

118TH CONGRESS
1ST SESSION

H. R. 2962

To exempt certain Federal hydrogen programs from the requirements of the National Environmental Policy Act of 1969, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2023

Mrs. LESKO (for herself, Mr. STEUBE, Mr. CARTER of Georgia, Mr. NEWHOUSE, Ms. TENNEY, Mr. OWENS, Mr. BILIRAKIS, Mr. ZINKE, and Mr. STEWART) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To exempt certain Federal hydrogen programs from the requirements of the National Environmental Policy Act of 1969, 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 “Hydrogen Permitting
5 Simplification Act”.

1 **SEC. 2. APPLICATION OF NEPA TO CERTAIN FEDERAL HY-**
2 **DROGEN PROGRAMS.**

3 The Energy Policy Act of 2005 (42 U.S.C. 15801
4 et seq.) is amended—

5 (1) by adding at the end of title VIII the fol-
6 lowing:

7 **“SEC. 823. APPLICATION OF THE NATIONAL ENVIRON-**
8 **MENTAL POLICY ACT OF 1969.**

9 “No major Federal action, including any major Fed-
10 eral action with respect to the production of hydrogen
11 from nuclear, solar, wind, or geothermal energy sources,
12 under this title shall be subject to the requirements of the
13 National Environmental Policy Act of 1969 (42 U.S.C.
14 4321 et seq.).”; and

15 (2) in section 1(b), by inserting after the item
16 relating to section 822 the following:

“Sec. 823. Application of the National Environmental Policy Act of 1969.”.

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