

115TH CONGRESS
1ST SESSION

H. R. 4126

To provide for the accurate reporting of fossil fuel production and emissions from public lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 2017

Mr. LOWENTHAL (for himself, Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. CURBELO of Florida, and Ms. TSONGAS) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for the accurate reporting of fossil fuel production and emissions from public lands, 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 “Transparency in En-
5 ergy Production Act of 2017”.

6 **SEC. 2. ONLINE PUBLICATION OF CARBON EMISSIONS.**

7 (a) IN GENERAL.—The Secretary of the Interior shall
8 make available to the public through the internet—

9 (1) information that describes for all covered
10 operations—

1 (A) the aggregate amount of each fossil
2 fuel, by type and by State, produced under Fed-
3 eral leases; and

4 (B) for gas reported, the portion and
5 source of such amount that was released by
6 each of venting, flaring, and fugitive release;

7 (2) information that accurately describes the es-
8 timated amounts of existing fossil fuel resources on
9 Federal lands under lease for the production of fossil
10 fuels, and of Federal lands that have potential for
11 such leasing; and

12 (3) information that describes the amount and
13 sources of energy, in megawatts, produced from op-
14 erating solar, wind, and geothermal projects on Fed-
15 eral lands under lease for the production of renew-
16 able energy.

17 (b) FORMAT.—Information made available under this
18 section shall be presented in a format that—

19 (1) translates such amounts and portions into
20 emissions of metric tons of greenhouse gases ex-
21 pressed in carbon-dioxide equivalent using both the
22 20-year and 100-year Global Warming Potential-
23 weighted emission values;

24 (2) for energy produced from solar, wind, and
25 geothermal projects, includes an estimate of the

1 greenhouse gas emissions that would result from
2 production of the same amount of energy from fossil
3 fuel resources; and

4 (3) allows—

5 (A) downloading in a machine readable
6 format; and

7 (B) accessing the information without pay-
8 ment of any fee or other charge.

9 (c) DATA PUBLICATION FREQUENCY.—The data
10 made available under this section shall be updated at least
11 annually.

12 **SEC. 3. ACCURATE MEASUREMENT AND REPORTING OF**
13 **METHANE EMISSIONS FROM FEDERAL**
14 **LANDS.**

15 (a) IN GENERAL.—Not later than one year after the
16 date of the enactment of this Act, if the Secretary of the
17 Interior determines that revisions or promulgation of rules
18 are needed to implement section 2 with regard to methane
19 emissions, the Secretary shall initiate a process under the
20 Federal Oil and Gas Royalty Management Act of 1982
21 (30 U.S.C. 1711 et seq.), the Mineral Leasing Act (30
22 U.S.C. 181 et seq.), or other applicable law to promulgate
23 regulations to require accurate measuring and reporting
24 to the Secretary, by each holder of a lease for the produc-
25 tion of fossil fuels on Federal land, of the actual amount

1 of methane gas produced under such lease, including all
2 such gas not sold by or on behalf of the lessee.

3 (b) REPORTING OF GASES.—The rules shall include
4 requirements for reporting by holders of leases, to the
5 maximum extent possible, the amount and source of all
6 vented, flared, and fugitive releases of gas resulting from
7 the production of fossil fuels from Federal lands.

8 **SEC. 4. REPORT TO CONGRESS.**

9 Every 2 years, the Secretary shall submit a report
10 to Congress that includes—

11 (1) efforts underway by the Department of the
12 Interior to decrease greenhouse gas emissions from
13 covered operations on Federal lands and waters;

14 (2) plans for future reductions in greenhouse
15 gas emissions from covered operations on Federal
16 lands and waters; and

17 (3) the amount of greenhouse gas emissions re-
18 ductions resulting from such efforts and plans that
19 have been observed during the period covered by the
20 report, and the amount of such reductions that are
21 expected in the future.

22 **SEC. 5. DEFINITIONS.**

23 In this Act:

24 (1) COVERED OPERATIONS.—The term “cov-
25 ered operations” means all fossil fuel operations that

1 are subject to the mineral leasing laws or title V of
2 the Federal Land Policy and Management Act of
3 1976 (30 U.S.C. 1761 et seq.), regardless of size, in-
4 cluding production, storage, gathering, processing,
5 transportation, and handling operations.

6 (2) FLARING.—The term “flaring” means the
7 intentional and controlled burning of gas that occurs
8 in the course of oil and gas or coal operations.

9 (3) FOSSIL FUEL.—The term “fossil fuel”
10 means all natural fuels, including oil, natural gas,
11 natural gas liquids, and coal.

12 (4) FUGITIVE RELEASE.—The term “fugitive
13 release” means the unintentional and uncontrolled
14 release of gas into the atmosphere in the course of
15 oil and gas or coal operations.

16 (5) GLOBAL WARMING POTENTIAL-WEIGHTED
17 EMISSION.—The term “Global Warming Potential-
18 weighted emission” means the ratio of the time-inte-
19 grated radiative forcing from the instantaneous re-
20 lease of 1 kilogram of a trace substance relative to
21 that of 1 kilogram of carbon dioxide, measured in
22 metric tons of carbon dioxide equivalent for each
23 greenhouse gas according to the most recent, and
24 any subsequent, decisions by the Intergovernmental

1 Panel on Climate Change regarding global warming
2 potentials.

3 (6) RESOURCES.—The term “resources” means
4 oil, gas, and coal resources, both identified and in-
5 ferred, that are both technically recoverable and eco-
6 nomically recoverable using the range of past, and
7 predicted future, commodity prices.

8 (7) VENTING.—The term “venting” means the
9 intentional and controlled release of gas into the at-
10 mosphere in the course of oil and gas operations.

11 (8) PRODUCED AND PRODUCTION.—The terms
12 “produced” and “production” mean extracted,
13 mined, withdrawn, sold, stored, released (including
14 release by venting, flaring, or fugitive release),
15 flared, used for beneficial purposes, or otherwise
16 emitted during production.

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