the Small Business Act (15 U.S.C.
23	636(a)), or title V of the Small Business
24	Investment Act of 1958 (15 U.S.C. 695 et
25	seq.);

1	"(vi) bringing judicial or administra-
2	tive civil or criminal enforcement actions;
3	OF
4	"(vii) extraterritorial activities or deci-
5	sions, which means agency activities or de-
6	cisions with effects located entirely outside
7	of the jurisdiction of the United States.
8	"(C) Additional exclusions.—An agen-
9	cy action may not be determined to be a major
10	Federal action on the basis of—
11	"(i) an interstate effect of the action
12	or related project; or
13	"(ii) the provision of Federal funds
14	for the action or related project.
15	"(11) Mineral exploration or mine per-
16	MIT.—The term 'mineral exploration or mine permit'
17	has the meaning given such term in section
18	40206(a) of the Infrastructure Investment and Jobs
19	Act.
20	"(12) Proposal.—The term 'proposal' means
21	a proposed action at a stage when an agency has a
22	goal, is actively preparing to make a decision on one
23	or more alternative means of accomplishing that
24	goal, and can meaningfully evaluate its effects.

1	"(13) Reasonably foreseeable.—The term
2	'reasonably foreseeable' means likely to occur—
3	"(A) not later than 10 years after the lead
4	agency begins preparing the environmental doc-
5	ument; and
6	"(B) in an area directly affected by the
7	proposed agency action such that an individual
8	of ordinary prudence would take such occur-
9	rence into account in reaching a decision.
10	"(14) Special expertise.—The term 'special
11	expertise' means statutory responsibility, agency
12	mission, or related program experience.".
13	SEC. 20203. CODIFICATION OF NATIONAL ENVIRONMENTAL
13 14	SEC. 20203. CODIFICATION OF NATIONAL ENVIRONMENTAL POLICY ACT REGULATIONS.
14	POLICY ACT REGULATIONS.
14 15	POLICY ACT REGULATIONS. The revisions to the Code of Federal Regulations
14 15 16	POLICY ACT REGULATIONS. The revisions to the Code of Federal Regulations made pursuant to the final rule of the Council on Environ-
14 15 16 17	POLICY ACT REGULATIONS. The revisions to the Code of Federal Regulations made pursuant to the final rule of the Council on Environ- mental Quality titled "Update to the Regulations Imple-
14 15 16 17 18	POLICY ACT REGULATIONS. The revisions to the Code of Federal Regulations made pursuant to the final rule of the Council on Environ- mental Quality titled "Update to the Regulations Imple- menting the Procedural Provisions of the National Envi-
 14 15 16 17 18 19 	POLICY ACT REGULATIONS. The revisions to the Code of Federal Regulations made pursuant to the final rule of the Council on Environ- mental Quality titled "Update to the Regulations Imple- menting the Procedural Provisions of the National Envi- ronmental Policy Act" and published on July 16, 2020
 14 15 16 17 18 19 20 	POLICY ACT REGULATIONS. The revisions to the Code of Federal Regulations made pursuant to the final rule of the Council on Environ- mental Quality titled "Update to the Regulations Imple- menting the Procedural Provisions of the National Envi- ronmental Policy Act" and published on July 16, 2020 (85 Fed. Reg. 43304), shall have the same force and effect
 14 15 16 17 18 19 20 21 	POLICY ACT REGULATIONS. The revisions to the Code of Federal Regulations made pursuant to the final rule of the Council on Environ- mental Quality titled "Update to the Regulations Imple- menting the Procedural Provisions of the National Envi- ronmental Policy Act" and published on July 16, 2020 (85 Fed. Reg. 43304), shall have the same force and effect of law as if enacted by an Act of Congress.

25 sidered a major Federal action under section 102(2)(C)

of the National Environmental Policy Act of 1969 (42) 1 2 U.S.C. 4332(2)(C)). 3 (b) COVERED ACTIVITY.—In this section, the term "covered activity" includes— 4 5 (1) geotechnical investigations; 6 (2) off-road travel in an existing right-of-way; 7 (3) construction of meteorological towers where 8 the total surface disturbance at the location is less 9 than 5 acres; 10 (4) adding a battery or other energy storage de-11 vice to an existing or planned energy facility, if that 12 storage resource is located within the physical foot-13 print of the existing or planned energy facility; 14 (5) drilling temperature gradient wells and 15 other geothermal exploratory wells, including con-16 struction or making improvements for such activi-17 ties, where—

18 (A) the last cemented casing string is less19 than 12 inches in diameter; and

20 (B) the total unreclaimed surface disturb21 ance at any one time within the project area is
22 less than 5 acres;

(6) any repair, maintenance, upgrade, optimization, or minor addition to existing transmission and
distribution infrastructure, including—

1	(A) operation, maintenance, or repair of
2	power equipment and structures within existing
3	substations, switching stations, transmission,
4	and distribution lines;
5	(B) the addition, modification, retirement,
6	or replacement of breakers, transmission tow-
7	ers, transformers, bushings, or relays;
8	(C) the voltage uprating, modification,
9	reconductoring with conventional or advanced
10	conductors, and clearance resolution of trans-
11	mission lines;
12	(D) activities to minimize fire risk, includ-
13	ing vegetation management, routine fire mitiga-
14	tion, inspection, and maintenance activities, and
15	removal of hazard trees and other hazard vege-
16	tation within or adjacent to an existing right-of-
17	way;
18	(E) improvements to or construction of
19	structure pads for such infrastructure; and
20	(F) access and access route maintenance
21	and repairs associated with any activity de-
22	scribed in subparagraph (A) through (E);
23	(7) approval of and activities conducted in ac-
24	cordance with operating plans or agreements for
25	transmission and distribution facilities or under a

1	special use authorization for an electric transmission
2	and distribution facility right-of-way; and
3	(8) construction, maintenance, realignment, or
4	repair of an existing permanent or temporary access
5	road—
6	(A) within an existing right-of-way or with-
7	in a transmission or utility corridor established
8	by Congress or in a land use plan;
9	(B) that serves an existing transmission
10	line, distribution line, or energy facility; or
11	(C) activities conducted in accordance with
12	existing onshore oil and gas leases.
13	SEC. 20205. NO NET LOSS DETERMINATION FOR EXISTING
13 14	SEC. 20205. NO NET LOSS DETERMINATION FOR EXISTING RIGHTS-OF-WAY.
14	RIGHTS-OF-WAY.
14 15 16	RIGHTS-OF-WAY. (a) IN GENERAL.—Upon a determination by the Sec-
14 15 16	RIGHTS-OF-WAY. (a) IN GENERAL.—Upon a determination by the Sec- retary concerned that there will be no overall long-term
14 15 16 17	RIGHTS-OF-WAY. (a) IN GENERAL.—Upon a determination by the Sec- retary concerned that there will be no overall long-term net loss of vegetation, soil, or habitat, as defined by acre-
14 15 16 17 18	RIGHTS-OF-WAY. (a) IN GENERAL.—Upon a determination by the Sec- retary concerned that there will be no overall long-term net loss of vegetation, soil, or habitat, as defined by acre- age and function, resulting from a proposed action, deci-
14 15 16 17 18 19	RIGHTS-OF-WAY. (a) IN GENERAL.—Upon a determination by the Sec- retary concerned that there will be no overall long-term net loss of vegetation, soil, or habitat, as defined by acre- age and function, resulting from a proposed action, deci- sion, or activity within an existing right-of-way, within a
 14 15 16 17 18 19 20 	RIGHTS-OF-WAY. (a) IN GENERAL.—Upon a determination by the Sec- retary concerned that there will be no overall long-term net loss of vegetation, soil, or habitat, as defined by acre- age and function, resulting from a proposed action, deci- sion, or activity within an existing right-of-way, within a right-of-way corridor established in a land use plan, or in
 14 15 16 17 18 19 20 21 	RIGHTS-OF-WAY. (a) IN GENERAL.—Upon a determination by the Sec- retary concerned that there will be no overall long-term net loss of vegetation, soil, or habitat, as defined by acre- age and function, resulting from a proposed action, deci- sion, or activity within an existing right-of-way, within a right-of-way corridor established in a land use plan, or in an otherwise designated right-of-way, that action, deci-

1 (b) INCLUSION OF REMEDIATION.—In making a de-2 termination under subsection (a), the Secretary concerned 3 shall consider the effect of any remediation work to be 4 conducted during the lifetime of the action, decision, or 5 activity when determining whether there will be any over-6 all long-term net loss of vegetation, soil, or habitat.

7 SEC. 20206. DETERMINATION OF NATIONAL ENVIRON8 MENTAL POLICY ACT ADEQUACY.

9 The Secretary concerned shall use previously com-10 pleted environmental assessments and environmental im-11 pact statements to satisfy the requirements of section 102 12 of the National Environmental Policy Act of 1969 (42 13 U.S.C. 4332) with respect to any major Federal action, 14 if such Secretary determines that—

(1) the new proposed action is substantially the
same as a previously analyzed proposed action or alternative analyzed in a previous environmental assessment or environmental impact statement; and

(2) the effects of the proposed action are substantially the same as the effects analyzed in such
existing environmental assessments or environmental
impact statements.

23 SEC. 20207. DETERMINATION REGARDING RIGHTS-OF-WAY.

Not later than 60 days after the Secretary concernedreceives an application to grant a right-of-way, the Sec-

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retary concerned shall notify the applicant as to whether
 the application is complete or deficient. If the Secretary
 concerned determines the application is complete, the Sec retary concerned may not consider any other application
 to grant a right-of-way on the same or any overlapping
 parcels of land while such application is pending.

7 SEC. 20208. TERMS OF RIGHTS-OF-WAY.

8 (a) FIFTY YEAR TERMS FOR RIGHTS-OF-WAY.—

9 (1) IN GENERAL.—Any right-of-way for pipe-10 lines for the transportation or distribution of oil or 11 gas granted, issued, amended, or renewed under 12 Federal law may be limited to a term of not more 13 than 50 years before such right-of-way is subject to 14 renewal or amendment.

(2) FEDERAL LAND POLICY AND MANAGEMENT
ACT OF 1976.—Section 501 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761)
is amended by adding at the end the following:

"(e) Any right-of-way granted, issued, amended, or
renewed under subsection (a)(4) may be limited to a term
of not more than 50 years before such right-of-way is subject to renewal or amendment.".

(b) MINERAL LEASING ACT.—Section 28(n) of the
Mineral Leasing Act (30 U.S.C. 185(n)) is amended by
striking "thirty" and inserting "50".

1SEC. 20209. FUNDING TO PROCESS PERMITS AND DEVELOP2INFORMATION TECHNOLOGY.

3 (a) IN GENERAL.—In fiscal years 2023 through 2025, the Secretary of Agriculture (acting through the 4 5 Forest Service) and the Secretary of the Interior, after public notice, may accept and expend funds contributed 6 7 by non-Federal entities for dedicated staff, information re-8 source management, and information technology system 9 development to expedite the evaluation of permits, biologi-10 cal opinions, concurrence letters, environmental surveys 11 and studies, processing of applications, consultations, and other activities for the leasing, development, or expansion 12 13 of an energy facility under the jurisdiction of the respective Secretaries. 14

(b) EFFECT ON PERMITTING.—In carrying out this
section, the Secretary of the Interior shall ensure that the
use of funds accepted under subsection (a) will not impact
impartial decision making with respect to permits, either
substantively or procedurally.

(c) STATEMENT FOR FAILURE TO ACCEPT OR EXPEND FUNDS.—Not later than 60 days after the end of
the applicable fiscal year, if the Secretary of Agriculture
(acting through the Forest Service) or the Secretary of
the Interior does not accept funds contributed under subsection (a) or accepts but does not expend such funds, that
Secretary shall submit to the Committee on Natural Re-

sources of the House of Representatives and the Com mittee on Energy and Natural Resources of the Senate
 a statement explaining why such funds were not accepted,
 were not expended, or both, as the case may be.

(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).

12 (e) REPORT ON NON-FEDERAL ENTITIES.—Not later 13 than 60 days after the end of the applicable fiscal year, the Secretary of Agriculture (acting through the Forest 14 15 Service) and the Secretary of the Interior shall submit to the Committee on Natural Resources of the House of Rep-16 resentatives and the Committee on Energy and Natural 17 Resources of the Senate a report that includes, for each 18 19 expenditure authorized by subsection (a)—

20 (1) the amount of funds accepted; and

21 (2) the contributing non-Federal entity.

22 SEC. 20210. OFFSHORE GEOLOGICAL AND GEOPHYSICAL 23 SURVEY LICENSING.

The Secretary of the Interior shall authorize geologi-cal and geophysical surveys related to oil and gas activities

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on the Gulf of Mexico Outer Continental Shelf, except 1 within areas subject to existing oil and gas leasing mora-2 3 toria. Such authorizations shall be issued within 30 days 4 of receipt of a completed application and shall, as applica-5 ble to survey type, comply with the mitigation and monitoring measures in subsections (a), (b), (c), (d), (f), and 6 7 (g) of section 217.184 of title 50, Code of Federal Regula-8 tions (as in effect on January 1, 2022), and section 9 217.185 of title 50, Code of Federal Regulations (as in effect on January 1, 2022). Geological and geophysical 10 surveys authorized pursuant to this section are deemed to 11 be in full compliance with the Marine Mammal Protection 12 13 Act of 1972 (16 U.S.C. 1361 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and their 14 15 implementing regulations.

16 SEC. 20211. DEFERRAL OF APPLICATIONS FOR PERMITS TO
17 DRILL.

18 Section 17(p)(3) of the Mineral Leasing Act (30
19 U.S.C. 226(p)(3)) is amended by adding at the end the
20 following:

21 "(D) DEFERRAL BASED ON FORMATTING
22 ISSUES.—A decision on an application for a
23 permit to drill may not be deferred under para24 graph (2)(B) as a result of a formatting issue

with the permit, unless such formatting issue
 results in missing information.".

3 SEC. 20212. PROCESSING AND TERMS OF APPLICATIONS 4 FOR PERMITS TO DRILL.

5 (a) EFFECT OF PENDING CIVIL ACTIONS.—Section
6 17(p) of the Mineral Leasing Act (30 U.S.C. 226(p)) is
7 amended by adding at the end the following:

8 "(4) EFFECT OF PENDING CIVIL ACTION ON 9 PROCESSING APPLICATIONS FOR PERMITS TO 10 DRILL.—Pursuant to the requirements of paragraph 11 (2), notwithstanding the existence of any pending 12 civil actions affecting the application or related 13 lease, the Secretary shall process an application for 14 a permit to drill or other authorizations or approvals 15 under a valid existing lease, unless a United States 16 Federal court vacated such lease. Nothing in this 17 paragraph shall be construed as providing authority 18 to a Federal court to vacate a lease.".

19 (b) TERM OF PERMIT TO DRILL.—Section 17 of the
20 Mineral Leasing Act (30 U.S.C. 226) is further amended
21 by adding at the end the following:

"(u) TERM OF PERMIT TO DRILL.—A permit to drill
issued under this section after the date of the enactment
of this subsection shall be valid for one four-year term
from the date that the permit is approved, or until the

lease regarding which the permit is issued expires, which ever occurs first.".

3 SEC. 20213. AMENDMENTS TO THE ENERGY POLICY ACT OF 4 2005.

5 Section 390 of the Energy Policy Act of 2005 (42
6 U.S.C. 15942) is amended to read as follows:

7 "SEC. 390. NATIONAL ENVIRONMENTAL POLICY ACT RE-8 VIEW.

9 "(a) NATIONAL ENVIRONMENTAL POLICY ACT RE-10 VIEW.—Action by the Secretary of the Interior, in managing the public lands, or the Secretary of Agriculture, 11 in managing National Forest System lands, with respect 12 to any of the activities described in subsection (c), shall 13 not be considered a major Federal action for the purposes 14 15 of section 102(2)(C) of the National Environmental Policy Act of 1969, if the activity is conducted pursuant to the 16 Mineral Leasing Act (30 U.S.C. 181 et seq.) for the pur-17 pose of exploration or development of oil or gas. 18

"(b) APPLICATION.—This section shall not apply to
an action of the Secretary of the Interior or the Secretary
of Agriculture on Indian lands or resources managed in
trust for the benefit of Indian Tribes.

23 "(c) ACTIVITIES DESCRIBED.—The activities re-24 ferred to in subsection (a) are as follows:

1	"(1) Reinstating a lease pursuant to section 31
2	of the Mineral Leasing Act (30 U.S.C. 188).
3	"(2) The following activities, provided that any
4	new surface disturbance is contiguous with the foot-
5	print of the original authorization and does not ex-
6	ceed 20 acres or the acreage has previously been
7	evaluated in a document previously prepared under
8	section $102(2)(C)$ of the National Environmental
9	Policy Act of 1969 (42 U.S.C. 4332(2)(C)) with re-
10	spect to such activity:
11	"(A) Drilling an oil or gas well at a well
12	pad site at which drilling has occurred pre-
13	viously.
14	"(B) Expansion of an existing oil or gas
15	well pad site to accommodate an additional well.
16	"(C) Expansion or modification of an ex-
17	isting oil or gas well pad site, road, pipeline, fa-
18	cility, or utility submitted in a sundry notice.
19	"(3) Drilling of an oil or gas well at a new well
20	pad site, provided that the new surface disturbance
21	does not exceed 20 acres and the acreage evaluated
22	in a document previously prepared under section
23	102(2)(C) of the National Environmental Policy Act
24	of 1969 (42 U.S.C. $4332(2)(C)$) with respect to such
25	activity, whichever is greater.

1	"(4) Construction or realignment of a road,
2	pipeline, or utility within an existing right-of-way or
3	within a right-of-way corridor established in a land
4	use plan.
5	"(5) The following activities when conducted
6	from non-Federal surface into federally owned min-
7	erals, provided that the operator submits to the Sec-
8	retary concerned certification of a surface use agree-
9	ment with the non-Federal landowner:
10	"(A) Drilling an oil or gas well at a well
11	pad site at which drilling has occurred pre-
12	viously.
13	"(B) Expansion of an existing oil or gas
14	well pad site to accommodate an additional well.
15	"(C) Expansion or modification of an ex-
16	isting oil or gas well pad site, road, pipeline, fa-
17	cility, or utility submitted in a sundry notice.
18	"(6) Drilling of an oil or gas well from non-
19	Federal surface and non-Federal subsurface into
20	Federal mineral estate.
21	"(7) Construction of up to 1 mile of new road
22	on Federal or non-Federal surface, not to exceed 2
23	miles in total.

"(8) Construction of up to 3 miles of individual
 pipelines or utilities, regardless of surface owner ship.".

4 SEC. 20214. ACCESS TO FEDERAL ENERGY RESOURCES 5 FROM NON-FEDERAL SURFACE ESTATE.

6 (a) OIL AND GAS PERMITS.—Section 17 of the Min7 eral Leasing Act (30 U.S.C. 226) is further amended by
8 adding at the end the following:

9 "(v) NO FEDERAL PERMIT REQUIRED FOR OIL AND
10 GAS ACTIVITIES ON CERTAIN LAND.—

"(1) IN GENERAL.—The Secretary shall not require an operator to obtain a Federal drilling permit
for oil and gas exploration and production activities
conducted on non-Federal surface estate, provided
that—

"(A) the United States holds an ownership
interest of less than 50 percent of the subsurface mineral estate to be accessed by the
proposed action; and

20 "(B) the operator submits to the Secretary
21 a State permit to conduct oil and gas explo22 ration and production activities on the non-Fed23 eral surface estate.

1	"(2) NO FEDERAL ACTION.—An oil and gas ex-
2	ploration and production activity carried out under
3	paragraph (1)—
4	"(A) shall not be considered a major Fed-
5	eral action for the purposes of section
6	102(2)(C) of the National Environmental Policy
7	Act of 1969;
8	"(B) shall require no additional Federal
9	action;
10	"(C) may commence 30 days after submis-
11	sion of the State permit to the Secretary; and
12	"(D) shall not be subject to—
13	"(i) section 306108 of title 54, United
14	States Code (commonly known as the Na-
15	tional Historic Preservation Act of 1966);
16	and
17	"(ii) section 7 of the Endangered Spe-
18	cies Act of 1973 (16 U.S.C. 1536).
19	"(3) ROYALTIES AND PRODUCTION ACCOUNT-
20	ABILITY.—(A) Nothing in this subsection shall affect
21	the amount of royalties due to the United States
22	under this Act from the production of oil and gas,
23	or alter the Secretary's authority to conduct audits
24	and collect civil penalties pursuant to the Federal

1	Oil and Gas Royalty Management Act of 1982 (30
2	U.S.C. 1701 et seq.).
3	"(B) The Secretary may conduct onsite reviews
4	and inspections to ensure proper accountability,
5	measurement, and reporting of production of Fed-
6	eral oil and gas, and payment of royalties.
7	"(4) EXCEPTIONS.—This subsection shall not
8	apply to actions on Indian lands or resources man-
9	aged in trust for the benefit of Indian Tribes.
10	"(5) INDIAN LAND.—In this subsection, the
11	term 'Indian land' means—
12	"(A) any land located within the bound-
13	aries of an Indian reservation, pueblo, or
14	rancheria; and
15	"(B) any land not located within the
16	boundaries of an Indian reservation, pueblo, or
17	rancheria, the title to which is held—
18	"(i) in trust by the United States for
19	the benefit of an Indian tribe or an indi-
20	vidual Indian;
21	"(ii) by an Indian tribe or an indi-
22	vidual Indian, subject to restriction against
23	alienation under laws of the United States;
24	or

1"(iii) by a dependent Indian commu-2nity.".

3 (b) GEOTHERMAL PERMITS.—The Geothermal
4 Steam Act of 1970 (30 U.S.C. 1001 et seq.) is amended
5 by adding at the end the following:

6 "SEC. 30. NO FEDERAL PERMIT REQUIRED FOR GEO-7THERMAL ACTIVITIES ON CERTAIN LAND.

8 "(a) IN GENERAL.—The Secretary shall not require 9 an operator to obtain a Federal drilling permit for geo-10 thermal exploration and production activities conducted on 11 a non-Federal surface estate, provided that—

"(1) the United States holds an ownership interest of less than 50 percent of the subsurface geothermal estate to be accessed by the proposed action;
and

"(2) the operator submits to the Secretary a
State permit to conduct geothermal exploration and
production activities on the non-Federal surface estate.

20 "(b) NO FEDERAL ACTION.—A geothermal explo21 ration and production activity carried out under para22 graph (1)—

23 "(1) shall not be considered a major Federal
24 action for the purposes of section 102(2)(C) of the
25 National Environmental Policy Act of 1969;

1	"(2) shall require no additional Federal action;
2	"(3) may commence 30 days after submission
3	of the State permit to the Secretary; and
4	"(4) shall not be subject to—
5	"(A) section 306108 of title 54, United
6	States Code (commonly known as the National
7	Historic Preservation Act of 1966); and
8	"(B) section 7 of the Endangered Species
9	Act of 1973 (16 U.S.C. 1536).
10	"(c) Royalties and Production Account-
11	ABILITY.—(1) Nothing in this section shall affect the
12	amount of royalties due to the United States under this
13	Act from the production of electricity using geothermal re-
14	sources (other than direct use of geothermal resources) or
15	the production of any byproducts.
16	"(2) The Secretary may conduct onsite reviews and
17	inspections to ensure proper accountability, measurement,
18	and reporting of the production described in paragraph
19	(1), and payment of royalties.
20	"(d) EXCEPTIONS.—This section shall not apply to
21	actions on Indian lands or resources managed in trust for
22	the benefit of Indian Tribes.
23	"(e) INDIAN LAND.—In this section, the term 'Indian
24	land' means—

1	((1) any land located within the boundaries of
2	an Indian reservation, pueblo, or rancheria; and
3	((2) any land not located within the boundaries
4	of an Indian reservation, pueblo, or rancheria, the
5	title to which is held—
6	"(A) in trust by the United States for the
7	benefit of an Indian tribe or an individual In-
8	dian;
9	"(B) by an Indian tribe or an individual
10	Indian, subject to restriction against alienation
11	under laws of the United States; or
12	"(C) by a dependent Indian community.".
13	SEC. 20215. SCOPE OF ENVIRONMENTAL REVIEWS FOR OIL
13 14	SEC. 20215. SCOPE OF ENVIRONMENTAL REVIEWS FOR OIL AND GAS LEASES.
14	AND GAS LEASES.
14 15	AND GAS LEASES. An environmental review for an oil and gas lease or
14 15 16	AND GAS LEASES. An environmental review for an oil and gas lease or permit prepared pursuant to the requirements of the Na-
14 15 16 17	AND GAS LEASES. An environmental review for an oil and gas lease or permit prepared pursuant to the requirements of the Na- tional Environmental Policy Act of 1969 (42 U.S.C. 4321
14 15 16 17 18	AND GAS LEASES. An environmental review for an oil and gas lease or permit prepared pursuant to the requirements of the Na- tional Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and its implementing regulations—
14 15 16 17 18 19	AND GAS LEASES. An environmental review for an oil and gas lease or permit prepared pursuant to the requirements of the Na- tional Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and its implementing regulations— (1) shall apply only to areas that are within or
 14 15 16 17 18 19 20 	AND GAS LEASES. An environmental review for an oil and gas lease or permit prepared pursuant to the requirements of the Na- tional Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and its implementing regulations— (1) shall apply only to areas that are within or immediately adjacent to the lease plot or plots and
 14 15 16 17 18 19 20 21 	AND GAS LEASES. An environmental review for an oil and gas lease or permit prepared pursuant to the requirements of the Na- tional Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and its implementing regulations— (1) shall apply only to areas that are within or immediately adjacent to the lease plot or plots and that are directly affected by the proposed action;

1 SEC. 20216. EXPEDITING APPROVAL OF GATHERING LINES.

Section 11318(b)(1) of the Infrastructure Investment
and Jobs Act (42 U.S.C. 15943(b)(1)) is amended by
striking "to be an action that is categorically excluded (as
defined in section 1508.1 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this
Act))" and inserting "to not be a major Federal action".
SEC. 20217. LEASE SALE LITIGATION.

9 Notwithstanding any other provision of law, any oil and gas lease sale held under section 17 of the Mineral 10 Leasing Act (26 U.S.C. 226) or the Outer Continental 11 Shelf Lands Act (43 U.S.C. 1331 et seq.) shall not be 12 vacated and activities on leases awarded in the sale shall 13 not be otherwise limited, delayed, or enjoined unless the 14 court concludes allowing development of the challenged 15 lease will pose a risk of an imminent and substantial envi-16 17 ronmental harm and there is no other equitable remedy available as a matter of law. No court, in response to an 18 19 action brought pursuant to the National Environmental 20Policy Act of 1969 (42 U.S.C. et seq.), may enjoin or issue 21 any order preventing the award of leases to a bidder in 22 a lease sale conducted pursuant to section 17 of the Min-23 eral Leasing Act (26 U.S.C. 226) or the Outer Continental 24 Shelf Lands Act (43 U.S.C. 1331 et seq.) if the Department of the Interior has previously opened bids for such 25

leases or disclosed the high bidder for any tract that was
 included in such lease sale.

3 SEC. 20218. LIMITATION ON CLAIMS.

4 (a) IN GENERAL.—Notwithstanding any other provi5 sion of law, a claim arising under Federal law seeking ju6 dicial review of a permit, license, or approval issued by
7 a Federal agency for a mineral project, energy facility, or
8 energy storage device shall be barred unless—

9 (1) the claim is filed within 120 days after pub-10 lication of a notice in the Federal Register announc-11 ing that the permit, license, or approval is final pur-12 suant to the law under which the agency action is 13 taken, unless a shorter time is specified in the Fed-14 eral law pursuant to which judicial review is allowed; 15 and

16 (2) the claim is filed by a party that submitted
17 a comment during the public comment period for
18 such permit, license, or approval and such comment
19 was sufficiently detailed to put the agency on notice
20 of the issue upon which the party seeks judicial re21 view.

(b) SAVINGS CLAUSE.—Nothing in this section shall
create a right to judicial review or place any limit on filing
a claim that a person has violated the terms of a permit,
license, or approval.

1	(c) TRANSPORTATION PROJECTS.—Subsection (a)
2	shall not apply to or supersede a claim subject to section
3	139(l)(1) of title 23, United States Code.
4	(d) MINERAL PROJECT.—In this section, the term
5	"mineral project" means a project—
6	(1) located on—
7	(A) a mining claim, millsite claim, or tun-
8	nel site claim for any mineral;
9	(B) lands open to mineral entry; or
10	(C) a Federal mineral lease; and
11	(2) for the purposes of exploring for or pro-
12	ducing minerals.
13	SEC. 20219. GOVERNMENT ACCOUNTABILITY OFFICE RE-
13 14	SEC. 20219. GOVERNMENT ACCOUNTABILITY OFFICE RE- PORT ON PERMITS TO DRILL.
14	PORT ON PERMITS TO DRILL.
14 15 16	PORT ON PERMITS TO DRILL. (a) REPORT.—Not later than 1 year after the date
14 15 16	PORT ON PERMITS TO DRILL. (a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the
14 15 16 17	PORT ON PERMITS TO DRILL. (a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall issue a report detailing—
14 15 16 17 18	PORT ON PERMITS TO DRILL. (a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall issue a report detailing— (1) the approval timelines for applications for
14 15 16 17 18 19	PORT ON PERMITS TO DRILL. (a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall issue a report detailing— (1) the approval timelines for applications for permits to drill issued by the Bureau of Land Man-
 14 15 16 17 18 19 20 	PORT ON PERMITS TO DRILL. (a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall issue a report detailing— (1) the approval timelines for applications for permits to drill issued by the Bureau of Land Man- agement from 2018 through 2022;
 14 15 16 17 18 19 20 21 	PORT ON PERMITS TO DRILL. (a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall issue a report detailing— (1) the approval timelines for applications for permits to drill issued by the Bureau of Land Man- agement from 2018 through 2022; (2) the number of applications for permits to
 14 15 16 17 18 19 20 21 22 	PORT ON PERMITS TO DRILL. (a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall issue a report detailing— (1) the approval timelines for applications for permits to drill issued by the Bureau of Land Man- agement from 2018 through 2022; (2) the number of applications for permits to drill that were not issued within 30 days of receipt
deadline required under section 17(p)(2) of the Min eral Leasing Act (30 U.S.C. 226(p)(2)).

3 (b) RECOMMENDATIONS.—The report issued under
4 subsection (a) shall include recommendations with respect
5 to—

6 (1) actions the Bureau of Land Management 7 can take to streamline the approval process for ap-8 plications for permits to drill to approve applications 9 for permits to drill within 30 days of receipt of a 10 completed application;

(2) aspects of the Federal permitting process
carried out by the Bureau of Land Management to
issue applications for permits to drill that can be
turned over to States to expedite approval of applications for permits to drill; and

16 (3) legislative actions that Congress must take
17 to allow States to administer certain aspects of the
18 Federal permitting process described in paragraph
19 (2).

20 SEC. 20220. E-NEPA.

(a) PERMITTING PORTAL STUDY.—The Council on
Environmental Quality shall conduct a study and submit
a report to Congress within 1 year of the enactment of
this Act on the potential to create an online permitting
portal for permits that require review under section

1	102(2)(C) of the National Environmental Policy Act of
2	1969 (42 U.S.C. 4332(2)(C)) that would—
3	(1) allow applicants to—
4	(A) submit required documents or mate-
5	rials for their application in one unified portal;
6	(B) upload additional documents as re-
7	quired by the applicable agency; and
8	(C) track the progress of individual appli-
9	cations;
10	(2) enhance interagency coordination in con-
11	sultation by—
12	(A) allowing for comments in one unified
13	portal;
14	(B) centralizing data necessary for reviews;
15	and
16	(C) streamlining communications between
17	other agencies and the applicant; and
18	(3) boost transparency in agency decision-
19	making.
20	(b) AUTHORIZATION OF APPROPRIATIONS.—There is
21	authorized to be appropriated \$500,000 for the Council
22	of Environmental Quality to carry out the study directed
23	by this section.

1	SEC. 20221. LIMITATIONS ON CLAIMS.
2	(a) IN GENERAL.—Section 139(l) of title 23, United
3	States Code, is amended by striking "150 days" each
4	place it appears and inserting "90 days".
5	(b) Conforming Amendments.—
6	(1) Section 330(e) of title 23, United States
7	Code, is amended—
8	(A) in paragraph (2)(A), by striking "150
9	days" and inserting "90 days"; and
10	(B) in paragraph (3)(B)(i), by striking
11	"150 days" and inserting "90 days".
12	(2) Section $24201(a)(4)$ of title 49, United
13	States Code, is amended by striking "of 150 days".
14	SEC. 20222. ONE FEDERAL DECISION FOR PIPELINES.
15	(a) IN GENERAL.—Chapter 601 of title 49, United
16	States Code, is amended by adding at the end the fol-
17	lowing:
18	"§60144. Efficient environmental reviews and one
19	Federal decision
20	"(a) Efficient Environmental Reviews.—
21	"(1) IN GENERAL.—The Secretary of Transpor-
22	tation shall apply the project development proce-
23	dures, to the greatest extent feasible, described in
24	section 139 of title 23 to any pipeline project that
25	requires the approval of the Secretary under the Na-

tional Environmental Policy Act of 1969 (42 U.S.C.
 4321 et seq.).

3 "(2) Regulations and procedures.—In car-4 rying out paragraph (1), the Secretary shall incor-5 porate into agency regulations and procedures per-6 taining to pipeline projects described in paragraph 7 (1) aspects of such project development procedures. 8 or portions thereof, determined appropriate by the 9 Secretary in a manner consistent with this section, 10 that increase the efficiency of the review of pipeline 11 projects.

12 "(3) DISCRETION.—The Secretary may choose 13 not to incorporate into agency regulations and proce-14 dures pertaining to pipeline projects described in 15 paragraph (1) such project development procedures 16 that could only feasibly apply to highway projects, 17 public transportation capital projects, and 18 multimodal projects.

19 "(4) APPLICABILITY.—Subsection (1) of section
20 139 of title 23 shall apply to pipeline projects de21 scribed 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.".

3 (b) CLERICAL AMENDMENT.—The analysis for chap4 ter 601 of title 49, United States Code, is amended by
5 adding at the end the following:

"60144. Efficient environmental reviews and one Federal decision.".

6 SEC. 20223. EXEMPTION OF CERTAIN WILDFIRE MITIGA7 TION ACTIVITIES FROM CERTAIN ENVIRON8 MENTAL REQUIREMENTS.

9 (a) IN GENERAL.—Wildfire mitigation activities of 10 the Secretary of the Interior and the Secretary of Agri-11 culture may be carried out without regard to the provi-12 sions 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:

17 (1) Section 102(2)(C) of the National Environ18 mental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

19 (2) The Endangered Species Act of 1973 (16
20 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—

1	(A) under the administration of the Direc-
2	tor of the National Park System, the Director
3	of the Bureau of Land Management, or the
4	Chief of the Forest Service; and
5	(B) within 300 feet of any permanent or
6	temporary road, as measured from the center of
7	such road; and
8	(2) includes forest thinning, hazardous fuel re-
9	duction, prescribed burning, and vegetation manage-
10	ment.
11	SEC. 20224. VEGETATION MANAGEMENT, FACILITY INSPEC-
12	TION, AND OPERATION AND MAINTENANCE
14	
13	RELATING TO ELECTRIC TRANSMISSION AND
13	RELATING TO ELECTRIC TRANSMISSION AND
13 14	RELATING TO ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITY RIGHTS OF WAY. (a) HAZARD TREES WITHIN 50 FEET OF ELECTRIC
13 14 15	RELATING TO ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITY RIGHTS OF WAY. (a) HAZARD TREES WITHIN 50 FEET OF ELECTRIC
13 14 15 16 17	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
13 14 15 16 17	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.
 13 14 15 16 17 18 	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 in-
 13 14 15 16 17 18 19 	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 in- serting "50".
 13 14 15 16 17 18 19 20 	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 in- serting "50". (b) CONSULTATION WITH PRIVATE LANDOWNERS.—
 13 14 15 16 17 18 19 20 21 	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 in- serting "50". (b) CONSULTATION WITH PRIVATE LANDOWNERS.— Section 512(c)(3)(E) of the Federal Land Policy and

1	(2) in clause (ii), by striking the period and in-
2	serting "; and"; and
3	(3) by adding at the end the following:
4	"(iii) consulting with private land-
5	owners with respect to any hazard trees
6	identified for removal from land owned by
7	such private landowners.".
8	(c) Review and Approval Process.—Clause (iv)
9	of section $512(c)(4)(A)$ of the Federal Land Policy and
10	Management Act of 1976 (43 U.S.C. 1772(c)(4)(A)) is
11	amended to read as follows:
12	"(iv) ensures that—
13	"(I) a plan submitted without a
14	modification under clause (iii) shall be
15	automatically approved 60 days after
16	review; and
17	"(II) a plan submitted with a
18	modification under clause (iii) shall be
19	automatically approved 67 days after
20	review.".
21	SEC. 20225. CATEGORICAL EXCLUSION FOR ELECTRIC UTIL-
22	ITY LINES RIGHTS-OF-WAY.
23	(a) Secretary Concerned Defined.—In this sec-
24	tion, the term "Secretary concerned" means—

(1) the Secretary of Agriculture, with respect to
 National Forest System lands; and

3 (2) the Secretary of the Interior, with respect4 to public lands.

5 (b) CATEGORICAL EXCLUSION ESTABLISHED.—For6 est management activities described in subsection (c) are
7 a category of activities designated as being categorically
8 excluded from the preparation of an environmental assess9 ment or an environmental impact statement under section
10 102 of the National Environmental Policy Act of 1969 (42)
11 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 es tablished under subsection (b) in accordance with this sec tion.

4 (e) EXTRAORDINARY CIRCUMSTANCES.—Use of the
5 categorical exclusion established under subsection (b) shall
6 not be subject to the extraordinary circumstances proce7 dures in section 220.6, title 36, Code of Federal Regula8 tions, or section 1508.4, title 40, Code of Federal Regula9 tions.

(f) EXCLUSION OF CERTAIN AREAS.—The categorical exclusion established under subsection (b) shall not
apply to any forest management activity conducted—

13 (1) in a component of the National Wilderness14 Preservation System; or

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

18 (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 des ignated under subsection (c).

3 (3) TEMPORARY ROADS.—The Secretary con4 cerned shall decommission any temporary road con5 structed for a forest management activity designated
6 under subsection (c) not later than 3 years after the
7 date on which the action is completed.

8 (h) APPLICABLE LAWS.—A forest management activ-9 ity designated under subsection (c) shall not be subject 10 to section 7 of the Endangered Species Act of 1973 (16 11 U.S.C. 1536), section 106 of the National Historic Preser-12 vation Act, or any other applicable law.

13 SEC. 20226. STAFFING PLANS.

14 (a) IN GENERAL.—Not later than 365 days after the 15 date of enactment of this Act, each local unit of the National Park Service, Bureau of Land Management, and 16 Forest Service shall conduct an outreach plan for dissemi-17 nating and advertising open civil service positions with 18 functions relating to permitting or natural resources in 19 their offices. Each such plan shall include outreach to local 20 21 high schools, community colleges, institutions of higher 22 education, and any other relevant institutions, as deter-23 mined by the Secretary of the Interior or the Secretary 24 of Agriculture (as the case may be).

(b) COLLABORATION PERMITTED.—Such local units
 of the National Park Service, Bureau of Land Manage ment, and Forest Service located in reasonably close geo graphic areas may collaborate to produce a joint outreach
 plan that meets the requirements of subsection (a).

6 Subtitle C—Permitting for Mining 7 Needs

8 SEC. 20301. DEFINITIONS.

9 In this subtitle:

(1) BYPRODUCT.—The term "byproduct" has
the meaning given such term in section 7002(a) of
the Energy Act of 2020 (30 U.S.C. 1606(a)).

13 (2) INDIAN TRIBE.—The term "Indian Tribe"
14 has the meaning given such term in section 4 of the
15 Indian Self-Determination and Education Assistance
16 Act (25 U.S.C. 5304).

(3) MINERAL.—The term "mineral" means any
mineral of a kind that is locatable (including, but
not limited to, such minerals located on "lands acquired by the United States", as such term is defined in section 2 of the Mineral Leasing Act for Acquired Lands) under the Act of May 10, 1872
(Chapter 152; 17 Stat. 91).

1	(4) Secretary.—Except as otherwise provided,
2	the term "Secretary" means the Secretary of the In-
3	terior.
4	(5) STATE.—The term "State" means—
5	(A) a State;
6	(B) the District of Columbia;
7	(C) the Commonwealth of Puerto Rico;
8	(D) Guam;
9	(E) American Samoa;
10	(F) the Commonwealth of the Northern
11	Mariana Islands; and
12	(G) the United States Virgin Islands.
13	SEC. 20302. MINERALS SUPPLY CHAIN AND RELIABILITY.
13 14	SEC. 20302. MINERALS SUPPLY CHAIN AND RELIABILITY. Section 40206 of the Infrastructure Investment and
14 15	Section 40206 of the Infrastructure Investment and
14	Section 40206 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1607) is amended—
14 15 16	Section 40206 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1607) is amended— (1) in the section heading, by striking " CRIT-
14 15 16 17	Section 40206 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1607) is amended— (1) in the section heading, by striking " CRIT- ICAL MINERALS " and inserting " MINERALS ";
14 15 16 17 18	Section 40206 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1607) is amended— (1) in the section heading, by striking " CRIT- ICAL MINERALS " and inserting " MINERALS "; (2) by amending subsection (a) to read as fol-
14 15 16 17 18 19	Section 40206 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1607) is amended— (1) in the section heading, by striking " CRIT- ICAL MINERALS " and inserting " MINERALS "; (2) by amending subsection (a) to read as fol- lows:
14 15 16 17 18 19 20	Section 40206 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1607) is amended— (1) in the section heading, by striking " CRIT- ICAL MINERALS " and inserting " MINERALS "; (2) by amending subsection (a) to read as fol- lows: "(a) DEFINITIONS.—In this section:
 14 15 16 17 18 19 20 21 	Section 40206 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1607) is amended— (1) in the section heading, by striking " CRIT- ICAL MINERALS " and inserting " MINERALS "; (2) by amending subsection (a) to read as fol- lows: "(a) DEFINITIONS.—In this section: "(1) LEAD AGENCY.—The term 'lead agency'

1	"(2) MINERAL.—The term 'mineral' has the
2	meaning given such term in section 20301 of the
3	TAPP American Resources Act.
4	"(3) MINERAL EXPLORATION OR MINE PER-
5	MIT.—The term 'mineral exploration or mine permit'
6	means—
7	"(A) an authorization of the Bureau of
8	Land Management or the Forest Service, as ap-
9	plicable, for exploration for minerals that re-
10	quires analysis under the National Environ-
11	mental Policy Act of 1969;
12	"(B) a plan of operations for a mineral
13	project approved by the Bureau of Land Man-
14	agement or the Forest Service; or
15	"(C) any other Federal permit or author-
16	ization for a mineral project.
17	"(4) MINERAL PROJECT.—The term 'mineral
18	project' means a project—
19	"(A) located on—
20	"(i) a mining claim, millsite claim, or
21	tunnel site claim for any mineral;
22	"(ii) lands open to mineral entry; or
23	"(iii) a Federal mineral lease; and
24	"(B) for the purposes of exploring for or
25	producing minerals.";

1	(3) in subsection (b), by striking "critical" each
2	place such term appears;
3	(4) in subsection (c)—
4	(A) by striking "critical mineral production
5	on Federal land" and inserting "mineral
6	projects'';
7	(B) by inserting ", and in accordance with
8	subsection (h)" after "to the maximum extent
9	practicable'';
10	(C) by striking "shall complete the" and
11	inserting "shall complete such";
12	(D) in paragraph (1), by striking "critical
13	mineral-related activities on Federal land" and
14	inserting "mineral projects";
15	(E) in paragraph (8), by striking the
16	"and" at the end;
17	(F) in paragraph (9), by striking "proce-
18	dures." and inserting "procedures; and"; and
19	(G) by adding at the end the following:
20	"(10) deferring to and relying on baseline data,
21	analyses, and reviews performed by State agencies
22	with jurisdiction over the environmental or reclama-
23	tion permits for the proposed mineral project.";
24	(5) in subsection (d)—

1	(A) by striking "critical" each place such
2	term appears; and
3	(B) in paragraph (3), by striking "mineral-
4	related activities on Federal land" and inserting
5	"mineral projects";
6	(6) in subsection (e), by striking "critical";
7	(7) in subsection (f), by striking "critical" each
8	place such term appears;
9	(8) in subsection (g), by striking "critical" each
10	place such term appears; and
11	(9) by adding at the end the following:
12	"(h) Other Requirements.—
13	"(1) Memorandum of agreement.—For pur-
14	poses of maximizing efficiency and effectiveness of
15	the Federal permitting and review processes de-
16	scribed under subsection (c), the lead agency in the
17	Federal permitting and review processes of a min-
18	eral project shall (in consultation with any other
19	Federal agency involved in such Federal permitting
20	and review processes, and upon request of the
21	project applicant, an affected State government,
22	local government, or an Indian Tribe, or other entity
23	such lead agency determines appropriate) enter into
24	a memorandum of agreement with a project appli-

1	cant where requested by the applicant to carry out
2	the activities described in subsection (c).
3	"(2) TIMELINES AND SCHEDULES FOR NEPA
4	REVIEWS.—
5	"(A) EXTENSION.—A project applicant
6	may enter into 1 or more agreements with a
7	lead agency to extend the deadlines described in
8	subparagraphs (A) and (B) of subsection $(h)(1)$
9	of section 107 of title I of the National Envi-
10	ronmental Policy Act of 1969 by, with respect
11	to each such agreement, not more than 6
12	months.
13	"(B) ADJUSTMENT OF TIMELINES.—At
14	the request of a project applicant, the lead
15	agency and any other entity which is a signa-
16	tory to a memorandum of agreement under
17	paragraph (1) may, by unanimous agreement,
18	adjust—
19	"(i) any deadlines described in sub-
20	paragraph (A); and
21	"(ii) any deadlines extended under
22	subparagraph (B).
23	"(3) Effect on pending applications.—
24	Upon a written request by a project applicant, the
25	requirements of this subsection shall apply to any

1	application for a mineral exploration or mine permit
2	or mineral lease that was submitted before the date
3	of the enactment of the TAPP American Resources
4	Act.".
5	SEC. 20303. FEDERAL REGISTER PROCESS IMPROVEMENT.
6	Section $7002(f)$ of the Energy Act of 2020 (30)
7	U.S.C. 1606(f)) is amended—
8	(1) in paragraph (2), by striking "critical" both
9	places such term appears; and
10	(2) by striking paragraph (4).
11	SEC. 20304. DESIGNATION OF MINING AS A COVERED SEC-
12	TOR FOR FEDERAL PERMITTING IMPROVE-
13	MENT PURPOSES.
13 14	MENT PURPOSES. Section 41001(6)(A) of the FAST Act (42 U.S.C.
14	Section 41001(6)(A) of the FAST Act (42 U.S.C.
14 15	Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended by inserting "mineral produc-
14 15 16	Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended by inserting "mineral production," before "or any other sector".
14 15 16 17	Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended by inserting "mineral produc- tion," before "or any other sector". SEC. 20305. TREATMENT OF ACTIONS UNDER PRESI-
14 15 16 17 18	Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended by inserting "mineral produc- tion," before "or any other sector". SEC. 20305. TREATMENT OF ACTIONS UNDER PRESI- DENTIAL DETERMINATION 2022-11 FOR FED-
14 15 16 17 18 19	Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended by inserting "mineral produc- tion," before "or any other sector". SEC. 20305. TREATMENT OF ACTIONS UNDER PRESI- DENTIAL DETERMINATION 2022-11 FOR FED- ERAL PERMITTING IMPROVEMENT PUR-
14 15 16 17 18 19 20	Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended by inserting "mineral produc- tion," before "or any other sector". SEC. 20305. TREATMENT OF ACTIONS UNDER PRESI- DENTIAL DETERMINATION 2022–11 FOR FED- ERAL PERMITTING IMPROVEMENT PUR- POSES.
14 15 16 17 18 19 20 21	Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended by inserting "mineral produc- tion," before "or any other sector". SEC. 20305. TREATMENT OF ACTIONS UNDER PRESI- DENTIAL DETERMINATION 2022–11 FOR FED- ERAL PERMITTING IMPROVEMENT PUR- POSES. (a) IN GENERAL.—Except as provided by subsection

- 4370m(6)), without regard to the requirements of
 that section; and
- 3 (2) included in the Permitting Dashboard main4 tained pursuant to section 41003(b) of that Act (42
 5 13 U.S.C. 4370m-2(b)).

6 (b) ACTIONS DESCRIBED.—An action described in 7 this subsection is an action taken by the Secretary of De-8 fense pursuant to Presidential Determination 2022–11 9 (87 Fed. Reg. 19775; relating to certain actions under section 303 of the Defense Production Act of 1950) or 10 11 the Presidential Memorandum of February 27, 2023, ti-12 tled "Presidential Waiver of Statutory Requirements Pursuant to Section 303 of the Defense Production Act of 13 14 1950, as amended, on Department of Defense Supply 15 Chains Resilience" (88 Fed. Reg. 13015) to create, maintain, protect, expand, or restore sustainable and respon-16 17 sible domestic production capabilities through—

18 (1) supporting feasibility studies for mature
19 mining, beneficiation, and value-added processing
20 projects;

(2) byproduct and co-product production at existing mining, mine waste reclamation, and other industrial facilities;

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(3) modernization of mining, beneficiation, and

value-added processing to increase productivity, envi-

3 ronmental sustainability, and workforce safety; or 4 (4) any other activity authorized under section 5 303(a)(1) of the Defense Production Act of 1950 15 6 (50 U.S.C. 4533(a)(1)). 7 (c) EXCEPTION.—An action described in subsection 8 (b) may not be treated as a covered project or be included 9 in the Permitting Dashboard under subsection (a) if the 10 project sponsor (as defined in section 41001(18) of the FAST Act (42 U.S.C. 21 4370 m(18))) requests that the 11 12 action not be treated as a covered project. 13 SEC. 20306. NOTICE FOR MINERAL EXPLORATION ACTIVI-14 TIES WITH LIMITED SURFACE DISTURBANCE. 15 (a) IN GENERAL.—Not later than 15 days before commencing an exploration activity with a surface disturb-16 17 ance of not more than 5 acres of public lands, the operator 18 of such exploration activity shall submit to the Secretary 19 concerned a complete notice of such exploration activity. 20 (b) INCLUSIONS.—Notice submitted under subsection 21 (a) shall include such information the Secretary concerned 22 may require, including the information described in sec-

23 tion 3809.301 of title 43, Code of Federal Regulations (or

24 any successor regulation).

1	(c) REVIEW.—Not later than 15 days after the Sec-
2	retary concerned receives notice submitted under sub-
3	section (a), the Secretary concerned shall—
4	(1) review and determine completeness of the
5	notice; and
6	(2) allow exploration activities to proceed if—
7	(A) the surface disturbance of such explo-
8	ration activities on such public lands will not
9	exceed 5 acres;
10	(B) the Secretary concerned determines
11	that the notice is complete; and
12	(C) the operator provides financial assur-
13	ance that the Secretary concerned determines is
14	adequate.
15	(d) DEFINITIONS.—In this section:
16	(1) EXPLORATION ACTIVITY.—The term "explo-
17	ration activity"—
18	(A) means creating surface disturbance
19	greater than casual use that includes sampling,
20	drilling, or developing surface or underground
21	workings to evaluate the type, extent, quantity,
22	or quality of mineral values present;
23	(B) includes constructing drill roads and
24	drill pads, drilling, trenching, excavating test

1	pits, and conducting geotechnical tests and geo-
2	physical surveys; and
3	(C) does not include activities where mate-
4	rial is extracted for commercial use or sale.
5	(2) Secretary concerned.—The term "Sec-
6	retary concerned" means—
7	(A) with respect to lands administered by
8	the Secretary of the Interior, the Secretary of
9	the Interior; and
10	(B) with respect to National Forest Sys-
11	tem lands, the Secretary of Agriculture.
12	SEC. 20307. USE OF MINING CLAIMS FOR ANCILLARY AC-
13	TIVITIES.
	TIVITIES. Section 10101 of the Omnibus Budget Reconciliation
13 14 15	
14	Section 10101 of the Omnibus Budget Reconciliation
14 15 16	Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended by adding at the
14 15 16 17	Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended by adding at the end the following:
14 15 16 17 18	Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended by adding at the end the following: "(e) SECURITY OF TENURE.—
14 15	Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended by adding at the end the following: "(e) SECURITY OF TENURE.— "(1) IN GENERAL.—
14 15 16 17 18 19	Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended by adding at the end the following: "(e) SECURITY OF TENURE.— "(1) IN GENERAL.— (A) IN GENERAL.—A claimant shall have
 14 15 16 17 18 19 20 	Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended by adding at the end the following: "(e) SECURITY OF TENURE.— "(1) IN GENERAL.— "(A) IN GENERAL.—A claimant shall have the right to use, occupy, and conduct operations
 14 15 16 17 18 19 20 21 	Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended by adding at the end the following: "(e) SECURITY OF TENURE.— "(1) IN GENERAL.— "(A) IN GENERAL.—A claimant shall have the right to use, occupy, and conduct operations on public land, with or without the discovery of

1	section 10102 and the claim maintenance
2	fee required by subsection (a); or
3	"(ii) in the case of a claimant who
4	qualifies for a waiver under subsection (d),
5	such claimant makes a timely payment of
6	the location fee and complies with the re-
7	quired assessment work under the general
8	mining laws.
9	"(B) Operations defined.—For the
10	purposes of this paragraph, the term 'oper-
11	ations' means—
12	"(i) any activity or work carried out
13	in connection with prospecting, exploration,
14	processing, discovery and assessment, de-
15	velopment, or extraction with respect to a
16	locatable mineral;
17	"(ii) the reclamation of any disturbed
18	areas; and
19	"(iii) any other reasonably incident
20	uses, whether on a mining claim or not, in-
21	cluding the construction and maintenance
22	of facilities, roads, transmission lines, pipe-
23	lines, and any other necessary infrastruc-
24	ture or means of access on public land for
25	support facilities.

1	"(2) Fulfillment of federal land policy
2	AND MANAGEMENT ACT.—A claimant that fulfills
3	the requirements of this section and section 10102
4	shall be deemed to satisfy the requirements of any
5	provision of the Federal Land Policy and Manage-
6	ment Act that requires the payment of fair market
7	value to the United States for use of public lands
8	and resources relating to use of such lands and re-
9	sources authorized by the general mining laws.
10	"(3) SAVINGS CLAUSE.—Nothing in this sub-
11	section may be construed to diminish the rights of
12	entry, use, and occupancy, or any other right, of a
13	claimant under the general mining laws.".
14	SEC. 20308. ENSURING CONSIDERATION OF URANIUM AS A
14 15	SEC. 20308. ENSURING CONSIDERATION OF URANIUM AS A CRITICAL MINERAL.
15	CRITICAL MINERAL.
15 16	(a) IN GENERAL.—Section 7002(a)(3)(B)(i) of the
15 16 17	CRITICAL MINERAL. (a) IN GENERAL.—Section 7002(a)(3)(B)(i) of the Energy Act of 2020 (30 U.S.C. 1606(a)(3)(B)(i)) is
15 16 17 18	CRITICAL MINERAL. (a) IN GENERAL.—Section 7002(a)(3)(B)(i) of the Energy Act of 2020 (30 U.S.C. 1606(a)(3)(B)(i)) is amended to read as follows:
15 16 17 18 19	CRITICAL MINERAL. (a) IN GENERAL.—Section 7002(a)(3)(B)(i) of the Energy Act of 2020 (30 U.S.C. 1606(a)(3)(B)(i)) is amended to read as follows: "(i) oil, oil shale, coal, or natural
15 16 17 18 19 20	CRITICAL MINERAL. (a) IN GENERAL.—Section 7002(a)(3)(B)(i) of the Energy Act of 2020 (30 U.S.C. 1606(a)(3)(B)(i)) is amended to read as follows: "(i) oil, oil shale, coal, or natural gas;".
 15 16 17 18 19 20 21 	CRITICAL MINERAL. (a) IN GENERAL.—Section 7002(a)(3)(B)(i) of the Energy Act of 2020 (30 U.S.C. 1606(a)(3)(B)(i)) is amended to read as follows: "(i) oil, oil shale, coal, or natural gas;". (b) UPDATE.—Not later than 60 days after the date
 15 16 17 18 19 20 21 22 	CRITICAL MINERAL. (a) IN GENERAL.—Section 7002(a)(3)(B)(i) of the Energy Act of 2020 (30 U.S.C. 1606(a)(3)(B)(i)) is amended to read as follows: (i) oil, oil shale, coal, or natural gas;". (b) UPDATE.—Not later than 60 days after the date of the enactment of this section, the Secretary, acting

ergy Act of 2020 (30 U.S.C. 1606(c)(3)) in accordance
 with subsection (a) of this section.

- 3 (c) REPORT.—Not later than 180 days after the date
 4 of the enactment of this section, the Secretary, acting
 5 through the Director of the United States Geological Sur6 vey, in consultation with the Secretary of Energy, shall
 7 submit to the appropriate committees of Congress a report
 8 that includes the following:
- 9 (1) The current status of uranium deposits in
 10 the United States with respect to the amount and
 11 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).

18 SEC. 20309. BARRING FOREIGN BAD ACTORS FROM OPER-

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ATING ON FEDERAL LANDS.

A mining claimant shall be barred from the right to use, occupy, and conduct operations on Federal land if the Secretary of the Interior finds the claimant has a foreign parent company that has (including through a subsidiary)—

1	(1) a known record of human rights violations;
2	0 r
3	(2) knowingly operated an illegal mine in an-
4	other country.
5	SEC. 20310. PERMIT PROCESS FOR PROJECTS RELATING TO
6	EXTRACTION, RECOVERY, OR PROCESSING
7	OF CRITICAL MATERIALS.
8	(a) Definition of Covered Project.—Section
9	41001(6)(A) of the FAST Act (42 U.S.C. $4370m(6)(A)$)
10	is amended—
11	(1) in clause (iii)(III), by striking "; or" and in-
12	serting ";";
13	(2) in clause (iv)(II), by striking the period at
14	the end and inserting "; or"; and
15	(3) by adding at the end the following:
16	"(v) is related to the extraction, recov-
17	ery, or processing from coal, coal waste,
18	coal processing waste, pre-or post-combus-
19	tion coal byproducts, or acid mine drainage
20	from coal mines of—
21	"(I) critical minerals (as such
22	term is defined in section 7002 of the
23	Energy Act of 2020);
24	"(II) rare earth elements; or

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"(III) microfine carbon or carbon from coal.".

3 (b) REPORT.—Not later than 6 months after the date 4 of enactment of this Act, the Secretary of the Interior 5 shall submit to the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of 6 7 the Senate and the Committees on Transportation and In-8 frastructure, Natural Resources, and Energy and Com-9 merce of the House of Representatives a report evaluating the timeliness of implementation of reforms of the permit-10 ting process required as a result of the amendments made 11 by this section on the following: 12

13 (1) The economic and national security of the14 United States.

15 (2) Domestic production and supply of critical
16 minerals, rare earths, and microfine carbon or car17 bon from coal.

18 SEC. 20311. NATIONAL STRATEGY TO RE-SHORE MINERAL

19 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—

24 (1) identify mineral commodities that—

(A) serve a critical purpose to the national
 security of the United States, including with re spect to military, defense, and strategic mobility
 applications; and

5 (B) are at highest risk of supply chain dis-6 ruption due to the domestic or global actions of 7 any covered entity, including price-fixing, sys-8 temic acquisition and control of global mineral 9 resources and processing, refining, and smelting 10 capacity, and undercutting the fair market 11 value of such resources; and

12 (2) develop a national strategy for bolstering 13 supply chains in the United States for the mineral 14 commodities identified under paragraph (1), includ-15 ing through the enactment of new national policies and the utilization of current authorities, to increase 16 17 capacity and efficiency of domestic mining, refining, 18 processing, and manufacturing of such mineral com-19 modities.

20 (b) COVERED ENTITY.—In this section, the term
21 "covered entity" means an entity that—

(1) is subject to the jurisdiction or direction ofthe People's Republic of China;

24 (2) is directly or indirectly operating on behalf25 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 Peo ple's Republic of China.

4 Subtitle D—Federal Land Use 5 Planning

6 SEC. 20401. FEDERAL LAND USE PLANNING AND WITH7 DRAWALS.

8 (a) RESOURCE ASSESSMENTS REQUIRED.—Federal 9 lands and waters may not be withdrawn from entry under 10 the mining laws or operation of the mineral leasing and 11 mineral materials laws unless—

12 (1) a quantitative and qualitative geophysical 13 and geological mineral resource assessment of the 14 impacted area has been completed during the 10-15 year period ending on the date of such withdrawal;

(2) the Secretary, in consultation with the Secretary of Commerce, the Secretary of Energy, and
the Secretary of Defense, conducts an assessment of
the economic, energy, strategic, and national security value of mineral deposits identified in such mineral resource assessment;

(3) the Secretary conducts an assessment of the
reduction in future Federal revenues to the Treasury, States, the Land and Water Conservation
Fund, the Historic Preservation Fund, and the Na-

tional Parks and Public Land Legacy Restoration
 Fund resulting from the proposed mineral with drawal;

4 (4) the Secretary, in consultation with the Sec5 retary of Defense, conducts an assessment of mili6 tary readiness and training activities in the proposed
7 withdrawal area; and

8 (5) the Secretary submits a report to the Com-9 mittees on Natural Resources, Agriculture, Energy 10 and Commerce, and Foreign Affairs of the House of 11 Representatives and the Committees on Energy and 12 Natural Resources, Agriculture, and Foreign Affairs 13 of the Senate, that includes the results of the assess-14 ments completed pursuant to this subsection.

(b) LAND USE PLANS.—Before a resource management plan under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or a forest
management plan under the National Forest Management
Act is updated or completed, the Secretary or Secretary
of Agriculture, as applicable, in consultation with the Director of the United States Geological Survey, shall—

(1) review any quantitative and qualitative mineral resource assessment that was completed or updated during the 10-year period ending on the date
that the applicable land management agency pub-

lishes a notice to prepare, revise, or amend a land
 use plan by the Director of the United States Geo logical Survey for the geographic area affected by
 the applicable management plan;

5 (2) the Secretary, in consultation with the Sec6 retary of Commerce, the Secretary of Energy, and
7 the Secretary of Defense, conducts an assessment of
8 the economic, energy, strategic, and national secu9 rity value of mineral deposits identified in such min10 eral resource assessment; and

(3) submit a report to the Committees on Natural Resources, Agriculture, Energy and Commerce,
and Foreign Affairs of the House of Representatives
and the Committees on Energy and Natural Resources, Agriculture, and Foreign Affairs of the Senate, that includes the results of the assessment completed pursuant to this subsection.

18 (c) NEW INFORMATION.—The Secretary shall provide 19 recommendations to the President on appropriate meas-20 ures to reduce unnecessary impacts that a withdrawal of 21 Federal lands or waters from entry under the mining laws 22 or operation of the mineral leasing and mineral materials 23 laws may have on mineral exploration, development, and 24 other mineral activities (including authorizing exploration and development of such mineral deposits) not later than 25

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180 days after the Secretary has notice that a resource 1 2 assessment completed by the Director of the United States Geological Survey, in coordination with the State geologi-3 4 cal surveys, determines that a previously undiscovered 5 mineral deposit may be present in an area that has been withdrawn from entry under the mining laws or operation 6 of the mineral leasing and mineral materials laws pursu-7 8 ant to-

9 (1) section 204 of the Federal Land Policy and
10 Management Act of 1976 (43 U.S.C. 1714); or

11 (2) chapter 3203 of title 54, United States12 Code.

13 SEC. 20402. PROHIBITIONS ON DELAY OF MINERAL DEVEL14 OPMENT OF CERTAIN FEDERAL LAND.

(a) PROHIBITIONS.—Notwithstanding any other provision of law, the President shall not carry out any action
that would pause, restrict, or delay the process for or
issuance of any of the following on Federal land, unless
such lands are withdrawn from disposition under the mineral leasing laws, including by administrative withdrawal:

(1) New oil and gas lease sales, oil and gas
leases, drill permits, or associated approvals or authorizations of any kind associated with oil and gas
leases.

(2) New coal leases (including leases by applica tion in process, renewals, modifications, or expan sions of existing leases), permits, approvals, or au thorizations.

5 (3) New leases, claims, permits, approvals, or
6 authorizations for development or exploration of
7 minerals.

8 (b) PROHIBITION ON RESCISSION OF LEASES, PER-9 MITS, OR CLAIMS.—The President, the Secretary, or Secretary of Agriculture as applicable, may not rescind any 10 11 existing lease, permit, or claim for the extraction and pro-12 duction of any mineral under the mining laws or mineral leasing and mineral materials laws on National Forest 13 System land or land under the jurisdiction of the Bureau 14 15 of Land Management, unless specifically authorized by Federal statute, or upon the lessee, permittee, or claim-16 17 ant's failure to comply with any of the provisions of the 18 applicable lease, permit, or claim.

(c) MINERAL DEFINED.—In subsection (a)(3), the
term "mineral" means any mineral of a kind that is
locatable (including such minerals located on "lands acquired by the United States", as such term is defined in
section 2 of the Mineral Leasing Act for Acquired Lands)
under the Act of May 10, 1872 (Chapter 152; 17 Stat.
91).

1	SEC. 20403. DEFINITIONS.
2	In this subtitle:
3	(1) FEDERAL LAND.—The term "Federal land"
4	means—
5	(A) National Forest System land;
6	(B) public lands (as defined in section 103
7	of the Federal Land Policy and Management
8	Act of 1976 (43 U.S.C. 1702));
9	(C) the outer Continental Shelf (as defined
10	in section 2 of the Outer Continental Shelf
11	Lands Act (43 U.S.C. 1331)); and
12	(D) land managed by the Secretary of En-
13	ergy.
14	(2) PRESIDENT.—The term "President"
15	means—
16	(A) the President; and
17	(B) any designee of the President, includ-
18	ing
19	(i) the Secretary of Agriculture;
20	(ii) the Secretary of Commerce;
21	(iii) the Secretary of Energy; and
22	(iv) the Secretary of the Interior.
23	(3) Previously undiscovered deposit.—
24	The term "previously undiscovered mineral deposit"
25	means—

1	(A) a mineral deposit that has been pre-
2	viously evaluated by the United States Geologi-
3	cal Survey and found to be of low mineral po-
4	tential, but upon subsequent evaluation is de-
5	termined by the United States Geological Sur-
6	vey to have significant mineral potential; or
7	(B) a mineral deposit that has not pre-
8	viously been evaluated by the United States Ge-
9	ological Survey.
10	(4) Secretary.—The term "Secretary" means
11	the Secretary of the Interior.
12	Subtitle E—Ensuring
13	Competitiveness on Federal Lands
13 14	Competitiveness on Federal Lands SEC. 20501. INCENTIVIZING DOMESTIC PRODUCTION.
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14	SEC. 20501. INCENTIVIZING DOMESTIC PRODUCTION.
14 15	SEC. 20501. INCENTIVIZING DOMESTIC PRODUCTION. (a) OFFSHORE OIL AND GAS ROYALTY RATE.—Sec-
14 15 16	SEC. 20501. INCENTIVIZING DOMESTIC PRODUCTION. (a) OFFSHORE OIL AND GAS ROYALTY RATE.—Sec- tion 8(a)(1) of the Outer Continental Shelf Lands Act (43
14 15 16 17	 SEC. 20501. INCENTIVIZING DOMESTIC PRODUCTION. (a) OFFSHORE OIL AND GAS ROYALTY RATE.—Section 8(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)) is amended—
14 15 16 17 18	 SEC. 20501. INCENTIVIZING DOMESTIC PRODUCTION. (a) OFFSHORE OIL AND GAS ROYALTY RATE.—Section 8(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)) is amended— (1) in subparagraph (A), by striking "not less
14 15 16 17 18 19	 SEC. 20501. INCENTIVIZING DOMESTIC PRODUCTION. (a) OFFSHORE OIL AND GAS ROYALTY RATE.—Section 8(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)) is amended— (1) in subparagraph (A), by striking "not less than 16²/₃ percent, but not more than 18³/₄ percent,
 14 15 16 17 18 19 20 	 SEC. 20501. INCENTIVIZING DOMESTIC PRODUCTION. (a) OFFSHORE OIL AND GAS ROYALTY RATE.—Section 8(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)) is amended— (1) in subparagraph (A), by striking "not less than 16²/₃ percent, but not more than 18³/₄ percent, during the 10-year period beginning on the date of
 14 15 16 17 18 19 20 21 	 SEC. 20501. INCENTIVIZING DOMESTIC PRODUCTION. (a) OFFSHORE OIL AND GAS ROYALTY RATE.—Section 8(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)) is amended— (1) in subparagraph (A), by striking "not less than 16²/₃ percent, but not more than 18³/₄ percent, during the 10-year period beginning on the date of enactment of the Act titled 'An Act to provide for
 14 15 16 17 18 19 20 21 22 	 SEC. 20501. INCENTIVIZING DOMESTIC PRODUCTION. (a) OFFSHORE OIL AND GAS ROYALTY RATE.—Section 8(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)) is amended— (1) in subparagraph (A), by striking "not less than 16²/₃ percent, but not more than 18³/₄ percent, during the 10-year period beginning on the date of enactment of the Act titled 'An Act to provide for reconciliation pursuant to title II of S. Con. Res.

1 (2) in subparagraph (C), by striking "not less 2 than $16^{2/3}$ percent, but not more than $18^{3/4}$ percent, 3 during the 10-year period beginning on the date of 4 enactment of the Act titled 'An Act to provide for 5 reconciliation pursuant to title II of S. Con. Res. 6 14', and not less than $16^{2/3}$ percent thereafter," each place it appears and inserting "not less than 7 8 12.5 percent";

9 (3) in subparagraph (F), by striking "not less 10 than 16²/₃ percent, but not more than 18³/₄ percent, 11 during the 10-year period beginning on the date of 12 enactment of the Act titled 'An Act to provide for 13 reconciliation pursuant to title II of S. Con. Res. 14 14', and not less than 16²/₃ percent thereafter," and 15 inserting "not less than 12.5 percent"; and

(4) in subparagraph (H), by striking "not less
than 16²/₃ percent, but not more than 18³/₄ percent,
during the 10-year period beginning on the date of
enactment of the Act titled 'An Act to provide for
reconciliation pursuant to title II of S. Con. Res.
14', and not less than 16²/₃ percent thereafter," and
inserting "not less than 12.5 percent".

23 (b) MINERAL LEASING ACT.—

24 (1) ONSHORE OIL AND GAS ROYALTY RATES.—

1	(A) LEASE OF OIL AND GAS LAND.—Sec-
2	tion 17 of the Mineral Leasing Act (30 U.S.C.
3	226) is amended—
4	(i) in subsection $(b)(1)(A)$ —
5	(I) by striking "not less than
6	$16^{2/3}$ " and inserting "not less than
7	12.5"; and
8	(II) by striking "or, in the case
9	of a lease issued during the 10-year
10	period beginning on the date of enact-
11	ment of the Act titled 'An Act to pro-
12	vide for reconciliation pursuant to
13	title II of S. Con. Res. 14', $16^{2/3}$ per-
14	cent in amount or value of the pro-
15	duction removed or sold from the
16	lease"; and
17	(ii) by striking "16 ² / ₃ percent" each
18	place it appears and inserting "12.5 per-
19	cent".
20	(B) Conditions for reinstatement.—
21	Section $31(e)(3)$ of the Mineral Leasing Act (30
22	U.S.C. 188(e)(3)) is amended by striking "20"
23	inserting " $16^{2}/_{3}$ ".
1	(2) OIL AND GAS MINIMUM BID.—Section 17(b)
----	--
2	of the Mineral Leasing Act (30 U.S.C. 226(b)) is
3	amended—
4	(A) in paragraph (1)(B), by striking "\$10
5	per acre during the 10-year period beginning on
6	the date of enactment of the Act titled 'An Act
7	to provide for reconciliation pursuant to title II
8	of S. Con. Res. 14'." and inserting "\$2 per
9	acre for a period of 2 years from the date of
10	the enactment of the Federal Onshore Oil and
11	Gas Leasing Reform Act of 1987."; and
12	(B) in paragraph (2)(C), by striking " $$10$
13	per acre" and inserting "\$2 per acre".
14	(3) Fossil fuel rental rates.—Section
15	17(d) of the Mineral Leasing Act (30 U.S.C.
16	226(d)) is amended to read as follows:
17	"(d) All leases issued under this section, as amended
18	by the Federal Onshore Oil and Gas Leasing Reform Act
19	of 1987, shall be conditioned upon payment by the lessee
20	of a rental of not less than \$1.50 per acre per year for
21	the first through fifth years of the lease and not less than
22	\$2 per acre per year for each year thereafter. A minimum
23	royalty in lieu of rental of not less than the rental which
24	otherwise would be required for that lease year shall be
25	payable at the expiration of each lease year beginning on

1	or after a discovery of oil or gas in paying quantities on
2	the lands leased.".
3	(4) Expression of interest fee.—Section
4	17 of the Mineral Leasing Act (30 U.S.C. 226) is
5	further amended by repealing subsection (q).
6	(5) Elimination of noncompetitive leas-
7	ING.—Section 17 of the Mineral Leasing Act (30
8	U.S.C. 226) is further amended—
9	(A) in subsection (b)—
10	(i) in paragraph (1)(A)—
11	(I) in the first sentence, by strik-
12	ing "paragraph (2)" and inserting
13	"paragraphs (2) and (3)"; and
14	(II) by adding at the end "Lands
15	for which no bids are received or for
16	which the highest bid is less than the
17	national minimum acceptable bid shall
18	be offered promptly within 30 days
19	for leasing under subsection (c) of this
20	section and shall remain available for
21	leasing for a period of 2 years after
22	the competitive lease sale."; and
23	(ii) by adding at the end the fol-
24	lowing:

1	"(3)(A) If the United States held a vested fu-
2	ture interest in a mineral estate that, immediately
3	prior to becoming a vested present interest, was sub-
4	ject to a lease under which oil or gas was being pro-
5	duced, or had a well capable of producing, in paying
6	quantities at an annual average production volume
7	per well per day of either not more than 15 barrels
8	per day of oil or condensate, or not more than
9	60,000 cubic feet of gas, the holder of the lease may
10	elect to continue the lease as a noncompetitive lease
11	under subsection $(c)(1)$.
12	"(B) An election under this paragraph is effec-
13	tive—
14	"(i) in the case of an interest which vested
15	after January 1, 1990, and on or before Octo-
16	ber 24, 1992, if the election is made before the
17	date that is 1 year after October 24, 1992;
18	"(ii) in the case of an interest which vests
19	within 1 year after October 24, 1992, if the
20	election is made before the date that is 2 years
21	after October 24, 1992; and
22	"(iii) in any case other than those de-
23	scribed in clause (i) or (ii), if the election is
24	made prior to the interest becoming a vested
	1 0

(B) by striking subsection (c) and insert ing the following:

3 "(c) LANDS SUBJECT TO LEASING UNDER SUB-4 SECTION (B); FIRST QUALIFIED APPLICANT.—

5 "(1) If the lands to be leased are not leased 6 under subsection (b)(1) of this section or are not 7 subject to competitive leasing under subsection 8 (b)(2) of this section, the person first making appli-9 cation for the lease who is qualified to hold a lease 10 under this chapter shall be entitled to a lease of 11 such lands without competitive bidding, upon pay-12 ment of a non-refundable application fee of at least \$75. A lease under this subsection shall be condi-13 14 tioned upon the payment of a royalty at a rate of 15 12.5 percent in amount or value of the production 16 removed or sold from the lease. Leases shall be 17 issued within 60 days of the date on which the Sec-18 retary identifies the first responsible qualified appli-19 cant.

"(2)(A) Lands (i) which were posted for sale
under subsection (b)(1) of this section but for which
no bids were received or for which the highest bid
was less than the national minimum acceptable bid
and (ii) for which, at the end of the period referred
to in subsection (b)(1) of this section no lease has

1	been issued and no lease application is pending
2	under paragraph (1) of this subsection, shall again
3	be available for leasing only in accordance with sub-
4	section $(b)(1)$ of this section.
5	"(B) The land in any lease which is issued
6	under paragraph (1) of this subsection or under sub-
7	section $(b)(1)$ of this section which lease terminates,
8	expires, is cancelled or is relinquished shall again be
9	available for leasing only in accordance with sub-
10	section (b)(1) of this section."; and
11	(C) by striking subsection (e) and inserting
12	the following:
13	"(e) PRIMARY TERM.—Competitive and noncompeti-
14	tive leases issued under this section shall be for a primary
15	term of 10 years: Provided, however, That competitive
16	leases issued in special tar sand areas shall also be for
17	a primary term of 10 years. Each such lease shall continue
18	so long after its primary term as oil or gas is produced
19	in paying quantities. Any lease issued under this section
20	for land on which, or for which under an approved cooper-
21	ative or unit plan of development or operation, actual drill-
22	ing operations were commenced prior to the end of its pri-
23	mary term and are being diligently prosecuted at that time
24	shall be extended for two years and so long thereafter as
25	oil or gas is produced in paying quantities.".

1	(6) Conforming Amendments.—Section 31 of
2	the Mineral Leasing Act (30 U.S.C. 188) is amend-
3	ed—
4	(A) in subsection $(d)(1)$, by striking "sec-
5	tion 17(b)" and inserting "subsection (b) or (c)
6	of section 17 of this Act";
7	(B) in subsection (e)—
8	(i) in paragraph (2)—
9	(I) insert "either" after "rentals
10	and"; and
11	(II) insert "or the inclusion in a
12	reinstated lease issued pursuant to the
13	provisions of section 17(c) of this Act
14	of a requirement that future rentals
15	shall be at a rate not less than \$5 per
16	acre per year, all" before "as deter-
17	mined by the Secretary"; and
18	(ii) by amending paragraph (3) to
19	read as follows:
20	"(3)(A) payment of back royalties and the in-
21	clusion in a reinstated lease issued pursuant to the
22	provisions of section 17(b) of this Act of a require-
23	ment for future royalties at a rate of not less than
24	$16^{2/3}$ percent computed on a sliding scale based
25	upon the average production per well per day, at a

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1 rate which shall be not less than 4 percentage points 2 greater than the competitive royalty schedule then in 3 force and used for royalty determination for com-4 petitive leases issued pursuant to such section as de-5 termined by the Secretary: Provided, That royalty 6 on such reinstated lease shall be paid on all produc-7 tion removed or sold from such lease subsequent to 8 the termination of the original lease; 9 "(B) payment of back royalties and inclusion in 10 a reinstated lease issued pursuant to the provisions 11 of section 17(c) of this Act of a requirement for fu-12 ture royalties at a rate not less than $16^{2/3}$ percent: 13 Provided, That royalty on such reinstated lease shall 14 be paid on all production removed or sold from such 15 lease subsequent to the cancellation or termination 16 of the original lease; and";

- 17 (C) in subsection (f)—
- (i) in paragraph (1), strike "in the
 same manner as the original lease issued
 pursuant to section 17" and insert "as a
 competitive or a noncompetitive oil and gas
 lease in the same manner as the original
 lease issued pursuant to subsection (b) or
 (c) of section 17 of this Act";

1	(ii) by redesignating paragraphs (2)
2	and (3) as paragraph (3) and (4) , respec-
3	tively; and
4	(iii) by inserting after paragraph (1)
5	the following:
6	"(2) Except as otherwise provided in this sec-
7	tion, the issuance of a lease in lieu of an abandoned
8	patented oil placer mining claim shall be treated as
9	a noncompetitive oil and gas lease issued pursuant
10	to section 17(c) of this Act.";
11	(D) in subsection (g), by striking "sub-
12	section (d)" and inserting "subsections (d) and
13	(f)";
14	(E) by amending subsection (h) to read as
15	follows:
16	"(h) ROYALTY REDUCTIONS.—
17	"(1) In acting on a petition to issue a non-
18	competitive oil and gas lease, under subsection (f) of
19	this section or in response to a request filed after
20	issuance of such a lease, or both, the Secretary is
21	authorized to reduce the royalty on such lease if in
22	his judgment it is equitable to do so or the cir-
23	cumstances warrant such relief due to uneconomic
24	or other circumstances which could cause undue
25	hardship or premature termination of production.

1 "(2) In acting on a petition for reinstatement 2 pursuant to subsection (d) of this section or in re-3 sponse to a request filed after reinstatement, or 4 both, the Secretary is authorized to reduce the roy-5 alty in that reinstated lease on the entire leasehold 6 or any tract or portion thereof segregated for royalty purposes if, in his judgment, there are uneconomic 7 8 or other circumstances which could cause undue 9 hardship or premature termination of production; or 10 because of any written action of the United States, 11 its agents or employees, which preceded, and was a 12 major consideration in, the lessee's expenditure of funds to develop the property under the lease after 13 14 the rent had become due and had not been paid; or 15 if in the judgment of the Secretary it is equitable to 16 do so for any reason."; 17 (\mathbf{F}) by redesignating subsections (f)18 through (i) as subsections (g) through (j), re-19 spectively; and 20 (G) by inserting after subsection (e) the 21 following: 22 "(f) ISSUANCE OF NONCOMPETITIVE OIL AND GAS 23 LEASE; CONDITIONS.—Where an unpatented oil placer 24 mining claim validly located prior to February 24, 1920, which has been or is currently producing or is capable of 25

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producing oil or gas, has been or is hereafter deemed con-1 2 clusively abandoned for failure to file timely the required 3 instruments or copies of instruments required by section 4 1744 of title 43, and it is shown to the satisfaction of 5 the Secretary that such failure was inadvertent, justifiable, or not due to lack of reasonable diligence on the part 6 7 of the owner, the Secretary may issue, for the lands cov-8 ered by the abandoned unpatented oil placer mining claim, 9 a noncompetitive oil and gas lease, consistent with the provisions of section 17(e) of this Act, to be effective from 10 11 the statutory date the claim was deemed conclusively 12 abandoned. Issuance of such a lease shall be conditioned 13 upon:

14 "(1) a petition for issuance of a noncompetitive 15 oil and gas lease, together with the required rental 16 and royalty, including back rental and royalty accru-17 ing from the statutory date of abandonment of the 18 placer mining claim, being filed with the oil 19 Secretary- (A) with respect to any claim deemed 20 conclusively abandoned on or before January 12, 21 1983, on or before the one hundred and twentieth 22 day after January 12, 1983, or (B) with respect to 23 any claim deemed conclusively abandoned after Jan-24 uary 12, 1983, on or before the one hundred and 25 twentieth day after final notification by the Sec-

retary or a court of competent jurisdiction of the de termination of the abandonment of the oil placer
 mining claim;

4 "(2) a valid lease not having been issued affect-5 ing any of the lands covered by the abandoned oil 6 placer mining claim prior to the filing of such peti-7 tion: Provided, however, That after the filing of a petition for issuance of a lease under this subsection, 8 9 the Secretary shall not issue any new lease affecting 10 any of the lands covered by such abandoned oil plac-11 er mining claim for a reasonable period, as deter-12 mined in accordance with regulations issued by him; 13 "(3) a requirement in the lease for payment of 14 rental, including back rentals accruing from the 15 statutory date of abandonment of the oil placer min-16 ing claim, of not less than \$5 per acre per year;

"(4) a requirement in the lease for payment of
royalty on production removed or sold from the oil
placer mining claim, including all royalty on production made subsequent to the statutory date the claim
was deemed conclusively abandoned, of not less than
12¹/₂ percent; and

23 "(5) compliance with the notice and reimburse24 ment of costs provisions of paragraph (4) of sub25 section (e) but addressed to the petition covering the

1	conversion of an abandoned unpatented oil placer
2	mining claim to a noncompetitive oil and gas lease.".
3	Subtitle F—Energy Revenue
4	Sharing
5	SEC. 20601. GULF OF MEXICO OUTER CONTINENTAL SHELF
6	REVENUE.
7	(a) Distribution of Outer Continental Shelf
8	REVENUE TO GULF PRODUCING STATES.—Section 105 of
9	the Gulf of Mexico Energy Security Act of 2006 (43
10	U.S.C. 1331 note) is amended—
11	(1) in subsection (a)—
12	(A) in paragraph (1), by striking "50" and
13	inserting "37.5"; and
14	(B) in paragraph (2)—
15	(i) by striking "50" and inserting
16	<i>"</i> 62.5 <i>"</i> ;
17	(ii) in subparagraph (A), by striking
18	"75" and inserting "80"; and
19	(iii) in subparagraph (B), by striking
20	"25" and inserting "20"; and
21	(2) by striking subsection (f) and inserting the
22	following:
23	"(f) TREATMENT OF AMOUNTS.—Amounts disbursed
24	to a Gulf producing State under this section shall be treat-
25	ed as revenue sharing and not as a Federal award or grant

for the purposes of part 200 of title 2, Code of Federal
 Regulations.".

3 (b) EXEMPTION OF CERTAIN PAYMENTS FROM SE-4 QUESTRATION.—

5 (1) IN GENERAL.—Section 255(g)(1)(A) of the
6 Balanced Budget and Emergency Deficit Control
7 Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by
8 inserting after "Payments to Social Security Trust
9 Funds (28-0404-0-1-651)." the following:

"Payments to States pursuant to section
10 "Payments to States pursuant to section
11 105(a)(2)(A) of the Gulf of Mexico Energy Security
12 Act of 2006 (Public Law 109–432; 43 U.S.C. 1331
13 note) (014–5535–0–2–302).".

14 (2) APPLICABILITY.—The amendment made by
15 this subsection shall apply to any sequestration
16 order issued under the Balanced Budget and Emer17 gency Deficit Control Act of 1985 (2 U.S.C. 900 et
18 seq.) on or after the date of enactment of this Act.
19 SEC. 20602. PARITY IN OFFSHORE WIND REVENUE SHAR20 ING.

(a) PAYMENTS AND REVENUES.—Section 8(p)(2) of
the Outer Continental Shelf Lands Act (43 U.S.C.
1337(p)(2)) is amended—

24 (1) in subparagraph (A), by striking "(A) The25 Secretary" and inserting the following:

1	"(A) IN GENERAL.—Subject to subpara-
2	graphs (B) and (C), the Secretary";
3	(2) in subparagraph (B), by striking "(B) The
4	Secretary" and inserting the following:
5	"(B) DISPOSITION OF REVENUES FOR
6	PROJECTS LOCATED WITHIN 3 NAUTICAL MILES
7	SEAWARD OF STATE SUBMERGED LAND.—The
8	Secretary"; and
9	(3) by adding at the end the following:
10	"(C) DISPOSITION OF REVENUES FOR OFF-
11	SHORE WIND PROJECTS IN CERTAIN AREAS.—
12	"(i) DEFINITIONS.—In this subpara-
13	graph:
14	"(I) Covered offshore wind
15	PROJECT.—The term 'covered off-
16	shore wind project' means a wind
17	powered electric generation project in
18	a wind energy area on the outer Con-
19	tinental Shelf that is not wholly or
20	partially located within an area sub-
21	ject to subparagraph (B).
22	"(II) ELIGIBLE STATE.—The
23	term 'eligible State' means a State a
24	point on the coastline of which is lo-
25	cated within 75 miles of the geo-

1	graphic center of a covered offshore
2	wind project.
2	

3	"(III) QUALIFIED OUTER CONTI-
4	NENTAL SHELF REVENUES.—The
5	term 'qualified outer Continental
6	Shelf revenues' means all royalties,
7	fees, rentals, bonuses, or other pay-
8	ments from covered offshore wind
9	projects carried out pursuant to this
10	subsection on or after the date of en-
11	actment of this subparagraph.

12 "(ii) Requirement.—

13 "(I) IN GENERAL.—The Sec14 retary of the Treasury shall deposit—
15 "(aa) 12.5 percent of quali16 fied outer Continental Shelf reve17 nues in the general fund of the

18 Treasury;

19 "(bb) 37.5 percent of quali20 fied outer Continental Shelf reve21 nues in the North American Wet22 lands Conservation Fund; and
23 "(cc) 50 percent of qualified
24 outer Continental Shelf revenues
25 in a special account in the Treas-

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1	ury from which the Secretary
2	shall disburse to each eligible
3	State an amount determined pur-
4	suant to subclause (II).
5	"(II) ALLOCATION.—
6	"(aa) In general.—Sub-
7	ject to item (bb), for each fiscal
8	year beginning after the date of
9	enactment of this subparagraph,
10	the amount made available under
11	subclause (I)(cc) shall be allo-
12	cated to each eligible State in
13	amounts (based on a formula es-
14	tablished by the Secretary by
15	regulation) that are inversely
16	proportional to the respective dis-
17	tances between the point on the
18	coastline of each eligible State
19	that is closest to the geographic
20	center of the applicable leased
21	tract and the geographic center
22	of the leased tract.
23	"(bb) Minimum Alloca-
24	TION.—The amount allocated to
25	an eligible State each fiscal year

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1	under item (aa) shall be at least
2	10 percent of the amounts made
3	available under subclause (I)(cc).
4	"(cc) Payments to coast-
5	AL POLITICAL SUBDIVISIONS.—
6	"(AA) IN GENERAL
7	The Secretary shall pay 20
8	percent of the allocable
9	share of each eligible State,
10	as determined pursuant to
11	item (aa), to the coastal po-
12	litical subdivisions of the eli-
13	gible State.
14	"(BB) ALLOCATION.—
15	The amount paid by the
16	Secretary to coastal political
17	subdivisions under subitem
18	(AA) shall be allocated to
19	each coastal political sub-
20	division in accordance with
21	subparagraphs (B) and (C)
22	of section $31(b)(4)$ of this
23	Act.
24	"(iii) TIMING.—The amounts required
25	to be deposited under subclause (I) of

1 clause (ii) for the applicable fis	cal year
2 shall be made available in accorda	nce with
3 such subclause during the fiscal	year im-
4 mediately following the applicab	le fiscal
5 year.	
6 "(iv) Authorized uses.—	
7 "(I) IN GENERAL.—Su	bject to
8 subclause (II), each eligibl	le State
9 shall use all amounts receive	ed under
10 clause (ii)(II) in accordance	with all
11 applicable Federal and Sta	te laws,
12 only for 1 or more of the t	following
13 purposes:	
14 "(aa) Projects and	activities
15 for the purposes of coas	stal pro-
16 tection and resiliency, i	ncluding
17 conservation, coastal res	toration,
18 estuary management,	beach
19 nourishment, hurricane a	and flood
20 protection, and infrastrue	cture di-
21 rectly affected by coastal	wetland
22 losses.	
23 "(bb) Mitigation of	damage
to fish, wildlife, or nat	ural re-

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1	sources, including through fish-
2	eries science and research.
3	"(cc) Implementation of a
4	federally approved marine, coast-
5	al, or comprehensive conservation
6	management plan.
7	"(dd) Mitigation of the im-
8	pact of outer Continental Shelf
9	activities through the funding of
10	onshore infrastructure projects.
11	"(ee) Planning assistance
12	and the administrative costs of
13	complying with this section.
14	"(ff) Infrastructure improve-
15	ments at ports, including modi-
16	fications to Federal navigation
17	channels, to support installation
18	of offshore wind energy projects.
19	"(II) LIMITATION.—Of the
20	amounts received by an eligible State
21	under clause (ii)(II), not more than 3
22	percent shall be used for the purposes
23	described in subclause (I)(ee).
24	"(v) Administration.—Subject to
25	clause (vi)(III), amounts made available

1	under items (aa) and (cc) of clause (ii)(I)
2	shall—
3	"(I) be made available, without
4	further appropriation, in accordance
5	with this subparagraph;
6	"(II) remain available until ex-
7	pended; and
8	"(III) be in addition to any
9	amount appropriated under any other
10	Act.
11	"(vi) Reporting requirement.—
12	"(I) IN GENERAL.—Not later
13	than 180 days after the end of each
14	fiscal year, the Governor of each eligi-
15	ble State that receives amounts under
16	clause (ii)(II) for the applicable fiscal
17	year shall submit to the Secretary a
18	report that describes the use of the
19	amounts by the eligible State during
20	the period covered by the report.
21	"(II) PUBLIC AVAILABILITY.—On
22	receipt of a report submitted under
23	subclause (I), the Secretary shall
24	make the report available to the pub-

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lic on the website of the Department of the Interior.

"(III) LIMITATION.—If the Gov-3 4 ernor of an eligible State that receives amounts under clause (ii)(II) fails to 5 6 submit the report required under sub-7 clause (I) by the deadline specified in 8 that subclause, any amounts that 9 would otherwise be provided to the eli-10 gible State under clause (ii)(II) for 11 the succeeding fiscal year shall be de-12 posited in the Treasury.

13 "(vii) TREATMENT OF AMOUNTS.—
14 Amounts disbursed to an eligible State
15 under this subsection shall be treated as
16 revenue sharing and not as a Federal
17 award or grant for the purposes of part
18 200 of title 2, Code of Federal Regula19 tions.".

(b) WIND LEASE SALES FOR AREAS OF THE OUTER
CONTINENTAL SHELF OFFSHORE OF TERRITORIES OF
THE UNITED STATES.—Section 33 of the Outer Continental Shelf Lands Act (43 U.S.C. 1356c) is amended by
adding at the end the following:

"(b) WIND LEASE SALE PROCEDURE.—Any wind
 lease granted pursuant to this section shall be considered
 a wind lease granted under section 8(p), including for pur poses of the disposition of revenues pursuant to subpara graphs (B) and (C) of section 8(p)(2).".

6 (c) EXEMPTION OF CERTAIN PAYMENTS FROM SE-7 QUESTRATION.—

8 (1) IN GENERAL.—Section 255(g)(1)(A) of the
9 Balanced Budget and Emergency Deficit Control
10 Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by
11 inserting after "Payments to Social Security Trust
12 Funds (28-0404-0-1-651)." the following:

13 "Payments to States pursuant to subparagraph
14 (C)(ii)(I)(cc) of section 8(p)(2) of the Outer Conti15 nental Shelf Lands Act (43 U.S.C. 1337(p)(2)).".

16 (2) APPLICABILITY.—The amendment made by 17 this subsection shall apply to any sequestration 18 order issued under the Balanced Budget and Emer-19 gency Deficit Control Act of 1985 (2 U.S.C. 900 et 20 seq.) on or after the date of enactment of this Act. 21 SEC. 20603. ELIMINATION OF ADMINISTRATIVE FEE UNDER 22 THE MINERAL LEASING ACT. 23 (a) IN GENERAL.—Section 35 of the Mineral Leasing

24 Act (30 U.S.C. 191) is amended—

1	(1) in subsection (a), in the first sentence, by
2	striking "and, subject to the provisions of subsection
3	(b),'';
4	(2) by striking subsection (b);
5	(3) by redesignating subsections (c) and (d) as
6	subsections (b) and (c), respectively;
7	(4) in paragraph $(3)(B)(ii)$ of subsection (b) (as
8	so redesignated), by striking "subsection (d)" and
9	inserting "subsection (c)"; and
10	(5) in paragraph $(3)(A)(ii)$ of subsection (c) (as
11	so redesignated), by striking "subsection $(c)(2)(B)$ "
12	and inserting "subsection (b)(2)(B)".
13	(b) Conforming Amendments.—
14	(1) Section 6(a) of the Mineral Leasing Act for
15	Acquired Lands (30 U.S.C. 355(a)) is amended—
16	(A) in the first sentence, by striking "Sub-
17	ject to the provisions of section 35(b) of the
18	Mineral Leasing Act (30 U.S.C. 191(b)), all"
19	and inserting "All"; and
20	(B) in the second sentence, by striking "of
21	the Act of February 25, 1920 (41 Stat. 450; 30
22	U.S.C. 191)," and inserting "of the Mineral
23	Leasing Act (30 U.S.C. 191)".
24	(2) Section 20(a) of the Geothermal Steam Act
25	of 1970 (30 U.S.C. 1019(a)) is amended, in the sec-

1	ond sentence of the matter preceding paragraph (1) ,
2	by striking "the provisions of subsection (b) of sec-
3	tion 35 of the Mineral Leasing Act (30 U.S.C.
4	191(b)) and section $5(a)(2)$ of this Act" and insert-
5	ing "section $5(a)(2)$ ".
6	(3) Section 205(f) of the Federal Oil and Gas
7	Royalty Management Act of 1982 (30 U.S.C.
8	1735(f)) is amended—
9	(A) in the first sentence, by striking "this
10	Section" and inserting "this section"; and
11	(B) by striking the fourth, fifth, and sixth
12	sentences.
13	SEC. 20604. SUNSET.
14	This subtitle, and the amendments made by this sub-
15	title, shall cease to have effect on September 30, 2032,
16	and on such date the provisions of law amended by this
17	subtitle shall be restored or revived as if this subtitle had
18	not been enacted.
19	TITLE III—WATER QUALITY CER-
20	TIFICATION AND ENERGY
21	PROJECT IMPROVEMENT
22	SEC. 30001. SHORT TITLE.
23	This title may be cited as the "Water Quality Certifi-
24	cation and Energy Project Improvement Act of 2023".

1	SEC. 30002. CERTIFICATION.
2	Section 401 of the Federal Water Pollution Control
3	Act (33 U.S.C. 1341) is amended—
4	(1) in subsection (a)—
5	(A) in paragraph (1)—
6	(i) in the first sentence, by striking
7	"may result" and inserting "may directly
8	result";
9	(ii) in the second sentence, by striking
10	"activity" and inserting "discharge";
11	(iii) in the third sentence, by striking
12	"applications" each place it appears and
13	inserting "requests";
14	(iv) in the fifth sentence, by striking
15	"act on" and inserting "grant or deny";
16	and
17	(v) by inserting after the fourth sen-
18	tence the following: "Not later than 30
19	days after the date of enactment of the
20	Water Quality Certification and Energy
21	Project Improvement Act of 2023, each
22	State and interstate agency that has au-
23	thority to give such a certification, and the
24	Administrator, shall publish requirements
25	for certification to demonstrate to such
26	State, such interstate agency, or the Ad-

1	ministrator, as the case may be, compli-
2	ance with the applicable provisions of sec-
3	tions 301, 302, 303, 306, and 307. A deci-
4	sion to grant or deny a request for certifi-
5	cation shall be based only on the applicable
6	provisions of sections 301, 302, 303, 306,
7	and 307, and the grounds for the decision
8	shall be set forth in writing and provided
9	to the applicant. Not later than 90 days
10	after receipt of a request for certification,
11	the State, interstate agency, or Adminis-
12	trator, as the case may be, shall identify in
13	writing all specific additional materials or
14	information that are necessary to grant or
15	deny the request.";
16	(B) in paragraph (2)—
17	(i) in the second sentence, by striking
18	"notice of application for such Federal li-
19	cense or permit" and inserting "receipt of
20	a notice under the preceding sentence'';
21	(ii) in the third sentence, by striking
22	"any water quality requirement" and in-
23	serting "any applicable provision of section
24	301, 302, 303, 306, or 307";

1	(iii) in the fifth sentence, by striking
2	"insure compliance with applicable water
3	quality requirements." and inserting "en-
4	sure compliance with the applicable provi-
5	sions of sections 301, 302, 303, 306, and
6	307.";
7	(iv) in the final sentence, by striking
8	"insure" and inserting "ensure"; and
9	(v) by striking the first sentence and
10	inserting "On receipt of a request for cer-
11	tification, the certifying State or interstate
12	agency, as applicable, shall immediately
13	notify the Administrator of the request.";
14	(C) in paragraph (3), in the second sen-
15	tence, by striking "section" and inserting "any
16	applicable provision of section";
17	(D) in paragraph (4)—
18	(i) in the first sentence, by striking
19	"applicable effluent limitations or other
20	limitations or other applicable water qual-
21	ity requirements will not be violated" and
22	inserting "no applicable provision of sec-
23	tion 301, 302, 303, 306, or 307 will be vio-
24	lated";

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1	(ii) in the second sentence, by striking
2	"will violate applicable effluent limitations
3	or other limitations or other water quality
4	requirements" and inserting "will directly
5	result in a discharge that violates an appli-
6	cable provision of section 301, 302, 303,
7	306, or 307,"; and
8	(iii) in the third sentence, by striking
9	"such facility or activity will not violate the
10	applicable provisions" and inserting "oper-
11	ation of such facility or activity will not di-
12	rectly result in a discharge that violates
13	any applicable provision"; and
14	(E) in paragraph (5), by striking "the ap-
15	plicable provisions" and inserting "any applica-
16	ble provision'';
17	(2) in subsection (d), by striking "any applica-
18	ble effluent limitations and other limitations, under
19	section 301 or 302 of this Act, standard of perform-
20	ance under section 306 of this Act, or prohibition,
21	effluent standard, or pretreatment standard under
22	section 307 of this Act, and with any other appro-
23	priate requirement of State law set forth in such
24	certification, and" and inserting "the applicable pro-

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- visions of sections 301, 302, 303, 306, and 307, and
 any such limitations or requirements"; and
 - (3) by adding at the end the following:

4 "(e) For purposes of this section, the applicable provisions of sections 301, 302, 303, 306, and 307 are any 5 applicable effluent limitations and other limitations, under 6 7 section 301 or 302, standard of performance under section 8 306, prohibition, effluent standard, or pretreatment stand-9 ard under section 307, and requirement of State law im-10 plementing water quality criteria under section 303 necessary to support the designated use or uses of the receiv-11 12 ing navigable waters.".

13 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:

17 "(6)(A) The Administrator is authorized to issue gen18 eral permits under this section for discharges of similar
19 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.

24 "(C) If a general permit issued under this section will25 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 pub lish in the Federal Register a notice of such decision at
 least two years prior to the expiration of the general per mit.

6 "(D) If a general permit issued under this section 7 expires and the Administrator has not published a notice 8 in accordance with subparagraph (C), until such time as 9 the Administrator issues a new general permit for dis-10 charges similar to those covered by the expired general 11 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.".

21 DIVISION E—INCREASE IN DEBT 22 LIMIT

23 SEC. 40001. LIMITED SUSPENSION OF DEBT CEILING.

(a) SUSPENSION.—Section 3101(b) of title 31,
United States Code, shall not apply during the period be-

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ginning on the date of the enactment of this Act and end ing on the applicable date.

3 (b) DOLLAR LIMITATION ON SUSPENSION.—Sub-4 section (a) shall not apply to the extent that the applica-5 tion of such subsection would result in the face amount of obligations subject to limitation under section 3101(b) 6 7 of title 31. United States Code, to exceed the sum of— 8 (1) the dollar limitation in effect under such 9 section on the date of the enactment of this Act, in-10 creased by

11 (2) \$1,500,000,000,000.

(c) APPLICABLE DATE.—For purposes of this section, the term "applicable date" means the earlier of—
(1) March 31, 2024, or

15 (2) the first date on which subsection (a) does16 not apply by reason of subsection (b).

(d) SPECIAL RULE RELATING TO OBLIGATIONS
18 ISSUED DURING SUSPENSION PERIOD.—Effective as of
19 the close of the applicable date, the dollar limitation in
20 section 3101(b) of title 31, United States Code, is in21 creased to the extent that—

(1) the face amount of obligations subject to
limitation under such section outstanding as of the
close of the applicable date, exceeds

(2) the face amount of such obligations out standing on the date of the enactment of this Act.
 An obligation shall not be taken into account under para graph (1) unless the issuance of such obligation was nec essary to fund a commitment incurred by the Federal Gov ernment that required payment on or before the applicable
 date.