

## Union Calendar No. 378

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4381

[Report No. 112-530]

To direct the Secretary of the Interior to establish goals for an all-of-the-above energy production plan strategy on a 4-year basis on all on-shore Federal lands managed by the Department of the Interior and the Forest Service.

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### IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2012

Mr. TIPTON introduced the following bill; which was referred to the Committee on Natural Resources

JUNE 15, 2012

Additional sponsors: Mr. GOSAR, Mrs. BLACK, Mr. DUNCAN of South Carolina, Mr. LAMBORN, Mr. COFFMAN of Colorado, Ms. FOXX, Mr. NUNNELEE, Mr. LATHAM, Mr. CONAWAY, Mr. REED, Mr. GRIFFIN of Arkansas, Mr. MILLER of Florida, and Mrs. CAPITO

JUNE 15, 2012

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on April 18, 2012]

# **A BILL**

To direct the Secretary of the Interior to establish goals for an all-of-the-above energy production plan strategy on a 4-year basis on all onshore Federal lands managed by the Department of the Interior and the Forest Service.

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 “Planning for American*  
5 *Energy Act of 2012”.*

6 **SEC. 2. ONSHORE DOMESTIC ENERGY PRODUCTION STRA-**  
7 **TEGIC PLAN.**

8        *(a) IN GENERAL.—The Mineral Leasing Act (30*  
9 *U.S.C. 181 et seq.) is amended by redesignating section 44*  
10 *as section 45, and by inserting after section 43 the fol-*  
11 *lowing:*

12 **“SEC. 44. QUADRENNIAL STRATEGIC FEDERAL ONSHORE**  
13 **ENERGY PRODUCTION STRATEGY.**

14        *“(a) IN GENERAL.—*

15                *“(1) The Secretary of the Interior (hereafter in*  
16 *this section referred to as ‘Secretary’), in consultation*  
17 *with the Secretary of Agriculture with regard to lands*  
18 *administered by the Forest Service, shall develop and*  
19 *publish every 4 years a Quadrennial Federal Onshore*  
20 *Energy Production Strategy. This Strategy shall di-*  
21 *rect Federal land energy development and department*  
22 *resource allocation in order to promote the energy se-*  
23 *curity of the United States.*

24                *“(2) In developing this Strategy, the Secretary*  
25 *shall consult with the Administrator of the Energy*

1 *Information Administration on the projected energy*  
2 *demands of the United States for the next 30-year pe-*  
3 *riod, and how energy derived from Federal onshore*  
4 *lands can put the United States on a trajectory to*  
5 *meet that demand during the next 4-year period. The*  
6 *Secretary shall consider how Federal lands will con-*  
7 *tribute to ensuring national energy security, with a*  
8 *goal for increasing energy independence and produc-*  
9 *tion, during the next 4-year period.*

10 *“(3) The Secretary shall determine a domestic*  
11 *strategic production objective for the development of*  
12 *energy resources from Federal onshore lands. Such ob-*  
13 *jective shall be—*

14 *“(A) the best estimate, based upon commer-*  
15 *cial and scientific data, of the expected increase*  
16 *in domestic production of oil and natural gas*  
17 *from the Federal onshore mineral estate, with a*  
18 *focus on lands held by the Bureau of Land Man-*  
19 *agement and the Forest Service;*

20 *“(B) the best estimate, based upon commer-*  
21 *cial and scientific data, of the expected increase*  
22 *in domestic coal production from Federal lands;*

23 *“(C) the best estimate, based upon commer-*  
24 *cial and scientific data, of the expected increase*  
25 *in domestic production of strategic and critical*

1           *energy minerals from the Federal onshore min-*  
2           *eral estate;*

3           “(D) *the best estimate, based upon commer-*  
4           *cial and scientific data, of the expected increase*  
5           *in megawatts for electricity production from*  
6           *each of the following sources: wind, solar, bio-*  
7           *mass, hydropower, and geothermal energy pro-*  
8           *duced on Federal lands administered by the Bu-*  
9           *reau of Land Management and the Forest Serv-*  
10          *ice;*

11          “(E) *the best estimate, based upon commer-*  
12          *cial and scientific data, of the expected increase*  
13          *in unconventional energy production, such as oil*  
14          *shale; and*

15          “(F) *the best estimate, based upon commer-*  
16          *cial and scientific data, of the expected increase*  
17          *in domestic production of oil, natural gas, coal,*  
18          *and other renewable sources from tribal lands for*  
19          *any federally recognized Indian tribe that elects*  
20          *to participate in facilitating energy production*  
21          *on its lands.*

22          “(4) *The Secretary shall consult with the Admin-*  
23          *istrator of the Energy Information Administration*  
24          *regarding the methodology used to arrive at its esti-*  
25          *mates for purposes of this section.*

1           “(5) *The Secretary has the authority to expand*  
2           *the energy development plan to include other energy*  
3           *production technology sources or advancements in en-*  
4           *ergy on Federal lands.*

5           “(b) *TRIBAL OBJECTIVES.—It is the sense of Congress*  
6           *that federally recognized Indian tribes may elect to set their*  
7           *own production objectives as part of the Strategy under this*  
8           *section. The Secretary shall work in cooperation with any*  
9           *federally recognized Indian tribe that elects to participate*  
10          *in achieving its own strategic energy objectives designated*  
11          *under this subsection.*

12          “(c) *EXECUTION OF THE STRATEGY.—The relevant*  
13          *Secretary shall have all necessary authority to make deter-*  
14          *minations regarding which additional lands will be made*  
15          *available in order to meet the production objectives estab-*  
16          *lished by strategies under this section. The Secretary shall*  
17          *also take all necessary actions to achieve these production*  
18          *objectives unless the President determines that it is not in*  
19          *the national security and economic interests of the United*  
20          *States to increase Federal domestic energy production and*  
21          *to further decrease dependence upon foreign sources of en-*  
22          *ergy. In administering this section, the relevant Secretary*  
23          *shall only consider leasing Federal lands available for leas-*  
24          *ing at the time the lease sale occurs.*

1       “(d) *STATE, FEDERALLY RECOGNIZED INDIAN*  
2 *TRIBES, LOCAL GOVERNMENT, AND PUBLIC INPUT.*—*In de-*  
3 *veloping each strategy, the Secretary shall solicit the input*  
4 *of affected States, federally recognized Indian tribes, local*  
5 *governments, and the public.*

6       “(e) *REPORTING.*—*The Secretary shall report annu-*  
7 *ally to the Committee on Natural Resources of the House*  
8 *of Representatives and the Committee on Energy and Nat-*  
9 *ural Resources of the Senate on the progress of meeting the*  
10 *production goals set forth in the strategy. The Secretary*  
11 *shall identify in the report projections for production and*  
12 *capacity installations and any problems with leasing, per-*  
13 *mitting, siting, or production that will prevent meeting the*  
14 *goal. In addition, the Secretary shall make suggestions to*  
15 *help meet any shortfalls in meeting the production goals.*

16       “(f) *PROGRAMMATIC ENVIRONMENTAL IMPACT STATE-*  
17 *MENT.*—*Not later than 12 months after the date of enact-*  
18 *ment of this section, in accordance with section 102(2)(C)*  
19 *of the National Environmental Policy Act of 1969 (42*  
20 *U.S.C. 4332(2)(C)), the Secretary shall complete a pro-*  
21 *grammatic environmental impact statement. This pro-*  
22 *grammatic environmental impact statement will be deemed*  
23 *sufficient to comply with all requirements under that Act*  
24 *for all necessary resource management and land use plans*  
25 *associated with the implementation of the strategy.*

1           “(g) *CONGRESSIONAL REVIEW.*—At least 60 days prior  
2 to publishing a proposed strategy under this section, the  
3 Secretary shall submit it to the President and the Congress,  
4 together with any comments received from States, federally  
5 recognized Indian tribes, and local governments. Such sub-  
6 mission shall indicate why any specific recommendation of  
7 a State, federally recognized Indian tribe, or local govern-  
8 ment was not accepted.”.

9           (b) *FIRST QUADRENNIAL STRATEGY.*—Not later than  
10 18 months after the date of enactment of this Act, the Sec-  
11 retary of the Interior shall submit to Congress the first  
12 Quadrennial Federal Onshore Energy Production Strategy  
13 under the amendment made by subsection (a).

14 **SEC. 3. DEFINITIONS.**

15           For purposes of this Act, the term “strategic and crit-  
16 ical energy minerals” means those that are necessary for  
17 the Nation’s energy infrastructure including pipelines, re-  
18 fining capacity, electrical power generation and trans-  
19 mission, and renewable energy production and those that  
20 are necessary to support domestic manufacturing, including  
21 but not limited to, materials used in energy generation, pro-  
22 duction, and transportation.



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