

116TH CONGRESS
2D SESSION

H. R. 5636

To provide for the accurate reporting of fossil fuel extraction and emissions by entities with leases on public land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2020

Mr. LOWENTHAL (for himself, Mr. DEUTCH, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for the accurate reporting of fossil fuel extraction and emissions by entities with leases on public land, 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 2020”.

6 **SEC. 2. DISCLOSURE REQUIREMENTS.**

7 (a) REPORT REQUIRED FOR AN ENTITY SEEKING A
8 LEASE.—The Secretary shall require any entity seeking
9 a lease to develop covered operations on public land to sub-

1 mit to the Secretary a report, at the time of submission
2 of a bid to develop covered operations. Such report shall—

3 (1) make the disclosures described in the Sus-
4 tainable Accounting Standard for the Extractives
5 and Minerals Processing Sector and the Renewable
6 Resources and Alternative Energy Sector in effect
7 on the date the report is filed (that is produced by
8 the Sustainability Accounting Standards Board) for
9 the covered operations developed by the entity and
10 in effect at the date of such bid; and

11 (2) disaggregate the information in paragraph 1
12 by State and by type of covered operation.

13 (b) REPORT REQUIRED FOR AN ENTITY HOLDING A
14 LEASE.—The Secretary shall require any entity holding
15 a lease to develop covered operations on public land to sub-
16 mit to the Secretary a report annually. Such report
17 shall—

18 (1) make the disclosures described in the Sus-
19 tainable Accounting Standard for the Extractives
20 and Minerals Processing Sector and the Renewable
21 Resources and Alternative Energy Sector in effect
22 on the date the report is filed (that is produced by
23 the Sustainability Accounting Standards Board);
24 and

1 (2) disaggregate the information in paragraph 1
2 by State and by type of covered operation.

3 (c) FAILURE TO COMPLY.—If the Secretary deter-
4 mines that an entity did not meet the requirements of sub-
5 section (a), the Secretary—

6 (1) may not issue to such entity a lease for a
7 covered operation; and

8 (2) may suspend a lease for a covered operation
9 held by such entity.

10 **SEC. 3. ONLINE PUBLICATION OF DISCLOSURE.**

11 The Secretary shall make the information reported
12 under section 2 available to the public on an internet
13 website in a machine readable format.

14 **SEC. 4. REPORT TO CONGRESS.**

15 Not later than 2 years after the date of the enact-
16 ment of this Act and every 2 years thereafter, the Sec-
17 retary shall submit a report to Congress that includes—

18 (1) with respect to covered operations, the an-
19 nual and 2-year totals of greenhouse gas emissions,
20 air quality, water management, biodiversity impacts,
21 production, and number of sites according to the
22 metrics described in the Sustainable Accounting
23 Standard for Oil and Gas Exploration and Produc-
24 tion in effect on the date the report is filed (that is
25 produced by the Sustainability Accounting Stand-

1 ards Board) for covered operations on public land;
2 and

3 (2) the changes in the information in paragraph
4 1;

5 (3) the projected future changes for 5, 10, and
6 25 years; and

7 (4) for renewable energy operations, an esti-
8 mate of the greenhouse gas emissions that would re-
9 sult from production of the same amount of energy
10 using fossil fuels.

11 **SEC. 5. DEFINITIONS.**

12 In this Act:

13 (1) COVERED OPERATION.—The term “covered
14 operation” means—

15 (A) any renewable energy operations; and

16 (B) fossil fuel operations that are subject
17 to the mineral leasing laws or title V of the
18 Federal Land Policy and Management Act of
19 1976 (30 U.S.C. 1761 et seq.).

20 (2) FOSSIL FUEL.—The term “fossil fuel”
21 means oil, natural gas, natural gas liquids, and coal.

22 (3) PUBLIC LAND.—The term “public land”
23 has the meaning given the term in section 103 of the
24 Federal Land Policy and Management Act of 1976
25 (43 U.S.C. 1702).

1 (4) RENEWABLE ENERGY.—The term “renew-
2 able energy” means a project carried out on public
3 land that uses wind, solar, geothermal, wave, cur-
4 rent, tidal, or ocean thermal energy to generate elec-
5 tricity.

6 (5) SECRETARY.—The term “Secretary” means
7 the Secretary of the Interior.

8 **SEC. 6. EFFECTIVE DATE.**

9 This Act shall take effect on the date that is 180 days
10 after the date of enactment of this Act.

