

118TH CONGRESS
2D SESSION

S. 4753

To reform leasing, permitting, and judicial review for certain energy and minerals projects, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 23, 2024

Mr. MANCHIN (for himself and Mr. BARRASSO) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To reform leasing, permitting, and judicial review for certain energy and minerals projects, and for other purposes.

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

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Energy Permitting Reform Act of 2024”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ACCELERATING CLAIMS

Sec. 101. Accelerating claims.

1 including regulations) to design, plan, site, con-
2 struct, reconstruct, or commence operations of
3 a project.

4 (B) INCLUSIONS.—The term “authoriza-
5 tion” includes—

6 (i) agency approvals of lease sales,
7 permits, or plans required to explore for,
8 develop, or produce minerals under—

9 (I) the Mineral Leasing Act (30
10 U.S.C. 181 et seq.);

11 (II) the Act of August 7, 1947
12 (commonly known as the “Mineral
13 Leasing Act for Acquired Lands”) (30
14 U.S.C. 351 et seq.);

15 (III) the Act of July 31, 1947
16 (commonly known as the “Materials
17 Act of 1947”) (61 Stat. 681, chapter
18 406; 30 U.S.C. 601 et seq.);

19 (IV) sections 2319 through 2344
20 of the Revised Statutes (commonly
21 known as the “Mining Law of 1872”)
22 (30 U.S.C. 22 et seq.);

23 (V) the Outer Continental Shelf
24 Lands Act (43 U.S.C. 1331 et seq.);
25 or

1 (VI) the Geothermal Steam Act
2 of 1970 (30 U.S.C. 1001 et seq.); and
3 (ii) statements or permits for a
4 project under sections 7 and 10 of the En-
5 dangered Species Act of 1973 (16 U.S.C.
6 1536, 1539).

7 (2) ENVIRONMENTAL DOCUMENT.—The term
8 “environmental document” includes any of the fol-
9 lowing, as prepared under the National Environ-
10 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.):

11 (A) An environmental assessment.

12 (B) A finding of no significant impact.

13 (C) An environmental impact statement.

14 (D) A record of decision.

15 (3) PROJECT.—The term “project” means a
16 project—

17 (A) proposed for the construction of infra-
18 structure—

19 (i) to develop, produce, generate,
20 store, transport, or distribute energy;

21 (ii) to capture, remove, transport, or
22 store carbon dioxide; or

23 (iii) to mine, extract, beneficiate, or
24 process minerals; and

25 (B) subject to the requirements that—

1 (i) an environmental document be pre-
2 pared; and

3 (ii) the applicable agency issue an au-
4 thorization of the activity.

5 (4) PROJECT SPONSOR.—The term “project
6 sponsor” means an entity, including any private,
7 public, or public-private entity, seeking an authoriza-
8 tion for a project.

9 (b) STATUTE OF LIMITATIONS.—Notwithstanding
10 any other provision of law, a civil action arising under
11 Federal law seeking judicial review of a final agency action
12 granting or denying an authorization shall be barred un-
13 less the civil action is filed by the date that is 150 days
14 after the date on which the authorization was granted or
15 denied, unless a shorter time is specified in the Federal
16 law pursuant to which judicial review is allowed.

17 (c) EXPEDITED REVIEW.—A reviewing court shall set
18 for expedited consideration any civil action arising under
19 Federal law seeking judicial review of a final agency action
20 granting or denying an authorization.

21 (d) REMANDED ACTIONS.—

22 (1) IN GENERAL.—If the reviewing court re-
23 mands a final Federal agency action granting or de-
24 nying an authorization to the Federal agency for
25 further proceedings, whether on a motion by the

1 court, the agency, or another party, the court shall
2 set a reasonable schedule and deadline for the agen-
3 cy to act on remand, which shall not exceed 180
4 days from the date on which the order of the court
5 was issued, unless a longer time period is necessary
6 to comply with applicable law.

7 (2) EXPEDITED TREATMENT OF REMANDED AC-
8 TIONS.—The head of the Federal agency to which a
9 court remands a final Federal agency action under
10 paragraph (1) shall take such actions as may be nec-
11 essary to provide for the expeditious disposition of
12 the action on remand in accordance with the sched-
13 ule and deadline set by the court under that para-
14 graph.

15 (e) TREATMENT OF SUPPLEMENTAL OR REVISED
16 ENVIRONMENTAL DOCUMENTS.—For the purpose of sub-
17 section (b), the preparation of a supplemental or revised
18 environmental document, when required, shall be consid-
19 ered to be a separate final agency action.

20 (f) NOTICE.—Not later than 30 days after the date
21 on which an agency is served a copy of a petition for re-
22 view or a complaint in a civil action described in sub-
23 section (b), the head of the agency shall notify the project
24 sponsor of the filing of the petition or complaint.

1 **TITLE II—FEDERAL ONSHORE**
2 **ENERGY LEASING AND PER-**
3 **MITTING**

4 **SEC. 201. ONSHORE OIL AND GAS LEASING.**

5 (a) LIMITATION ON ISSUANCE OF CERTAIN LEASES
6 OR RIGHTS-OF-WAY.—Section 50265(b)(1)(B) of Public
7 Law 117–169 (43 U.S.C. 3006(b)(1)(B)) is amended, in
8 the matter preceding clause (i), by inserting “for which
9 expressions of interest have been submitted that have
10 been” after “sum of total acres”.

11 (b) MINERAL LEASING ACT REFORMS.—

12 (1) EXPRESSIONS OF INTEREST FOR OIL AND
13 GAS LEASING.—Section 17(b) of the Mineral Leas-
14 ing Act (30 U.S.C. 226(b)) is amended by adding at
15 the end the following:

16 “(3) SUBDIVISION.—

17 “(A) IN GENERAL.—A parcel of land in-
18 cluded in an expression of interest that the Sec-
19 retary of the Interior offers for lease shall be
20 leased as nominated and not subdivided into
21 multiple parcels unless the Secretary of the In-
22 terior determines that a subpart of the sub-
23 mitted parcel is not open to oil or gas leasing
24 under the approved resource management plan.

1 “(B) REQUIRED REVIEWS.—Nothing in
2 this paragraph affects the obligations of the
3 Secretary of the Interior to complete require-
4 ments and reviews established by other provi-
5 sions of law before leasing a parcel of land.

6 “(4) RESOURCE MANAGEMENT PLANS.—

7 “(A) LEASE TERMS AND CONDITIONS.—A
8 lease issued under this section shall be subject
9 to the terms and conditions of the approved re-
10 source management plan.

11 “(B) EFFECT OF LEASING DECISION.—
12 Notwithstanding section 1506.1 of title 40,
13 Code of Federal Regulations (as in effect on the
14 date of enactment of this paragraph), the Sec-
15 retary may conduct a lease sale under an ap-
16 proved resource management plan while amend-
17 ments to the approved plan are under consider-
18 ation.”.

19 (2) REFUND OF EXPRESSION OF INTEREST
20 FEE.—Section 17(q) of the Mineral Leasing Act (30
21 U.S.C. 226(q)) is amended—

22 (A) by striking “Secretary” each place it
23 appears and inserting “Secretary of the Inte-
24 rior”;

1 (B) in paragraph (1), by striking “non-
2 refundable”; and

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

4 “(3) REFUND FOR NONWINNING BID.—If a per-
5 son other than the person who submitted the expres-
6 sion of interest is the highest responsible qualified
7 bidder for a parcel of land covered by the applicable
8 expression of interest in a lease sale conducted
9 under this section—

10 “(A) as a condition of the issuance of the
11 lease, the person who is the highest responsible
12 qualified bidder shall pay to the Secretary of
13 the Interior an amount equal to the applicable
14 fee paid by the person who submitted the ex-
15 pression of interest; and

16 “(B) not later than 60 days after the date
17 of the lease sale, the Secretary of the Interior
18 shall refund to the person who submitted the
19 expression of interest an amount equal to the
20 amount of the initial fee paid.

21 “(4) REFUNDABILITY.—Except as provided in
22 paragraph (3)(B), the fee assessed under paragraph
23 (1) shall be nonrefundable.”.

1 **SEC. 202. TERM OF APPLICATION FOR PERMIT TO DRILL.**

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

4 “(4) TERM.—

5 “(A) IN GENERAL.—A permit to drill ap-
6 proved under this subsection shall be valid for
7 a single non-renewable 4-year period beginning
8 on the date of the approval.

9 “(B) RETROACTIVITY.—In addition to all
10 approved applications for permits to drill sub-
11 mitted on or after the date of enactment of this
12 paragraph, subparagraph (A) shall apply to—

13 “(i) all permits approved during the
14 2-year period preceding the date of enact-
15 ment of this paragraph; and

16 “(ii) all pending applications for per-
17 mit to drill submitted prior to the date of
18 enactment of this paragraph.”.

19 **SEC. 203. PERMITTING COMPLIANCE ON NON-FEDERAL**
20 **LAND.**

21 (a) IN GENERAL.—Notwithstanding the Mineral
22 Leasing Act (30 U.S.C. 181 et seq.), the Federal Oil and
23 Gas Royalty Management Act of 1982 (30 U.S.C. 1701
24 et seq.), or subpart 3162 of part 3160 of title 43, Code
25 of Federal Regulations (or successor regulations), but sub-
26 ject to any applicable State or Tribal requirements and

1 subsection (c), the Secretary of the Interior shall not re-
2 quire a permit to drill for an oil and gas lease under the
3 Mineral Leasing Act (30 U.S.C. 181 et seq.) for an action
4 occurring within an oil and gas drilling or spacing unit
5 if—

6 (1) the Federal Government—

7 (A) owns less than 50 percent of the min-
8 erals within the oil and gas drilling or spacing
9 unit; and

10 (B) does not own or lease the surface es-
11 tate within the area directly impacted by the
12 action;

13 (2) the well is located on non-Federal land over-
14 lying a non-Federal mineral estate, but some portion
15 of the wellbore enters and produces from the Fed-
16 eral mineral estate subject to the lease; or

17 (3) the well is located on non-Federal land over-
18 lying a non-Federal mineral estate, but some portion
19 of the wellbore traverses but does not produce from
20 the Federal mineral estate subject to the lease.

21 (b) NOTIFICATION.—For each State permit to drill
22 or drilling plan that would impact or extract oil and gas
23 owned by the Federal Government—

24 (1) each lessee of Federal minerals in the unit,
25 or designee of a lessee, shall—

1 (A) notify the Secretary of the Interior of
2 the submission of a State application for a per-
3 mit to drill or drilling plan on submission of the
4 application; and

5 (B) provide a copy of the application de-
6 scribed in subparagraph (A) to the Secretary of
7 the Interior not later than 5 days after the date
8 on which the permit or plan is submitted;

9 (2) each lessee, designee of a lessee, or applica-
10 ble State shall notify the Secretary of the Interior of
11 the approved State permit to drill or drilling plan
12 not later than 45 days after the date on which the
13 permit or plan is approved; and

14 (3) each lessee or designee of a lessee shall pro-
15 vide, prior to commencing drilling operations, agree-
16 ments authorizing the Secretary of the Interior to
17 enter non-Federal land, as necessary, for inspection
18 and enforcement of the terms of the Federal lease.

19 (c) NONAPPLICABILITY TO INDIAN LANDS.—Sub-
20 section (a) shall not apply to Indian lands (as defined in
21 section 3 of the Federal Oil and Gas Royalty Management
22 Act of 1982 (30 U.S.C. 1702)).

23 (d) EFFECT.—Nothing in this section affects—

1 (1) other authorities of the Secretary of the In-
2 terior under the Federal Oil and Gas Royalty Man-
3 agement Act of 1982 (30 U.S.C. 1701 et seq.); or

4 (2) the amount of royalties due to the Federal
5 Government from the production of the Federal min-
6 erals within the oil and gas drilling or spacing unit.

7 (e) AUTHORITY ON NON-FEDERAL LAND.—Section
8 17(g) of the Mineral Leasing Act (30 U.S.C. 226(g)) is
9 amended—

10 (1) by striking the subsection designation and
11 all that follows through “Secretary of the Interior,
12 or” in the first sentence and inserting the following:

13 “(g)(1) The Secretary of the Interior, or”; and

14 (2) by adding at the end the following:

15 “(2)(A) In the case of an oil and gas lease under this
16 Act on land described in subparagraph (B) located within
17 an oil and gas drilling or spacing unit, nothing in this Act
18 authorizes the Secretary of the Interior—

19 “(i) to require a bond to protect non-Federal
20 land;

21 “(ii) to enter non-Federal land without the con-
22 sent of the applicable landowner;

23 “(iii) to impose mitigation requirements; or

24 “(iv) to require approval for surface reclama-
25 tion.

1 “(B) Land referred to in subparagraph (A) is land
2 where—

3 “(i) the Federal Government—

4 “(I) owns less than 50 percent of the min-
5 erals within the oil and gas drilling or spacing
6 unit; and

7 “(II) does not own or lease the surface es-
8 tate within the area directly impacted by the
9 action;

10 “(ii) the well is located on non-Federal land
11 overlying a non-Federal mineral estate, but some
12 portion of the wellbore enters and produces from the
13 Federal mineral estate subject to the lease; or

14 “(iii) the well is located on non-Federal land
15 overlying a non-Federal mineral estate, but some
16 portion of the wellbore traverses but does not
17 produce from the Federal mineral estate subject to
18 the lease.”.

19 **SEC. 204. COAL LEASES ON FEDERAL LAND.**

20 (a) DEADLINES.—

21 (1) IN GENERAL.—Section 2(a) of the Mineral
22 Leasing Act (30 U.S.C. 201(a)) is amended—

23 (A) in paragraph (1), in the first sentence,
24 by striking “he shall, in his discretion, upon the
25 request of any qualified applicant or on his own

1 motion from time to time” and insert “the Sec-
2 retary shall, at the discretion of the Secretary
3 but subject to paragraph (6), on the request of
4 any qualified applicant or on a motion by the
5 Secretary”; and

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

7 “(6) DEADLINES.—

8 “(A) APPLICANT MOTION.—Not later than
9 90 days after the date on which a request of a
10 qualified applicant is received for a lease sale
11 under paragraph (1), or for a lease modification
12 under section 3, the Secretary of the Interior
13 shall commence all necessary consultations and
14 reviews required under Federal law in accord-
15 ance with that paragraph or section, as applica-
16 ble.

17 “(B) DECISION.—Not later than 90 days
18 after the completion of an environmental impact
19 statement or environmental assessment con-
20 sistent with the requirements of the National
21 Environmental Policy Act of 1969 (42 U.S.C.
22 4321 et seq.) for a lease sale under paragraph
23 (1), or for a lease modification under section 3,
24 the Secretary of the Interior shall issue a

1 record of decision or a finding of no significant
2 impact for the lease sale or lease modification.

3 “(C) FAIR MARKET VALUE.—Not later
4 than 30 days after the date on which the Sec-
5 retary of the Interior issues a record of decision
6 or a finding of no significant impact under sub-
7 paragraph (B) for a lease sale under paragraph
8 (1), or for a lease modification under section 3,
9 the Secretary shall determine the fair market
10 value of the coal subject to the lease.”.

11 (2) LEASE MODIFICATIONS.—Section 3(b) of
12 the Mineral Leasing Act (30 U.S.C. 203(b)) is
13 amended by striking “The Secretary shall prescribe”
14 and inserting “Subject to section 2(a)(6), the Sec-
15 retary shall prescribe”.

16 (b) CONFORMING AMENDMENTS.—Section 2(a)(1) of
17 the Mineral Leasing Act (30 U.S.C. 201(a)(1)) is amend-
18 ed—

19 (1) in the first sentence—

20 (A) by striking “he finds appropriate” and
21 inserting “the Secretary of the Interior finds
22 appropriate”; and

23 (B) by striking “he deems appropriate”
24 and inserting “the Secretary of the Interior de-
25 termines to be appropriate”;

1 (2) in the sixth sentence, by striking “Prior to
2 his determination” and inserting “Prior to a deter-
3 mination by the Secretary of the Interior”;

4 (3) in the seventh sentence—

5 (A) by striking “to make public his judg-
6 ment” and inserting “to make public the judg-
7 ment of the Secretary of the Interior”; and

8 (B) by striking “comments he receives”
9 and inserting “comments received by the Sec-
10 retary of the Interior”; and

11 (4) in the eighth sentence, by striking “He is
12 hereby authorized” and inserting “The Secretary of
13 the Interior is authorized”.

14 (c) TECHNICAL CORRECTION.—Section 2(b)(3) of the
15 Mineral Leasing Act (30 U.S.C. 201(b)(3)) is amended,
16 in the first sentence, by striking “geophysical” and insert-
17 ing “geophysical”.

18 **SEC. 205. RIGHTS-OF-WAY ACROSS INDIAN LAND.**

19 The first section of the Act of February 5, 1948 (62
20 Stat. 17, chapter 45; 25 U.S.C. 323), is amended by add-
21 ing at the end the following: “Any right-of-way granted
22 by an Indian tribe for the purposes authorized under this
23 section shall not require the approval of the Secretary of
24 the Interior, on the condition that the right-of-way ap-
25 proval process by the Indian tribe substantially complies

1 with subsection (h) of the first section of the Act of Au-
2 gust 9, 1955 (69 Stat. 539, chapter 615; 25 U.S.C.
3 415(h)) or the Indian tribe has approved regulations
4 under paragraph (1) of that subsection.”.

5 **SEC. 206. ACCELERATING RENEWABLE ENERGY PERMIT-**
6 **TING.**

7 (a) DEADLINE FOR CONSIDERATION OF APPLICA-
8 TIONS FOR RIGHTS-OF-WAY.—

9 (1) COMPLETENESS OF REVIEW.—

10 (A) IN GENERAL.—Not later than 30 days
11 after the date on which the Secretary of the In-
12 terior or the Secretary of Agriculture, as appli-
13 cable, receives an application for a right-of-way
14 under section 501 of the Federal Land Policy
15 and Management Act of 1976 (43 U.S.C. 1761)
16 for an eligible project (as defined in section
17 3101 of the Energy Act of 2020 (43 U.S.C.
18 3001)), the applicable Secretary shall—

19 (i) notify the applicant that the appli-
20 cation is complete; or

21 (ii) notify the applicant that informa-
22 tion is missing from the application and
23 specify any information that is required to
24 be submitted for the application to be com-
25 plete.

1 (B) ENVIRONMENTAL IMPACT STATE-
2 MENT.—For an eligible project (as defined in
3 section 3101 of the Energy Act of 2020 (43
4 U.S.C. 3001)) that requires an environmental
5 impact statement for an application submitted
6 under subparagraph (A), the Secretary of the
7 Interior or the Secretary of Agriculture, as ap-
8 plicable, shall issue a notice of intent not later
9 than 90 days after the date on which the appli-
10 cable Secretary determines that an application
11 is complete under subparagraph (A).

12 (2) COST RECOVERY AND ISSUANCE OR DEFER-
13 RAL.—

14 (A) IN GENERAL.—Not later than 30 days
15 after the date on which an applicant submits a
16 complete application for a right-of-way under
17 paragraph (1), the Secretary of the Interior or
18 the Secretary of Agriculture, as applicable,
19 shall, if a cost recovery agreement is required
20 under section 2804.14 of title 43, Code of Fed-
21 eral Regulations (or successor regulations), or
22 section 251.58 of title 36, Code of Federal Reg-
23 ulations (or successor regulations), issue a cost
24 recovery agreement.

1 (B) DECISION.—Not later than 30 days
2 after the date on which an applicant submits a
3 complete application for a right-of-way under
4 paragraph (1), the Secretary of the Interior or
5 the Secretary of Agriculture, as applicable,
6 shall—

7 (i) grant or deny the application, if
8 the requirements under the National Envi-
9 ronmental Policy Act of 1969 (42 U.S.C.
10 4321 et seq.) and any other applicable law
11 have been completed; or

12 (ii) defer the decision on the applica-
13 tion and provide to the applicant notice—

14 (I) that specifies steps that the
15 applicant can take for the decision on
16 the application to be issued; and

17 (II) of a list of actions that need
18 to be taken by the agency in order to
19 comply with applicable law, and
20 timelines and deadlines for completing
21 those actions.

22 (b) LOW DISTURBANCE ACTIVITIES FOR RENEW-
23 ABLE ENERGY PROJECTS.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of enactment of this Act, to facilitate

1 timely permitting of eligible projects (as defined in
2 section 3101 of the Energy Act of 2020 (43 U.S.C.
3 3001)), the Secretary of the Interior and the Sec-
4 retary of Agriculture shall each promulgate regula-
5 tions for the use of 1 or more categorical exclusions
6 under the National Environmental Policy Act of
7 1969 (42 U.S.C. 4321 et seq.) for low disturbance
8 activities necessary for renewable energy projects.

9 (2) ACTIVITIES DESCRIBED.—Low disturbance
10 activities referred to in paragraph (1) are the fol-
11 lowing:

12 (A) Individual surface disturbances of less
13 than 5 acres that have undergone site-specific
14 analysis in a document prepared pursuant to
15 the National Environmental Policy Act of 1969
16 (42 U.S.C. 4321 et seq.) that has been pre-
17 viously completed.

18 (B) Activities at a location at which the
19 same type of activity has previously occurred
20 within 5 years prior to the date of commence-
21 ment of the activity.

22 (C) Activities on previously disturbed or
23 developed (as defined in section 1021.410(g)(1)
24 of title 10, Code of Federal Regulations (or suc-
25 cessor regulations)) land for which an approved

1 land use plan or any environmental document
2 prepared pursuant to the National Environ-
3 mental Policy Act of 1969 (42 U.S.C. 4321 et
4 seq.) analyzed such activity as reasonably fore-
5 seeable, so long as such plan or document was
6 approved within 5 years prior to the date of the
7 activity.

8 (D) The installation, modification, oper-
9 ation, or decommissioning of commercially
10 available energy systems located on a building
11 or other structure (such as a rooftop, parking
12 lot, or facility, or mounted to signage, lighting,
13 gates, or fences).

14 (E) Maintenance of a minor activity, other
15 than any construction or major renovation, or a
16 building or facility.

17 (F) Preliminary geotechnical investiga-
18 tions.

19 (G) The installation and removal of tem-
20 porary meteorological stations.

21 **SEC. 207. IMPROVING RENEWABLE ENERGY COORDINA-**
22 **TION ON FEDERAL LAND.**

23 (a) NATIONAL GOAL FOR RENEWABLE ENERGY PRO-
24 Duction ON FEDERAL LAND.—

1 (1) GOAL.—Not later than 180 days after the
2 date of enactment of this Act, in accordance with
3 section 3104 of the Energy Act of 2020 (43 U.S.C.
4 3004), the Secretary of the Interior, in consultation
5 with the Secretary of Agriculture and other heads of
6 relevant Federal agencies, shall establish a target
7 date for the authorization of not less than 50
8 gigawatts of renewable energy production on Federal
9 land by not later than 2030.

10 (2) PERIODIC GOAL REVISION.—Section 3104
11 of the Energy Act of 2020 (43 U.S.C. 3004) is
12 amended—

13 (A) in subsection (a), by inserting “and pe-
14 riodically revise” after “establish”; and

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

16 “(c) PERMITTING.—Subject to the limitations de-
17 scribed in section 50265(b)(1) of Public Law 117–169 (43
18 U.S.C. 3006(b)(1)), the Secretary shall, in consultation
19 with the heads of relevant Federal agencies, seek to issue
20 permits that authorize, in total, sufficient electricity from
21 eligible projects to meet or exceed the national goals estab-
22 lished and revised under this section.”.

23 (b) DEFINITION OF ELIGIBLE PROJECT.—Paragraph
24 (4) of section 3101 of the Energy Act of 2020 (43 U.S.C.

1 3001) is amended by inserting “or store” after “gen-
2 erate”.

3 (c) RENEWABLE ENERGY PROJECT REVIEW STAND-
4 ARDS.—Section 3102 of the Energy Act of 2020 (43
5 U.S.C. 3002) is amended—

6 (1) in subsection (a), in the second sentence, by
7 inserting “sufficient to achieve goals for renewable
8 energy production on Federal land established under
9 section 3104” before the period at the end;

10 (2) by redesignating subsection (f) as sub-
11 section (h); and

12 (3) by inserting after subsection (e) the fol-
13 lowing:

14 “(f) RENEWABLE ENERGY PROJECT REVIEW STAND-
15 ARDS.—Not later than 2 years after the date of enactment
16 of the Energy Permitting Reform Act of 2024, for the pur-
17 pose of encouraging standardized reviews and facilitating
18 the permitting of eligible projects, the National Renewable
19 Energy Coordination Office of the Bureau of Land Man-
20 agement shall promulgate renewable energy project review
21 standards to be adopted by regional renewable energy co-
22 ordination offices.

23 “(g) CLARIFICATION OF EXISTING AUTHORITY.—
24 Under section 307 of the Federal Land Policy and Man-
25 agement Act of 1976 (43 U.S.C. 1737), the Secretary may

1 accept donations from renewable energy companies to im-
2 prove community engagement for the permitting of energy
3 projects.”.

4 (d) SAVINGS CLAUSE.—Nothing in this section, or an
5 amendment made by this section, modifies the limitations
6 described in section 50265(b)(1) of Public Law 117–169
7 (43 U.S.C. 3006(b)(1)).

8 **SEC. 208. GEOTHERMAL LEASING AND PERMITTING IM-**
9 **PROVEMENTS.**

10 (a) PRELIMINARY GEOTHERMAL ACTIVITIES.—Not
11 later than 180 days after the date of enactment of this
12 Act, the Secretary of the Interior and the Secretary of Ag-
13 riculture shall each promulgate regulations for the use of
14 1 or more categorical exclusions under the National Envi-
15 ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
16 for individual disturbances of less than 10 acres for activi-
17 ties required to test, monitor, calibrate, explore, or confirm
18 geothermal resources, provided those activities do not in-
19 volve—

20 (1) the commercial production of geothermal re-
21 sources;

22 (2) the use of geothermal resources for com-
23 mercial operations; or

24 (3) construction of permanent roads.

1 (b) ANNUAL LEASING.—Section 4(b) of the Geo-
2 thermal Steam Act of 1970 (30 U.S.C. 1003(b)) is amend-
3 ed—

4 (1) in paragraph (2), by striking “every 2
5 years” and inserting “per year”; and

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

7 “(5) REPLACEMENT SALES.—If a lease sale
8 under this section for a year is cancelled or delayed,
9 the Secretary shall conduct a replacement sale not
10 later than 180 days after the date of the cancellation
11 or delay, as applicable, and the replacement sale
12 may not be cancelled or delayed.”.

13 (c) DEADLINES FOR CONSIDERATION OF GEO-
14 THERMAL DRILLING PERMITS.—Section 4 of the Geo-
15 thermal Steam Act of 1970 (30 U.S.C. 1003) is amended
16 by adding at the end the following:

17 “(h) DEADLINES FOR CONSIDERATION OF GEO-
18 THERMAL DRILLING PERMITS.—

19 “(1) IN GENERAL.—Not later than 10 days
20 after the date on which the Secretary receives an ap-
21 plication for any geothermal drilling permit, the Sec-
22 retary shall—

23 “(A) provide written notice to the appli-
24 cant that the application is complete; or

1 “(B) notify the applicant that information
2 is missing from the application and specify any
3 information that is required to be submitted for
4 the application to be complete.

5 “(2) DECISION.—Not later than 30 days after
6 the date on which an applicant submits a complete
7 application for a geothermal drilling permit under
8 paragraph (1), the Secretary shall—

9 “(A) grant or deny the application, if the
10 requirements under the National Environmental
11 Policy Act of 1969 (42 U.S.C. 4321 et seq.)
12 and any other applicable law have been com-
13 pleted; or

14 “(B) defer the decision on the application
15 and provide to the applicant notice—

16 “(i) that specifies steps that the appli-
17 cant can take for the decision on the appli-
18 cation to be issued; and

19 “(ii) of a list of actions that need to
20 be taken by the agency in order to comply
21 with applicable law, and timelines and
22 deadlines for completing those actions.”.

23 (d) COST RECOVERY AUTHORITY.—Section 24 of the
24 Geothermal Steam Act of 1970 (30 U.S.C. 1023) is
25 amended—

1 (1) by striking the section designation and all
2 that follows through “The Secretary” and inserting
3 the following:

4 **“SEC. 24. RULES AND REGULATIONS.**

5 “‘The Secretary’; and

6 (2) by adding at the end the following: “The
7 Secretary shall, not later than 180 days after the
8 date of enactment of the Energy Permitting Reform
9 Act of 2024, promulgate rules for cost recovery, to
10 be paid by permit applicants or lessees, to facilitate
11 the timely coordination and processing of leases, per-
12 mits, and authorizations and to reimburse the Sec-
13 retary for all reasonable administrative costs in-
14 curred from the inspection and monitoring of activi-
15 ties thereunder.”.

16 (e) FEDERAL PERMITTING PROCESS.—Not later
17 than 1 year after the date of enactment of this Act, the
18 Secretary of the Interior shall promulgate regulations and
19 establish a Federal permitting process to allow for simul-
20 taneous, concurrent consideration of multiple phases of a
21 geothermal project, including—

22 (1) surface exploration;

23 (2) geophysical exploration;

24 (3) drilling; and

25 (4) power plant construction.

1 (f) GEOTHERMAL PRODUCTION PARITY.—Section
2 390 of the Energy Policy Act of 2005 (42 U.S.C. 15942)
3 is amended—

4 (1) in subsection (a)—

5 (A) by striking “(NEPA)” and inserting
6 “(42 U.S.C. 4321 et seq.) (referred to in this
7 section as ‘NEPA’)”;

8 (B) by inserting “(30 U.S.C. 181 et seq.)”
9 after “Mineral Leasing Act”; and

10 (C) by inserting “, or the Geothermal
11 Steam Act of 1970 (30 U.S.C. 1001 et seq.) for
12 the purpose of exploration or development of
13 geothermal resources” before the period at the
14 end; and

15 (2) in subsection (b)—

16 (A) in paragraph (2), by striking “oil or
17 gas” and inserting “oil, gas, or geothermal re-
18 sources”; and

19 (B) in paragraph (3), by striking “oil or
20 gas” and inserting “oil, gas, or geothermal re-
21 sources”.

22 (g) GEOTHERMAL OMBUDSMAN.—

23 (1) IN GENERAL.—Not later than 60 days after
24 the date of enactment of this Act, the Secretary of

1 the Interior shall appoint within the Bureau of Land
2 Management a Geothermal Ombudsman.

3 (2) DUTIES.—The Geothermal Ombudsman ap-
4 pointed under paragraph (1) shall—

5 (A) act as a liaison between the individual
6 field offices of the Bureau of Land Manage-
7 ment and the Director of the Bureau of Land
8 Management;

9 (B) provide dispute resolution services be-
10 tween the individual field offices of the Bureau
11 of Land Management and applicants for geo-
12 thermal resource permits;

13 (C) monitor and facilitate permit proc-
14 essing practices and timelines across individual
15 field offices of the Bureau of Land Manage-
16 ment;

17 (D) develop best practices for the permit-
18 ting and leasing process for geothermal re-
19 sources; and

20 (E) coordinate with the Federal Permitting
21 Improvement Steering Council.

22 (3) REPORT.—The Geothermal Ombudsman
23 shall submit to the Committee on Energy and Nat-
24 ural Resources of the Senate and the Committee on
25 Natural Resources of the House of Representatives

1 an annual report that describes the activities of the
2 Geothermal Ombudsman and evaluates the effective-
3 ness of geothermal permit processing during the pre-
4 ceding 1-year period.

5 **SEC. 209. ELECTRIC GRID PROJECTS.**

6 (a) DEFINITION OF PREVIOUSLY DISTURBED OR DE-
7 VELOPED.—In this section, the term “previously disturbed
8 or developed” has the meaning given the term in section
9 1021.410(g)(1) of title 10, Code of Federal Regulations
10 (or successor regulations).

11 (b) RULEMAKING.—Not later than 180 days after the
12 date of enactment of this Act, to facilitate timely permit-
13 ting, the Secretary of the Interior and the Secretary of
14 Agriculture shall each promulgate regulations for the use
15 of 1 or more categorical exclusions under the National En-
16 vironmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
17 for the following activities:

18 (1) Placement of an electric transmission or
19 distribution facility in an approved right-of-way cor-
20 ridor, if the corridor was approved during the 5-year
21 period ending on the date of placement of the facil-
22 ity.

23 (2) Any repair, maintenance, replacement, up-
24 grade, modification, optimization, or minor reloca-
25 tion of, or addition to, an existing electric trans-

1 mission or distribution facility or associated infra-
 2 structure within an existing right-of-way or on oth-
 3 erwise previously disturbed or developed land, in-
 4 cluding reconductoring and installation of grid-en-
 5 hancing technologies.

6 (3) Construction, operation, upgrade, or decom-
 7 missioning of a battery or other energy storage tech-
 8 nology on previously disturbed or developed land.

9 **SEC. 210. HARDROCK MINING MILL SITES.**

10 (a) MULTIPLE MILL SITES.—Section 2337 of the Re-
 11 vised Statutes (30 U.S.C. 42) is amended by adding at
 12 the end the following:

13 “(c) ADDITIONAL MILL SITES.—

14 “(1) DEFINITIONS.—In this subsection:

15 “(A) MILL SITE.—The term ‘mill site’
 16 means a location of public land that is reason-
 17 ably necessary for waste rock or tailings dis-
 18 posal or other operations reasonably incident to
 19 mineral development on, or production from
 20 land included in a plan of operations.

21 “(B) OPERATIONS; OPERATOR.—The
 22 terms ‘operations’ and ‘operator’ have the
 23 meanings given those terms in section 3809.5
 24 of title 43, Code of Federal Regulations (as in

1 effect on the date of enactment of this sub-
2 section).

3 “(C) PLAN OF OPERATIONS.—The term
4 ‘plan of operations’ means a plan of operations
5 that an operator must submit and the Secretary
6 of the Interior or the Secretary of Agriculture,
7 as applicable, must approve before an operator
8 may begin operations, in accordance with, as
9 applicable—

10 “(i) subpart 3809 of title 43, Code of
11 Federal Regulations (or successor regula-
12 tions establishing application and approval
13 requirements); and

14 “(ii) part 228 of title 36, Code of
15 Federal Regulations (or successor regula-
16 tions establishing application and approval
17 requirements).

18 “(D) PUBLIC LAND.—The term ‘public
19 land’ means land owned by the United States
20 that is open to location under sections 2319
21 through 2344 of the Revised Statutes (30
22 U.S.C. 22 et seq.), including—

23 “(i) land that is mineral-in-character
24 (as defined in section 3830.5 of title 43,
25 Code of Federal Regulations (as in effect

1 on the date of enactment of this sub-
2 section));

3 “(ii) nonmineral land (as defined in
4 section 3830.5 of title 43, Code of Federal
5 Regulations (as in effect on the date of en-
6 actment of this subsection)); and

7 “(iii) land where the mineral char-
8 acter has not been determined.

9 “(2) IN GENERAL.—Notwithstanding sub-
10 sections (a) and (b), where public land is needed by
11 the proprietor of a lode or placer claim for oper-
12 ations in connection with any lode or placer claim
13 within the proposed plan of operations, the propri-
14 etor may—

15 “(A) locate and include within the plan of
16 operations as many mill site claims under this
17 subsection as are reasonably necessary for its
18 operations; and

19 “(B) use or occupy public land in accord-
20 ance with an approved plan of operations.

21 “(3) MILL SITES CONVEY NO MINERAL
22 RIGHTS.—A mill site under this subsection does not
23 convey mineral rights to the locator.

1 “(4) SIZE OF MILL SITES.—A location of a sin-
2 gle mill site under this subsection shall not exceed
3 5 acres.

4 “(5) MILL SITE AND LODE OR PLACER CLAIMS
5 ON SAME TRACTS OF PUBLIC LAND.—A mill site
6 may be located under this subsection on a tract of
7 public land on which the claimant or operator main-
8 tains a previously located lode or placer claim.

9 “(6) EFFECT ON MINING CLAIMS.—The loca-
10 tion of a mill site under this subsection shall not af-
11 fect the validity of any lode or placer claim, or any
12 rights associated with such a claim.

13 “(7) PATENTING.—A mill site under this sec-
14 tion shall not be eligible for patenting.

15 “(8) SAVINGS PROVISIONS.—Nothing in this
16 subsection—

17 “(A) diminishes any right (including a
18 right of entry, use, or occupancy) of a claimant;

19 “(B) creates or increases any right (includ-
20 ing a right of exploration, entry, use, or occu-
21 pancy) of a claimant on land that is not open
22 to location under the general mining laws;

23 “(C) modifies any provision of law or any
24 prior administrative action withdrawing land
25 from location or entry;

1 “(D) limits the right of the Federal Gov-
2 ernment to regulate mining and mining-related
3 activities (including requiring claim validity ex-
4 aminations to establish the discovery of a valu-
5 able mineral deposit) in areas withdrawn from
6 mining, including under—

7 “(i) the general mining laws;

8 “(ii) the Federal Land Policy and
9 Management Act of 1976 (43 U.S.C. 1701
10 et seq.);

11 “(iii) the Wilderness Act (16 U.S.C.
12 1131 et seq.);

13 “(iv) sections 100731 through 100737
14 of title 54, United States Code;

15 “(v) the Endangered Species Act of
16 1973 (16 U.S.C. 1531 et seq.);

17 “(vi) division A of subtitle III of title
18 54, United States Code (commonly re-
19 ferred to as the ‘National Historic Preser-
20 vation Act’); or

21 “(vii) section 4 of the Act of July 23,
22 1955 (commonly known as the ‘Surface
23 Resources Act of 1955’) (69 Stat. 368,
24 chapter 375; 30 U.S.C. 612);

1 “(E) restores any right (including a right
2 of entry, use, or occupancy, or right to conduct
3 operations) of a claimant that—

4 “(i) existed prior to the date on which
5 the land was closed to, or withdrawn from,
6 location under the general mining laws;
7 and

8 “(ii) that has been extinguished by
9 such closure or withdrawal; or

10 “(F) modifies section 404 of division E of
11 the Consolidated Appropriations Act, 2024
12 (Public Law 118–42).”.

13 (b) ABANDONED HARDROCK MINE FUND.—

14 (1) ESTABLISHMENT.—There is established in
15 the Treasury of the United States a separate ac-
16 count, to be known as the “Abandoned Hardrock
17 Mine Fund” (referred to in this subsection as the
18 “Fund”).

19 (2) SOURCE OF DEPOSITS.—Any amounts col-
20 lected by the Secretary of the Interior pursuant to
21 the claim maintenance fee under section 10101(a)(1)
22 of the Omnibus Budget Reconciliation Act of 1993
23 (30 U.S.C. 28f(a)(1)) on mill sites located under
24 subsection (c) of section 2337 of the Revised Stat-

1 utes (30 U.S.C. 42) shall be deposited into the
2 Fund.

3 (3) USE.—The Secretary of the Interior may
4 make expenditures from amounts available in the
5 Fund, without further appropriations, only to carry
6 out section 40704 of the Infrastructure Investment
7 and Jobs Act (30 U.S.C. 1245).

8 (4) ALLOCATION OF FUNDS.—Amounts made
9 available under paragraph (3)—

10 (A) shall be allocated in accordance with
11 section 40704(e)(1) of the Infrastructure In-
12 vestment and Jobs Act (30 U.S.C. 1245(e)(1));
13 and

14 (B) may be transferred in accordance with
15 section 40704(e)(2) of that Act (30 U.S.C.
16 1245(e)(2)).

17 (c) CLERICAL AMENDMENTS.—Section 10101 of the
18 Omnibus Budget Reconciliation Act of 1993 (30 U.S.C.
19 28f) is amended—

20 (1) by striking “the Mining Law of 1872 (30
21 U.S.C. 28–28e)” each place it appears and inserting
22 “sections 2319 through 2344 of the Revised Stat-
23 utes (30 U.S.C. 22 et seq.)”;

24 (2) in subsection (a)—

25 (A) in paragraph (1)—

1 (i) in the second sentence, by striking
2 “Such claim maintenance fee” and insert-
3 ing the following:

4 “(B) FEE.—The claim maintenance fee
5 under subparagraph (A)”;

6 (ii) in the first sentence, by striking
7 “The holder of” and inserting the fol-
8 lowing:

9 “(A) IN GENERAL.—The holder of”; and
10 (B) in paragraph (2)—

11 (i) in the second sentence, by striking
12 “Such claim maintenance fee” and insert-
13 ing the following:

14 “(B) FEE.—The claim maintenance fee
15 under subparagraph (A)”;

16 (ii) in the first sentence, by striking
17 “The holder of” and inserting the fol-
18 lowing:

19 “(A) IN GENERAL.—The holder of”; and
20 (3) in subsection (b)—

21 (A) in the second sentence, by striking
22 “The location fee” and inserting the following:
23 “(2) FEE.—The location fee”; and

1 (B) in the first sentence, by striking “The
2 claim main tenance fee” and inserting the fol-
3 lowing:

4 “(1) IN GENERAL.—The claim maintenance
5 fee”.

6 **TITLE III—FEDERAL OFFSHORE**
7 **ENERGY LEASING AND PER-**
8 **MITTING**

9 **SEC. 301. OFFSHORE OIL AND GAS LEASING.**

10 (a) REQUIREMENT.—Notwithstanding the 2024–
11 2029 National Outer Continental Shelf Oil and Gas Leas-
12 ing Program (and any successor leasing program that does
13 not satisfy the requirements of this section), the Secretary
14 of the Interior (referred to in this title as the “Secretary”)
15 shall conduct not less than 1 oil and gas lease sale in each
16 of calendar years 2025 through 2029, each of which shall
17 be conducted not later than August 31 of the applicable
18 calendar year.

19 (b) TERMS AND CONDITIONS.—The Secretary
20 shall—

21 (1) conduct offshore oil and gas lease sales of
22 sufficient acreage to meet the conditions described in
23 section 50265(b)(2) of Public Law 117–169 (43
24 U.S.C. 3006(b)(2));

1 (2) with respect to an oil and gas lease sale
2 conducted under subsection (a), offer the same lease
3 form, lease terms, economic conditions, and stipula-
4 tions as contained in the revised final notice of sale
5 entitled “Gulf of Mexico Outer Continental Shelf Oil
6 and Gas Lease Sale 261” (88 Fed. Reg. 80750 (No-
7 vember 20, 2023)); and

8 (3) if any acceptable bids have been received for
9 any tract offered in an oil and gas lease sale con-
10 ducted under subsection (a), issue such leases not
11 later than 90 days after the lease sale to the highest
12 bids on the tracts offered, subject to the procedures
13 described in the Bureau of Ocean Energy Manage-
14 ment document entitled “Summary of Procedures
15 for Determining Bid Adequacy at Offshore Oil and
16 Gas Lease Sales Effective March 2016, with Central
17 Gulf of Mexico Sale 241 and Eastern Gulf of Mexico
18 Sale 226”.

19 **SEC. 302. OFFSHORE WIND ENERGY.**

20 (a) OFFSHORE WIND LEASE SALE REQUIREMENT.—

21 Effective on the date of enactment of this Act, the Sec-
22 retary shall—

23 (1) subject to the limitations described in sec-
24 tion 50265(b)(2) of Public Law 117–169 (43 U.S.C.
25 3006(b)(2)), conduct not less than 1 offshore wind

1 lease sale in each of calendar years 2025 through
2 2029, each of which shall be conducted not later
3 than August 31 of the applicable calendar year; and

4 (2) if any acceptable bids have been received for
5 a tract offered in the lease sale, as determined by
6 the Secretary, issue such leases not later than 90
7 days after the lease sale to the highest bidder on the
8 offered tract.

9 (b) AREA OFFERED FOR LEASING.—

10 (1) TOTAL ACRES FOR LEASE.—Subject to
11 paragraph (2), the Secretary shall offer for offshore
12 wind leasing a sum total of not less than 400,000
13 acres per calendar year.

14 (2) MINIMUM ACREAGE.—An offshore wind
15 lease issued by the Secretary that is less than
16 80,000 acres shall not be counted toward the acre-
17 age requirement under paragraph (1).

18 (c) PRODUCTION GOAL FOR OFFSHORE WIND EN-
19 ERGY.—

20 (1) INITIAL GOAL.—Not later than 180 days
21 after the date of enactment of this Act, the Sec-
22 retary shall establish an initial target date for an
23 offshore wind energy production goal of 30
24 gigawatts.

1 (2) PERIODIC GOAL REVISION.—The Secretary
2 shall, in consultation with the heads of other rel-
3 evant Federal agencies, periodically revise national
4 goals for offshore wind energy production on the
5 outer Continental Shelf as initially established under
6 paragraph (1).

7 (d) OUTER CONTINENTAL SHELF LANDS ACT.—Sec-
8 tion 8(p) of the Outer Continental Shelf Lands Act (43
9 U.S.C. 1337(p)) is amended—

10 (1) by striking paragraph (10) and inserting
11 the following:

12 “(10) APPLICABILITY.—

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B), this subsection does not
15 apply to any area on the outer Continental
16 Shelf within the exterior boundaries of any unit
17 of the National Park System, the National
18 Wildlife Refuge System, the National Marine
19 Sanctuary System, or any National Monument.

20 “(B) EXCEPTION.—Notwithstanding sub-
21 paragraph (A), the Secretary, in consultation
22 with the Secretary of Commerce under section
23 304(d) of the National Marine Sanctuaries Act
24 (16 U.S.C. 1434(d)), may grant rights-of-way
25 on the outer Continental Shelf within units of

1 the National Marine Sanctuary System for the
 2 transmission of electricity generated by or pro-
 3 duced from renewable energy.”; and

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

5 “(11) DURATION OF PERMITS IN MARINE SANC-
 6 TUARIES.—Notwithstanding section 310(c)(2) of the
 7 National Marine Sanctuaries Act (16 U.S.C.
 8 1441(c)(2)), any permit or authorization granted
 9 under that Act that authorizes the installation, oper-
 10 ation, or maintenance of electric transmission cables
 11 on a right-of-way granted by the Secretary described
 12 in paragraph (10)(B) shall be issued for a term
 13 equal to the duration of the right-of-way granted by
 14 the Secretary.”.

15 (e) SAVINGS CLAUSE.—Nothing in this section, or an
 16 amendment made by this section, modifies the limitations
 17 described in section 50265(b)(2) of Public Law 117–169
 18 (43 U.S.C. 3006(b)(2)).

19 **TITLE IV—ELECTRIC** 20 **TRANSMISSION**

21 **SEC. 401. TRANSMISSION PERMITTING.**

22 (a) DEFINITIONS.—Section 216 of the Federal Power
 23 Act (16 U.S.C. 824p) is amended by striking subsection
 24 (a) and inserting the following:

25 “(a) DEFINITIONS.—In this section:

1 “(1) COMMISSION.—The term ‘Commission’
2 means the Federal Energy Regulatory Commission.

3 “(2) IMPROVED RELIABILITY.—The term ‘im-
4 proved reliability’ has the meaning given the term in
5 section 225(a).

6 “(3) SECRETARY.—The term ‘Secretary’ means
7 the Secretary of Energy.

8 “(4) TRANSMISSION PLANNING REGION.—The
9 term ‘transmission planning region’ has the meaning
10 given the term in section 225(a).”.

11 (b) CONSTRUCTION PERMIT.—Section 216(b) of the
12 Federal Power Act (16 U.S.C. 824p(b)) is amended—

13 (1) in the matter preceding paragraph (1), by
14 striking “Except” and all that follows through
15 “finds that” and inserting “Except as provided in
16 subsections (d)(1) and (i), the Commission may,
17 after notice and an opportunity for hearing, issue
18 one or more permits for the construction or modi-
19 fication of electric transmission facilities necessary
20 in the national interest if the Commission finds
21 that”;

22 (2) in paragraph (1)—

23 (A) in subparagraph (A)(i), by inserting
24 “or modification” after “siting”; and

25 (B) in subparagraph (C)—

1 (i) in the matter preceding clause (i),
2 by inserting “or modification” after
3 “siting”; and

4 (ii) in clause (i), by striking “the later
5 of” in the matter preceding subclause (I)
6 and all that follows through the semicolon
7 at the end of subclause (II) and inserting
8 “the date on which the application was
9 filed with the State commission or other
10 entity;”; and

11 (3) by striking paragraphs (2) through (6) and
12 inserting the following:

13 “(2) the proposed facilities will be used for the
14 transmission of electric energy in interstate (includ-
15 ing transmission from the outer Continental Shelf to
16 a State) or foreign commerce;

17 “(3) the proposed construction or modification
18 is consistent with the public interest;

19 “(4) the proposed construction or modification
20 will significantly reduce transmission congestion in
21 interstate commerce, protect or benefit consumers,
22 and provide improved reliability;

23 “(5) the proposed construction or modification
24 is consistent with sound national energy policy and
25 will enhance energy independence;

1 “(6) the electric transmission facilities are ca-
2 pable of transmitting electric energy at a voltage of
3 not less than 100 kilovolts or, in the case of facilities
4 that include advanced transmission conductors (in-
5 cluding superconductors), as defined by the Commis-
6 sion, voltages determined to be appropriate by the
7 Commission; and

8 “(7) the proposed modification (including
9 reconductoring) will maximize, to the extent reason-
10 able and economical, the transmission capabilities of
11 existing towers, structures, or rights-of-way.”.

12 (c) STATE SITING AND CONSULTATION.—Section
13 216 of the Federal Power Act (16 U.S.C. 824p) is amend-
14 ed by striking subsection (d) and inserting the following:

15 “(d) STATE SITING AND CONSULTATION.—

16 “(1) PRESERVATION OF STATE SITING AUTHOR-
17 ITY.—The Commission shall have no authority to
18 issue a permit under subsection (b) for the construc-
19 tion or modification of an electric transmission facil-
20 ity within a State except as provided in paragraph
21 (1) of that subsection.

22 “(2) CONSULTATION.—In any proceeding be-
23 fore the Commission under subsection (b), the Com-
24 mission shall afford each State in which a trans-
25 mission facility covered by the permit is or will be

1 located, each affected Federal agency and Indian
2 Tribe, private property owners, and other interested
3 persons, a reasonable opportunity to present their
4 views and recommendations with respect to the need
5 for and impact of a facility covered by the permit.”.

6 (d) RIGHTS-OF-WAY.—Section 216(e)(3) of the Fed-
7 eral Power Act (16 U.S.C. 824p(e)(3)) is amended by
8 striking “shall conform” and all that follows through the
9 period at the end and inserting “shall be in accordance
10 with rule 71.1 of the Federal Rules of Civil Procedure.”.

11 (e) COST ALLOCATION.—

12 (1) IN GENERAL.—Section 216 of the Federal
13 Power Act (16 U.S.C. 824p) is amended by striking
14 subsection (f) and inserting the following:

15 “(f) COST ALLOCATION.—

16 “(1) TRANSMISSION TARIFFS.—For the pur-
17 poses of this section, any transmitting utility that
18 owns, controls, or operates electric transmission fa-
19 cilities that the Commission finds to be consistent
20 with the findings under paragraphs (2) through (6)
21 and, if applicable, (7) of subsection (b) shall file a
22 tariff or tariff revision with the Commission pursu-
23 ant to section 205 and the regulations of the Com-
24 mission allocating the costs of the new or modified
25 transmission facilities.

1 “(2) TRANSMISSION BENEFITS.—The Commis-
2 sion shall require that tariffs or tariff revisions filed
3 under this subsection are just and reasonable and al-
4 locate the costs of providing service to customers
5 that benefit, in accordance with the cost-causation
6 principle, including through—

7 “(A) improved reliability;

8 “(B) reduced congestion;

9 “(C) reduced power losses;

10 “(D) greater carrying capacity;

11 “(E) reduced operating reserve require-
12 ments; and

13 “(F) improved access to lower cost genera-
14 tion that achieves reductions in the cost of de-
15 livered power.

16 “(3) RATEPAYER PROTECTION.—Customers
17 that receive no benefit, or benefits that are trivial in
18 relation to the costs sought to be allocated, from
19 electric transmission facilities constructed or modi-
20 fied under this section shall not be involuntarily allo-
21 cated any of the costs of those transmission facili-
22 ties.”.

23 (2) SAVINGS PROVISION.—If the Federal En-
24 ergy Regulatory Commission finds that the consider-
25 ations under paragraphs (2) through (6) and, if ap-

1 plicable, (7) of subsection (b) of section 216 of the
2 Federal Power Act (16 U.S.C. 824p) (as amended
3 by subsection (b)) are met, nothing in this section
4 or the amendments made by this section shall be
5 construed to exclude transmission facilities located
6 on the outer Continental Shelf from being eligible
7 for cost allocation established under subsection
8 (f)(1) of that section (as amended by paragraph
9 (1)).

10 (f) COORDINATION OF FEDERAL AUTHORIZATIONS
11 FOR TRANSMISSION FACILITIES.—Section 216(h) of the
12 Federal Power Act (16 U.S.C. 824p(h)) is amended—

13 (1) in paragraph (2), by striking the period at
14 the end and inserting the following: “, except that—

15 “(A) the Commission shall act as the lead agen-
16 cy in the case of facilities permitted under sub-
17 section (b) and section 225; and

18 “(B) the Department of the Interior shall act
19 as the lead agency in the case of facilities located on
20 a lease, easement, or right-of-way granted by the
21 Secretary of the Interior under section 8(p)(1)(C) of
22 the Outer Continental Shelf Lands Act (43 U.S.C.
23 1337(p)(1)(C)).”;

24 (2) in each of paragraphs (3), (4)(B), (4)(C),
25 (5)(B), (6)(A), (7)(A), (7)(B)(i), (8)(A)(i), and (9),

1 by striking “Secretary” each place it appears and in-
2 serting “lead agency”;

3 (3) in paragraph (4)(A), by striking “As head
4 of the lead agency, the Secretary” and inserting
5 “The lead agency”;

6 (4) in paragraph (5)(A), by striking “As lead
7 agency head, the Secretary” and inserting “The lead
8 agency”; and

9 (5) in paragraph (7)—

10 (A) in subparagraph (A), by striking “18
11 months after the date of enactment of this sec-
12 tion” and inserting “18 months after the date
13 of enactment of the Energy Permitting Reform
14 Act of 2024”; and

15 (B) in subparagraph (B)(i), by striking “1
16 year after the date of enactment of this sec-
17 tion” and inserting “18 months after the date
18 of enactment of the Energy Permitting Reform
19 Act of 2024”.

20 (g) INTERSTATE COMPACTS.—Section 216(i) of the
21 Federal Power Act (16 U.S.C. 824p(i)) is amended—

22 (1) in paragraph (3), by striking “, including
23 facilities in national interest electric transmission
24 corridors”; and

25 (2) in paragraph (4)—

1 (A) in subparagraph (A), by striking “;
2 and” and inserting a period;

3 (B) by striking subparagraph (B); and

4 (C) by striking “in disagreement” in the
5 matter preceding subparagraph (A) and all that
6 follows through “(A) the” in subparagraph (A)
7 and inserting “unable to reach an agreement on
8 an application seeking approval by the”.

9 (h) TRANSMISSION INFRASTRUCTURE INVEST-
10 MENT.—Section 219(b)(4) of the Federal Power Act (16
11 U.S.C. 824s(b)(4)) is amended—

12 (1) in subparagraph (A), by striking “and”
13 after the semicolon at the end;

14 (2) in subparagraph (B), by striking the period
15 at the end and inserting “; and”; and

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

17 “(C) all prudently incurred costs associ-
18 ated with payments to jurisdictions impacted by
19 electric transmission facilities developed pursu-
20 ant to section 216 or 225.”.

21 (i) JURISDICTION.—Section 216 of the Federal
22 Power Act (16 U.S.C. 824p) is amended by striking sub-
23 section (k) and inserting the following:

24 “(k) JURISDICTION.—

1 “(1) ERCOT.—This section shall not apply
2 within the area referred to in section 212(k)(2)(A).

3 “(2) OTHER UTILITIES.—For the purposes of
4 this section, the Commission shall have jurisdiction
5 over all transmitting utilities, including transmitting
6 utilities described in section 201(f), but excluding
7 any ERCOT utility (as defined in section
8 212(k)(2)(B)).”.

9 (j) CONFORMING AMENDMENTS.—

10 (1) Section 50151(b) of Public Law 117–169
11 (42 U.S.C. 18715(b)) is amended by striking “facili-
12 ties designated by the Secretary to be necessary in
13 the national interest under section 216(a) of the
14 Federal Power Act (16 U.S.C. 824p(a))” and insert-
15 ing “facilities in a geographic area identified under
16 section 224 of the Federal Power Act”.

17 (2) Section 1222 of the Energy Policy Act of
18 2005 (42 U.S.C. 16421) is amended—

19 (A) in subsection (a)(1)(A), by striking “in
20 a national interest electric transmission corridor
21 designated under section 216(a)” and inserting
22 “in a geographic area identified under section
23 224”; and

24 (B) in subsection (b)(1)(A), by striking “in
25 an area designated under section 216(a)” and

1 inserting “in a geographic area identified under
2 section 224”.

3 (3) Section 40106(h)(1)(A) of the Infrastruc-
4 ture Investment and Jobs Act (42 U.S.C.
5 18713(h)(1)(A)) is amended by striking “in an area
6 designated as a national interest electric trans-
7 mission corridor pursuant to section 216(a) of the
8 Federal Power Act 16 U.S.C. 824p(a)” and insert-
9 ing “in a geographic area identified under section
10 224 of the Federal Power Act”.

11 (k) SAVINGS PROVISION.—Nothing in this section or
12 an amendment made by this section grants authority to
13 the Federal Energy Regulatory Commission under the
14 Federal Power Act (16 U.S.C. 791a et seq.) over sales
15 of electric energy at retail or the local distribution of elec-
16 tricity.

17 **SEC. 402. TRANSMISSION PLANNING.**

18 (a) IN GENERAL.—Part II of the Federal Power Act
19 (16 U.S.C. 824 et seq.) is amended by adding at the end
20 the following:

21 **“SEC. 224. TRANSMISSION STUDY.**

22 “(a) IN GENERAL.—Not later than 1 year after the
23 date of enactment of this section and every 3 years there-
24 after, the Secretary of Energy (referred to in this section
25 as the ‘Secretary’), in consultation with affected States

1 and Indian Tribes, shall conduct a study of electric trans-
 2 mission capacity constraints and congestion.

3 “(b) REPORT.—Not less frequently than once every
 4 3 years, the Secretary, after considering alternatives and
 5 recommendations from interested parties (including an op-
 6 portunity for comment from affected States and Indian
 7 Tribes), shall issue a report, based on the study under
 8 subsection (a) or other information relating to electric
 9 transmission capacity constraints and congestion, which
 10 may identify any geographic area that—

11 “(1) is experiencing electric energy transmission
 12 capacity constraints or congestion that adversely af-
 13 fects consumers; or

14 “(2) is expected to experience such energy
 15 transmission capacity constraints or congestion.

16 “(c) CONSULTATION.—Not less frequently than once
 17 every 3 years, the Secretary, in conducting the study
 18 under subsection (a) and issuing the report under sub-
 19 section (b), shall consult with affected transmission plan-
 20 ning regions (as defined in section 225(a)) and any appro-
 21 priate regional entity referred to in section 215.

22 **“SEC. 225. PLANNING FOR TRANSMISSION FACILITIES THAT**
 23 **ENHANCE GRID RELIABILITY, AFFORD-**
 24 **ABILITY, AND RESILIENCE.**

25 “(a) DEFINITIONS.—In this section:

1 “(1) COMMISSION.—The term ‘Commission’
2 means the Federal Energy Regulatory Commission.

3 “(2) ERO.—The term ‘ERO’ has the meaning
4 given the term in section 215(a).

5 “(3) IMPROVED RELIABILITY.—The term ‘im-
6 proved reliability’ means that, on balance, consid-
7 ering each of the matters described in subpara-
8 graphs (A) through (D), reliability is improved in a
9 material manner that benefits customers through at
10 least one of the following:

11 “(A) facilitating compliance with a manda-
12 tory standard for reliability approved by the
13 Commission under section 215;

14 “(B) a reduction in expected unserved en-
15 ergy, loss of load hours, or loss of load prob-
16 ability (as defined by the ERO);

17 “(C) facilitating compliance with a tariff
18 requirement or process for resource adequacy
19 on file with the Commission; and

20 “(D) any other similar material improve-
21 ment, including a reduction in correlated outage
22 risk, such as achieved through increased geo-
23 graphic or resource diversification.

1 “(4) INTERREGIONAL TRANSMISSION FACIL-
2 ITY.—The term ‘interregional transmission facility’
3 means a transmission facility that—

4 “(A) is located within 2 or more neigh-
5 boring transmission planning regions; or

6 “(B) significantly impacts the ability of 1
7 or more transmission planning regions to trans-
8 mit electric energy among neighboring trans-
9 mission planning regions.

10 “(5) TRANSMISSION PLANNING REGION.—

11 “(A) IN GENERAL.—The term ‘trans-
12 mission planning region’—

13 “(i) when used in a geographical
14 sense, means a region for which the Com-
15 mission determines that electric trans-
16 mission planning is appropriate, such as a
17 region established in accordance with
18 Order No. 1000 of the Commission, enti-
19 tled ‘Transmission Planning and Cost Allo-
20 cation by Transmission Owning and Oper-
21 ating Public Utilities’ (76 Fed. Reg. 49842
22 (August 11, 2011)); and

23 “(ii) when used in a corporate sense,
24 means the Transmission Organization or
25 other entity responsible for planning or op-

1 erating electric transmission facilities with-
2 in a region described in clause (i).

3 “(B) EXCLUSION.—The term ‘trans-
4 mission planning region’ does not include the
5 Electric Reliability Council of Texas or the re-
6 gion served by members of the Electric Reli-
7 ability Council of Texas.

8 “(b) JURISDICTION.—

9 “(1) ERCOT.—This section shall not apply
10 within the area referred to in section 212(k)(2)(A).

11 “(2) OTHER UTILITIES.—For the purposes of
12 this section, the Commission shall have jurisdiction
13 over all transmitting utilities, including transmitting
14 utilities described in section 201(f), but excluding
15 any ERCOT utility (as defined in section
16 212(k)(2)(B)).

17 “(c) RULEMAKING REQUIREMENT.—Not later than
18 180 days after the date of enactment of this section, the
19 Commission shall, consistent with the requirements of this
20 section, by rule—

21 “(1) require neighboring transmission planning
22 regions to jointly plan with each other;

23 “(2) require each transmission planning region
24 to submit to the Commission for approval a joint
25 interregional transmission plan with each of its

1 neighboring transmission planning regions, which re-
2 quirement may, at the discretion of the transmission
3 planning region, be satisfied through the submission
4 of—

5 “(A) a separate joint interregional trans-
6 mission plan with each of its neighboring trans-
7 mission planning regions; or

8 “(B) 1 or more joint interregional trans-
9 mission plans, any of which may be submitted
10 with any 1 or more of its neighboring trans-
11 mission planning regions; and

12 “(3) establish rate treatments for interregional
13 transmission planning and cost allocation.

14 “(d) PLAN ELEMENTS.—The Commission shall re-
15 quire, within the rule under subsection (c), that joint
16 interregional transmission plans contain the following ele-
17 ments:

18 “(1) COMPATIBILITY.—A common set of input
19 assumptions and models, on a consistent timeline,
20 that—

21 “(A) allow for the joint identification and
22 selection, by transmission planning regions, of
23 specific interregional transmission facilities for
24 construction or modification, including through
25 the use of advanced transmission conductors

1 (including superconductors) and
2 reconductoring;

3 “(B) consider, to the extent reasonable and
4 economical, modifications that maximize the
5 transmission capabilities of existing towers,
6 structures, or rights-of-way; and

7 “(C) consider existing transmission plans.

8 “(2) TRANSMISSION BENEFITS.—A common set
9 of benefits for interregional transmission planning
10 and cost allocation, including—

11 “(A) improved reliability;

12 “(B) reduced congestion;

13 “(C) reduced power losses;

14 “(D) greater carrying capacity;

15 “(E) reduced operating reserve require-
16 ments; and

17 “(F) improved access to lower cost genera-
18 tion that achieves reductions in the cost of de-
19 livered power.

20 “(3) SELECTION CRITERIA.—Criteria governing
21 the selection by transmission planning regions, for
22 construction or modification, of interregional trans-
23 mission facilities that—

24 “(A) provide improved reliability;

25 “(B) protect or benefit consumers; and

1 “(C) are consistent with the public inter-
2 est.

3 “(e) DEADLINE; UPDATES.—The joint interregional
4 transmission plans required to be submitted to the Com-
5 mission pursuant to the rule under subsection (c) shall
6 be—

7 “(1) submitted to the Commission not later
8 than 2 years after the date of enactment of this sec-
9 tion; and

10 “(2) updated not less frequently than once
11 every 4 years.

12 “(f) COMMISSION REVIEW.—The Commission shall—

13 “(1) review each joint interregional trans-
14 mission plan submitted pursuant to the rule under
15 subsection (c); and

16 “(2) approve the joint interregional trans-
17 mission plan if the Commission finds that the
18 plan—

19 “(A) meets the requirements of subsection
20 (d);

21 “(B) allocates costs in accordance with
22 subsection (g);

23 “(C) ensures that all rates, charges, terms,
24 and conditions will be just and reasonable and
25 not unduly discriminatory or preferential; and

1 “(D) is consistent with the public interest.

2 “(g) COST ALLOCATION.—

3 “(1) TRANSMISSION TARIFFS.—For the pur-
4 poses of this section, any transmitting utility that
5 owns, controls, or operates electric transmission fa-
6 cilities constructed or modified as a result of this
7 section shall file a tariff or tariff revision with the
8 Commission pursuant to section 205 and the regula-
9 tions of the Commission allocating the costs of the
10 new or modified transmission facilities.

11 “(2) REQUIREMENT.—The Commission shall
12 require that tariffs or tariff revisions filed under this
13 section are just and reasonable and allocate the
14 costs of providing service to customers that benefit,
15 in accordance with the cost-causation principle, in-
16 cluding through the benefits described in subsection
17 (d)(2).

18 “(3) RATEPAYER PROTECTION.—Customers
19 that receive no benefit, or benefits that are trivial in
20 relation to the costs sought to be allocated, from
21 electric transmission facilities constructed or modi-
22 fied under this section shall not be involuntarily allo-
23 cated any of the costs of those transmission facili-
24 ties.

1 “(h) CONSTRUCTION PERMIT.—For the purposes of
2 obtaining a construction permit under section 216(b), a
3 project that is selected by transmission planning regions
4 pursuant to a joint interregional transmission plan shall
5 be considered to satisfy paragraphs (2) through (6) and,
6 if applicable, (7) of that section.

7 “(i) DISPUTE RESOLUTION.—In the event of a dis-
8 pute between transmission planning regions with respect
9 to a material element of a joint interregional transmission
10 plan—

11 “(1) the transmission planning regions shall
12 submit to the Commission their respective proposals
13 for resolving the material element in dispute for res-
14 olution; and

15 “(2) not later than 60 days after the proposals
16 are submitted under paragraph (1), the Commission
17 shall issue an order directing a resolution to the dis-
18 pute.

19 “(j) FAILURE TO SUBMIT PLAN.—In the event that
20 neighboring transmission planning regions fail to submit
21 to the Commission a joint interregional transmission plan
22 under this section, the Commission shall, as the Commis-
23 sion determines to be appropriate—

1 “(1) grant a request to extend the time for sub-
2 mission of the joint interregional transmission plan;
3 or

4 “(2) require, by order, the transmitting utilities
5 within the affected transmission planning regions to
6 comply with a joint interregional transmission plan
7 approved by the Commission—

8 “(A) based on the record of the planning
9 process conducted by the affected transmission
10 planning regions; and

11 “(B) in accordance with the cost allocation
12 provisions in subsection (g).

13 “(k) NEPA.—For purposes of the National Environ-
14 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)—

15 “(1) any approval of a joint interregional trans-
16 mission plan under subsection (f) or (j) or order di-
17 recting resolution of a dispute under subsection (i)
18 shall not be considered a major Federal action; and

19 “(2) any permit granted under section 216(b)
20 for a project that is selected by transmission plan-
21 ning regions pursuant to a joint interregional trans-
22 mission plan shall be considered a major Federal ac-
23 tion.

24 “(l) SAVINGS PROVISION.—Except as expressly pro-
25 vided in this section, nothing in this section shall be con-

1 strued as conferring, limiting, or impairing any authority
2 of the Commission under any other provision of law.”.

3 (b) CONFORMING AMENDMENTS.—Section 201 of the
4 Federal Power Act (16 U.S.C. 824) is amended—

5 (1) in subsection (b)(2)—

6 (A) in the first sentence, by striking “and
7 222” and inserting “222, and 225”; and

8 (B) in the second sentence, by striking “or
9 222” and inserting “222, or 225”; and

10 (2) in subsection (e)—

11 (A) by striking “206(f),”; and

12 (B) by striking “or 222” and inserting
13 “222, or 225”.

14 (c) SAVINGS PROVISION.—Nothing in this section or
15 an amendment made by this section grants authority to
16 the Federal Energy Regulatory Commission under the
17 Federal Power Act (16 U.S.C. 791a et seq.) over sales
18 of electric energy at retail or the local distribution of elec-
19 tricity.

20 **TITLE V—ELECTRIC** 21 **RELIABILITY**

22 **SEC. 501. RELIABILITY ASSESSMENTS.**

23 Section 215 of the Federal Power Act (16 U.S.C.
24 824o) is amended by striking subsection (g) and inserting
25 the following:

1 “(g) RELIABILITY REPORTS.—

2 “(1) PERIODIC ASSESSMENTS.—The ERO shall
3 conduct periodic assessments of the reliability and
4 adequacy of the bulk-power system in North Amer-
5 ica.

6 “(2) RELIABILITY ASSESSMENTS FOR REGULA-
7 TIONS.—(A) Whenever the Commission determines,
8 on its own motion or on request from another Fed-
9 eral agency, an affected transmission organization,
10 or any State commission, that a rule, regulation, or
11 standard proposed by a Federal agency other than
12 the Commission is likely to result in a violation of
13 a tariff requirement or process for resource ade-
14 quacy on file with the Commission or a mandatory
15 standard for reliability approved by the Commission,
16 the Commission shall require, by order, the ERO to
17 assess and report on the effects of the proposed rule,
18 regulation, or standard on the reliable operation of
19 the bulk-power system.

20 “(B) An ERO reliability assessment ordered
21 under subparagraph (A) shall—

22 “(i) identify any reasonably foreseeable sig-
23 nificant adverse effects on the reliable operation
24 of the bulk-power system that the ERO antici-

1 pates will result from the proposed rule, regula-
2 tion, or standard;

3 “(ii) account for mitigations that will be
4 available under existing rules, regulations, or
5 tariffs governing facilities of the bulk-power
6 system under this Act that will reduce or pre-
7 vent significant adverse effects on the reliable
8 operation of the bulk-power system from the
9 proposed rule, regulation, or standard; and

10 “(iii) take into account the technical views
11 of affected transmission organizations regarding
12 effects on the reliable operation of the bulk-
13 power system from the proposed rule, regula-
14 tion, or standard.

15 “(C) The ERO shall—

16 “(i) submit the report required under sub-
17 paragraph (A) to the public docket of the Fed-
18 eral agency proposing the rule, regulation, or
19 standard, and, if practicable, make such sub-
20 mission within the time period established by
21 such Federal agency for submission of public
22 comments on the proposed rule, regulation, or
23 standard;

24 “(ii) submit such report to the Commis-
25 sion; and

1 “(iii) publish such report in a publicly
2 available format.

3 “(D) This paragraph shall apply to proposed
4 rules, regulations, or standards pending on, or pro-
5 posed on or after, the date of enactment of this
6 paragraph.”.

7 **TITLE VI—LIQUEFIED NATURAL** 8 **GAS EXPORTS**

9 **SEC. 601. ACTION ON APPLICATIONS.**

10 Section 3 of the Natural Gas Act (15 U.S.C. 717b)
11 is amended—

12 (1) in subsection (e)(3)(A), by inserting “and
13 subsection (g)” after “subparagraph (B)”; and

14 (2) by adding at the end the following:

15 “(g) DEADLINE TO ACT ON CERTAIN EXPORT AP-
16 PLICATIONS.—

17 “(1) IN GENERAL.—The Commission shall
18 grant or deny an application under subsection (a) to
19 export to a foreign country any natural gas from the
20 United States not later than 90 days after the later
21 of—

22 “(A) the date on which the notice of avail-
23 ability for each final review required under the
24 National Environmental Policy Act of 1969 (42

1 U.S.C. 4321 et seq.) for the exporting facility
2 is published with respect to an application—

3 “(i) under subsection (e); or

4 “(ii) for a license for the ownership,
5 construction, or operation of a deepwater
6 port, under section 4 of the Deepwater
7 Port Act of 1974 (33 U.S.C. 1503); and

8 “(B) the date of enactment of this sub-
9 section.

10 “(2) APPLICATIONS TO RE-EXPORT.—The Com-
11 mission shall grant or deny an application under
12 subsection (a) to re-export to another foreign coun-
13 try any natural gas that has been exported from the
14 United States to Canada or Mexico for liquefaction
15 in Canada or Mexico, or the territorial waters of
16 Canada or Mexico, not later than 90 days after the
17 later of—

18 “(A) the date on which the notice of avail-
19 ability for each draft review required under the
20 National Environmental Policy Act of 1969 (42
21 U.S.C. 4321 et seq.) for the application is pub-
22 lished; and

23 “(B) the date of enactment of this sub-
24 section.

1 “(3) APPLICATIONS FOR EXTENSIONS.—The
2 Commission shall grant or deny an application for
3 an extension of a previously issued authorization to
4 export natural gas described in paragraph (1) or (2)
5 not later than 90 days after the later of—

6 “(A) the date the application for extension
7 is received by the Commission; and

8 “(B) the date of enactment of this sub-
9 section.

10 “(4) FAILURE TO ACT.—If the Commission
11 fails to grant or deny an application subject to this
12 subsection by the applicable date required by this
13 subsection, the application shall be considered to be
14 granted and a final agency order.”.

15 **SEC. 602. SUPPLEMENTAL REVIEWS.**

16 (a) DEFINITIONS.—In this section:

17 (1) 2018 LNG EXPORT STUDY.—The term
18 “2018 LNG Export Study” means the report enti-
19 tled “Macroeconomic Outcomes of Market Deter-
20 mined Levels of U.S. LNG Exports”, prepared by
21 NERA Economic Consulting for the National En-
22 ergy Technology Laboratory of the Department of
23 Energy, published June 7, 2018.

24 (2) 2019 LIFE CYCLE GHG REVIEW.—The term
25 “2019 Life Cycle GHG Review” means the report

1 entitled “Life Cycle Greenhouse Gas Perspective on
2 Exporting Liquefied Natural Gas from the United
3 States”, prepared by S. Roman-White, S. Rai, J.
4 Littlefield, G. Cooney, and T. J. Skone for the Na-
5 tional Energy Technology Laboratory of the Depart-
6 ment of Energy, published September 12, 2019.

7 (3) SECRETARY.—The term “Secretary” means
8 the Secretary of Energy.

9 (4) SUPPLEMENTAL GREENHOUSE GAS RE-
10 VIEW.—The term “supplemental greenhouse gas re-
11 view” means a review prepared or commissioned by
12 the Department of Energy and published after Jan-
13 uary 26, 2024, that analyzes the life cycle green-
14 house gas emissions of liquefied natural gas exports
15 from the United States, including consideration of
16 the modeling parameters used in the 2019 Life
17 Cycle GHG Review.

18 (5) SUPPLEMENTAL MACROECONOMIC RE-
19 VIEW.—The term “supplemental macroeconomic re-
20 view” means a review prepared or commissioned by
21 the Department of Energy and published after Jan-
22 uary 26, 2024, that analyzes the macroeconomic
23 outcomes of different levels of liquefied natural gas
24 exports from the United States, including consider-
25 ation of the natural gas market factors and macro-

1 economic factors analyzed in the 2018 LNG Export
2 Study.

3 (6) SUPPLEMENTAL REVIEW.—The term “sup-
4 plemental review” means a supplemental greenhouse
5 gas review or a supplemental macroeconomic review.

6 (b) REQUIREMENTS FOR SUPPLEMENTAL RE-
7 VIEWS.—

8 (1) NOTICE AND COMMENT ON PROPOSED SUP-
9 PLEMENTAL REVIEWS.—Before finalizing a supple-
10 mental review, the Secretary shall publish a notice of
11 availability of the proposed supplemental review in
12 the Federal Register pursuant to the notice and
13 comment provisions of section 553 of title 5, United
14 States Code.

15 (2) QUALITY OF SUPPLEMENTAL REVIEWS.—A
16 supplemental review shall be subject to a peer review
17 process consistent with the final bulletin of the Of-
18 fice of Management and Budget entitled “Final In-
19 formation Quality Bulletin for Peer Review” (70
20 Fed. Reg. 2664 (January 14, 2005)) (or successor
21 guidance).

22 (3) PENDING APPLICATIONS.—For a review of
23 an application to grant, deny, or extend an order
24 under section 3(a) of the Natural Gas Act (15
25 U.S.C. 717b(a)) to export to a foreign country any

1 natural gas from an LNG terminal in the United
 2 States or from a facility subject to section 4 of the
 3 Deepwater Port Act of 1974 (33 U.S.C. 1503), or
 4 to re-export to another foreign country any natural
 5 gas that has been exported from the United States
 6 to Canada or Mexico for liquefaction in Canada or
 7 Mexico, or the territorial waters of Canada or Mex-
 8 ico, the Secretary shall base any evaluation of—

9 (A) macroeconomic outcomes on the re-
 10 sults of the 2018 LNG Export Study, or prede-
 11 cessor documents, unless and until the Sec-
 12 retary finalizes and implements a supplemental
 13 macroeconomic review; and

14 (B) life cycle greenhouse gas emissions on
 15 the results of the 2019 Life Cycle GHG Review,
 16 or predecessor documents, unless and until the
 17 Secretary finalizes and implements a supple-
 18 mental greenhouse gas review.

19 **TITLE VII—HYDROPOWER**

20 **SEC. 701. HYDROPOWER LICENSE EXTENSIONS.**

21 (a) DEFINITION OF COVERED PROJECT.—In this sec-
 22 tion, the term “covered project” means a hydropower
 23 project with respect to which the Federal Energy Regu-
 24 latory Commission issued a license before March 13, 2020.

1 (b) AUTHORIZATION OF EXTENSION.—Notwith-
2 standing section 13 of the Federal Power Act (16 U.S.C.
3 806), on the request of a licensee of a covered project,
4 the Federal Energy Regulatory Commission may, after
5 reasonable notice and for good cause shown, extend in ac-
6 cordance with subsection (c) the period during which the
7 licensee is required to commence construction of the cov-
8 ered project for an additional 4 years beyond the 8 years
9 authorized by that section.

10 (c) PERIOD OF EXTENSION.—An extension of time
11 to commence construction of a covered project under sub-
12 section (b) shall—

13 (1) begin on the date on which the final exten-
14 sion of the period for commencement of construction
15 granted to the licensee under section 13 of the Fed-
16 eral Power Act (16 U.S.C. 806) expires; and

17 (2) end on the date that is 4 years after the lat-
18 est date to which the Federal Energy Regulatory
19 Commission is authorized to extend the period for
20 commencement of construction under that section.

21 (d) REINSTATEMENT OF EXPIRED LICENSE.—If the
22 time period required under section 13 of the Federal
23 Power Act (16 U.S.C. 806) to commence construction of
24 a covered project expires after December 31, 2023, and
25 before the date of enactment of this Act—

1 (1) the Commission may reinstate the license
2 for the applicable project effective as of the date of
3 expiration of the license; and

4 (2) the extension authorized under subsection
5 (b) shall take effect on the date of that expiration.

○