

## Calendar No. 756

118TH CONGRESS  
2D SESSION**S. 4753****[Report No. 118–336]**

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

DECEMBER 19 (legislative day, DECEMBER 16), 2024

Reported by Mr. MANCHIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**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”.~~

1       (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—ACCELERATING CLAIMS

Sec. 101. Accelerating claims.

#### TITLE II—FEDERAL ONSHORE ENERGY LEASING AND PERMITTING

Sec. 201. Onshore oil and gas leasing.  
 Sec. 202. Term of application for permit to drill.  
 Sec. 203. Permitting compliance on non-Federal land.  
 Sec. 204. Coal leases on Federal land.  
 Sec. 205. Rights-of-way across Indian land.  
 Sec. 206. Accelerating renewable energy permitting.  
 Sec. 207. Improving renewable energy coordination on Federal land.  
 Sec. 208. Geothermal leasing and permitting improvements.  
 Sec. 209. Electric grid projects.  
 Sec. 210. Hardrock mining mill sites.

#### TITLE III—FEDERAL OFFSHORE ENERGY LEASING AND PERMITTING

Sec. 301. Offshore oil and gas leasing.  
 Sec. 302. Offshore wind energy.

#### TITLE IV—ELECTRIC TRANSMISSION

Sec. 401. Transmission permitting.  
 Sec. 402. Transmission planning.

#### TITLE V—ELECTRIC RELIABILITY

Sec. 501. Reliability assessments.

#### TITLE VI—LIQUEFIED NATURAL GAS EXPORTS

Sec. 601. Action on applications.  
 Sec. 602. Supplemental reviews.

#### TITLE VII—HYDROPOWER

Sec. 701. Hydropower license extensions.

## 3       **TITLE I—ACCELERATING** 4                               **CLAIMS**

### 5   **SEC. 101. ACCELERATING CLAIMS.**

6       (a) DEFINITIONS.—In this section:

7               (1) AUTHORIZATION.—

(A) IN GENERAL.—The term “authoriza-  
 tion” means any license, permit, approval,  
 order, or other administrative decision that is  
 required or authorized under Federal law (in-  
 cluding regulations) to design, plan, site, con-  
 struct, reconstruct, or commence operations of  
 a project.

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

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

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

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

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

(IV) sections 2319 through 2344  
 of the Revised Statutes (commonly

1 known as the “Mining Law of 1872”)  
 2 (30 U.S.C. 22 et seq.);

3 (V) the Outer Continental Shelf  
 4 Lands Act (43 U.S.C. 1331 et seq.);  
 5 or

6 (VI) the Geothermal Steam Act  
 7 of 1970 (30 U.S.C. 1001 et seq.); and

8 (ii) statements or permits for a  
 9 project under sections 7 and 10 of the En-  
 10 dangered Species Act of 1973 (16 U.S.C.  
 11 1536, 1539).

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

16 ~~(A) An environmental assessment.~~

17 ~~(B) A finding of no significant impact.~~

18 ~~(C) An environmental impact statement.~~

19 ~~(D) A record of decision.~~

20 ~~(3) PROJECT.~~—The term “project” means a  
 21 project—

22 ~~(A) proposed for the construction of infra-~~  
 23 ~~structure—~~

24 ~~(i) to develop, produce, generate,~~  
 25 ~~store, transport, or distribute energy;~~

1                   (ii) to capture, remove, transport, or  
2                   store carbon dioxide; or

3                   (iii) to mine, extract, beneficiate, or  
4                   process minerals; and

5                   (B) subject to the requirements that—

6                   (i) an environmental document be pre-  
7                   pared; and

8                   (ii) the applicable agency issue an au-  
9                   thorization of the activity.

10               (4) PROJECT SPONSOR.—The term “project  
11               sponsor” means an entity, including any private,  
12               public, or public-private entity, seeking an authoriza-  
13               tion for a project.

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

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

1       (d) REMANDED ACTIONS.—

2           (1) IN GENERAL.—If the reviewing court re-  
 3       mands a final Federal agency action granting or de-  
 4       nying an authorization to the Federal agency for  
 5       further proceedings, whether on a motion by the  
 6       court, the agency, or another party, the court shall  
 7       set a reasonable schedule and deadline for the agen-  
 8       cy to act on remand, which shall not exceed 180  
 9       days from the date on which the order of the court  
 10      was issued, unless a longer time period is necessary  
 11      to comply with applicable law.

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

20      (e) TREATMENT OF SUPPLEMENTAL OR REVISED  
 21      ENVIRONMENTAL DOCUMENTS.—For the purpose of sub-  
 22      section (b), the preparation of a supplemental or revised  
 23      environmental document, when required, shall be consid-  
 24      ered to be a separate final agency action.

(f) NOTICE.—Not later than 30 days after the date on which an agency is served a copy of a petition for review or a complaint in a civil action described in subsection (b), the head of the agency shall notify the project sponsor of the filing of the petition or complaint.

## **TITLE II—FEDERAL ONSHORE ENERGY LEASING AND PERMITTING**

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

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

### **(b) MINERAL LEASING ACT REFORMS.—**

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

“(3) SUBDIVISION.—

“(A) IN GENERAL.—A parcel of land included in an expression of interest that the Secretary of the Interior offers for lease shall be leased as nominated and not subdivided into

multiple parcels unless the Secretary of the Interior determines that a subpart of the submitted parcel is not open to oil or gas leasing under the approved resource management plan.

“(B) REQUIRED REVIEWS.—Nothing in this paragraph affects the obligations of the Secretary of the Interior to complete requirements and reviews established by other provisions of law before leasing a parcel of land.

“(4) RESOURCE MANAGEMENT PLANS.—

“(A) LEASE TERMS AND CONDITIONS.—A lease issued under this section shall be subject to the terms and conditions of the approved resource management plan.

“(B) EFFECT OF LEASING DECISION.—Notwithstanding section 1506.1 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this paragraph), the Secretary may conduct a lease sale under an approved resource management plan while amendments to the approved plan are under consideration.”.

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



1           (A) by striking “Secretary” each place it  
 2           appears and inserting “Secretary of the Inte-  
 3           rior”;

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

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

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

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

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

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

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

5       Section 17(p) of the Mineral Leasing Act (30 U.S.C.  
 6   226(p)) is amended by adding at the end the following:

7           “(4) TERM.—

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

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

16               “(i) all permits approved during the  
 17      2-year period preceding the date of enact-  
 18      ment of this paragraph; and

19               “(ii) all pending applications for per-  
 20      mit to drill submitted prior to the date of  
 21      enactment of this paragraph.”.

22   **SEC. 203. PERMITTING COMPLIANCE ON NON-FEDERAL**  
 23       **LAND.**

24       (a) IN GENERAL.—Notwithstanding the Mineral  
 25   Leasing Act (30 U.S.C. 181 et seq.), the Federal Oil and

1 Gas Royalty Management Act of 1982 (30 U.S.C. 1701  
2 et seq.); or subpart 3162 of part 3160 of title 43, Code  
3 of Federal Regulations (or successor regulations), but sub-  
4 ject to any applicable State or Tribal requirements and  
5 subsection (c), the Secretary of the Interior shall not re-  
6 quire a permit to drill for an oil and gas lease under the  
7 Mineral Leasing Act (30 U.S.C. 181 et seq.) for an action  
8 occurring within an oil and gas drilling or spacing unit  
9 if—

10 (1) the Federal Government—

11 (A) owns less than 50 percent of the min-  
12 erals within the oil and gas drilling or spacing  
13 unit; and

14 (B) does not own or lease the surface es-  
15 tate within the area directly impacted by the  
16 action;

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

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

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

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

6           (A) notify the Secretary of the Interior of  
 7 the submission of a State application for a per-  
 8 mit to drill or drilling plan on submission of the  
 9 application; and

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

14          (2) each lessee, designee of a lessee, or applica-  
 15 ble State shall notify the Secretary of the Interior of  
 16 the approved State permit to drill or drilling plan  
 17 not later than 45 days after the date on which the  
 18 permit or plan is approved; and

19          (3) each lessee or designee of a lessee shall pro-  
 20 vide, prior to commencing drilling operations, agree-  
 21 ments authorizing the Secretary of the Interior to  
 22 enter non-Federal land, as necessary, for inspection  
 23 and enforcement of the terms of the Federal lease.

24       (c) NONAPPLICABILITY TO INDIAN LANDS.—Sub-  
 25 section (a) shall not apply to Indian lands (as defined in

1 section 3 of the Federal Oil and Gas Royalty Management  
2 Act of 1982 (30 U.S.C. 1702)).

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

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

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

10 (e) AUTHORITY ON NON-FEDERAL LAND.—Section  
11 17(g) of the Mineral Leasing Act (30 U.S.C. 226(g)) is  
12 amended—

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

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

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

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

22 “(i) to require a bond to protect non-Federal  
23 land;

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

1           ~~“(iii) to impose mitigation requirements; or~~  
 2           ~~“(iv) to require approval for surface reclama-~~  
 3           ~~tion.~~

4           ~~“(B) Land referred to in subparagraph (A) is land~~  
 5           ~~where—~~

6           ~~“(i) the Federal Government—~~

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

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

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

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

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

23           ~~(a) DEADLINES.—~~

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

1           (A) in paragraph (1), in the first sentence,  
 2           by striking “he shall, in his discretion, upon the  
 3           request of any qualified applicant or on his own  
 4           motion from time to time” and insert “the Sec-  
 5           retary shall, at the discretion of the Secretary  
 6           but subject to paragraph (6), on the request of  
 7           any qualified applicant or on a motion by the  
 8           Secretary”; and

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

10          “(6) DEADLINES.—

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

20           “(B) DECISION.—Not later than 90 days  
 21           after the completion of an environmental impact  
 22           statement or environmental assessment con-  
 23           sistent with the requirements of the National  
 24           Environmental Policy Act of 1969 (42 U.S.C.  
 25           4321 et seq.) for a lease sale under paragraph

~~(1), or for a lease modification under section 3,~~  
the Secretary of the Interior shall issue a  
record of decision or a finding of no significant  
impact for the lease sale or lease modification.

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

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

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

~~(1) in the first sentence—~~

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



1           (B) by striking “he deems appropriate”  
 2           and inserting “the Secretary of the Interior de-  
 3           termines to be appropriate”;

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

7           (3) in the seventh sentence—

8           (A) by striking “to make public his judg-  
 9           ment” and inserting “to make public the judg-  
 10          ment of the Secretary of the Interior”; and

11          (B) by striking “comments he receives”  
 12          and inserting “comments received by the Sec-  
 13          retary of the Interior”; and

14          (4) in the eighth sentence, by striking “He is  
 15          hereby authorized” and inserting “The Secretary of  
 16          the Interior is authorized”.

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

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

22          The first section of the Act of February 5, 1948 (62  
 23          Stat. 17, chapter 45; 25 U.S.C. 323), is amended by add-  
 24          ing at the end the following: “Any right-of-way granted  
 25          by an Indian tribe for the purposes authorized under this

1 section shall not require the approval of the Secretary of  
 2 the Interior, on the condition that the right-of-way ap-  
 3 proval process by the Indian tribe substantially complies  
 4 with subsection (h) of the first section of the Act of Au-  
 5 gust 9, 1955 (69 Stat. 539, chapter 615; 25 U.S.C.  
 6 415(h)) or the Indian tribe has approved regulations  
 7 under paragraph (1) of that subsection.”.

8 **SEC. 206. ACCELERATING RENEWABLE ENERGY PERMIT-**  
 9 **TING.**

10 (a) **DEADLINE FOR CONSIDERATION OF APPLICA-**  
 11 **TIONS FOR RIGHTS-OF-WAY.—**

12 (1) **COMPLETENESS OF REVIEW.—**

13 (A) **IN GENERAL.—**Not later than 30 days  
 14 after the date on which the Secretary of the In-  
 15 terior or the Secretary of Agriculture, as appli-  
 16 cable, receives an application for a right-of-way  
 17 under section 501 of the Federal Land Policy  
 18 and Management Act of 1976 (43 U.S.C. 1761)  
 19 for an eligible project (as defined in section  
 20 3101 of the Energy Act of 2020 (43 U.S.C.  
 21 3001)), the applicable Secretary shall—

22 (i) notify the applicant that the appli-  
 23 cation is complete; or

24 (ii) notify the applicant that informa-  
 25 tion is missing from the application and

1 specify any information that is required to  
 2 be submitted for the application to be com-  
 3 plete.

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

15 ~~(2) COST RECOVERY AND ISSUANCE OR DEFER-~~  
 16 ~~RAL.—~~

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

ulations (or successor regulations), issue a cost recovery agreement.

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

(i) grant or deny the application, if the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other applicable law have been completed; or

(ii) defer the decision on the application and provide to the applicant notice—

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

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

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

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, to facilitate timely permitting of eligible projects (as defined in section 3101 of the Energy Act of 2020 (43 U.S.C. 3001)), the Secretary of the Interior and the Secretary of Agriculture shall each promulgate regulations for the use of 1 or more categorical exclusions under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for low disturbance activities necessary for renewable energy projects.

(2) ACTIVITIES DESCRIBED.—Low disturbance activities referred to in paragraph (1) are the following:

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

(B) Activities at a location at which the same type of activity has previously occurred within 5 years prior to the date of commencement of the activity.

(C) Activities on previously disturbed or developed (as defined in section 1021.410(g)(1)

1 of title 10, Code of Federal Regulations (or suc-  
2 cessor regulations)) land for which an approved  
3 land use plan or any environmental document  
4 prepared pursuant to the National Environ-  
5 mental Policy Act of 1969 (42 U.S.C. 4321 et  
6 seq.) analyzed such activity as reasonably fore-  
7 seeable, so long as such plan or document was  
8 approved within 5 years prior to the date of the  
9 activity.

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

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

19 (F) Preliminary geotechnical investiga-  
20 tions.

21 (G) The installation and removal of tem-  
22 porary meteorological stations.

1 **SEC. 207. IMPROVING RENEWABLE ENERGY COORDINA-**  
 2 **TION ON FEDERAL LAND.**

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

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

14 (2) PERIODIC GOAL REVISION.—Section 3104  
 15 of the Energy Act of 2020 (43 U.S.C. 3004) is  
 16 amended—

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

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

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

1       (b) DEFINITION OF ELIGIBLE PROJECT.—Paragraph  
 2       (4) of section 3101 of the Energy Act of 2020 (43 U.S.C.  
 3       3001) is amended by inserting “or store” after “gen-  
 4       erate”.

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

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

12              (2) by redesignating subsection (f) as sub-  
 13              section (h); and

14              (3) by inserting after subsection (e) the fol-  
 15              lowing:

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



1       “(g) CLARIFICATION OF EXISTING AUTHORITY.—  
 2 Under section 307 of the Federal Land Policy and Man-  
 3 agement Act of 1976 (43 U.S.C. 1737), the Secretary may  
 4 accept donations from renewable energy companies to im-  
 5 prove community engagement for the permitting of energy  
 6 projects.”.

7       (d) SAVINGS CLAUSE.—Nothing in this section, or an  
 8 amendment made by this section, modifies the limitations  
 9 described in section 50265(b)(1) of Public Law 117–169  
 10 (43 U.S.C. 3006(b)(1)).

11 **SEC. 208. GEOTHERMAL LEASING AND PERMITTING IM-**  
 12 **PROVEMENTS.**

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

23               (1) the commercial production of geothermal re-  
 24               sources;

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

3           ~~(3) construction of permanent roads.~~

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

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

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

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

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

20       “~~(h) DEADLINES FOR CONSIDERATION OF GEO-~~  
21       THERMAL DRILLING PERMITS.—

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

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

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

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

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

16          “(B) defer the decision on the application  
17          and provide to the applicant notice—

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

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

1 (d) ~~COST RECOVERY AUTHORITY.~~—Section 24 of the  
 2 Geothermal Steam Act of 1970 (30 U.S.C. 1023) is  
 3 amended—

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

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

8 “The Secretary”; and

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

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

25 (1) surface exploration;

1           ~~(2) geophysical exploration;~~

2           ~~(3) drilling; and~~

3           ~~(4) power plant construction.~~

4           ~~(f) GEOTHERMAL PRODUCTION PARITY.—Section~~  
 5   ~~390 of the Energy Policy Act of 2005 (42 U.S.C. 15942)~~  
 6   ~~is amended—~~

7           ~~(1) in subsection (a)—~~

8                   ~~(A) by striking “(NEPA)” and inserting~~  
 9                   ~~“(42 U.S.C. 4321 et seq.) (referred to in this~~  
 10                   ~~section as ‘NEPA’);~~

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

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

18           ~~(2) in subsection (b)—~~

19                   ~~(A) in paragraph (2), by striking “oil or~~  
 20                   ~~gas” and inserting “oil, gas, or geothermal re-~~  
 21                   ~~sources”; and~~

22                   ~~(B) in paragraph (3), by striking “oil or~~  
 23                   ~~gas” and inserting “oil, gas, or geothermal re-~~  
 24                   ~~sources”.~~

25           ~~(g) GEOTHERMAL OMBUDSMAN.—~~

1           ~~(1) IN GENERAL.~~—Not later than 60 days after  
2           the date of enactment of this Act, the Secretary of  
3           the Interior shall appoint within the Bureau of Land  
4           Management a Geothermal Ombudsman.

5           ~~(2) DUTIES.~~—The Geothermal Ombudsman ap-  
6           pointed under paragraph ~~(1)~~ shall—

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

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

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

19                  ~~(D)~~ develop best practices for the permit-  
20                  ting and leasing process for geothermal re-  
21                  sources; and

22                  ~~(E)~~ coordinate with the Federal Permitting  
23                  Improvement Steering Council.

24           ~~(3) REPORT.~~—The Geothermal Ombudsman  
25           shall submit to the Committee on Energy and Nat-

1       ural Resources of the Senate and the Committee on  
 2       Natural Resources of the House of Representatives  
 3       an annual report that describes the activities of the  
 4       Geothermal Ombudsman and evaluates the effective-  
 5       ness of geothermal permit processing during the pre-  
 6       ceding 1-year period.

7       **SEC. 209. ELECTRIC GRID PROJECTS.**

8       (a) **DEFINITION OF PREVIOUSLY DISTURBED OR DE-**  
 9       **VELOPED.**—In this section, the term “previously disturbed  
 10      or developed” has the meaning given the term in section  
 11      1021.410(g)(1) of title 40, Code of Federal Regulations  
 12      (or successor regulations).

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

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

(2) Any repair, maintenance, replacement, upgrade, modification, optimization, or minor relocation of, or addition to, an existing electric transmission or distribution facility or associated infrastructure within an existing right-of-way or on otherwise previously disturbed or developed land, including reconductoring and installation of grid-enhancing technologies.

(3) Construction, operation, upgrade, or decommissioning of a battery or other energy storage technology on previously disturbed or developed land.

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

(a) MULTIPLE MILL SITES.—Section 2337 of the Revised Statutes (30 U.S.C. 42) is amended by adding at the end the following:

“(c) ADDITIONAL MILL SITES.—

“(1) DEFINITIONS.—In this subsection:

“(A) MILL SITE.—The term ‘mill site’ means a location of public land that is reasonably necessary for waste rock or tailings disposal or other operations reasonably incident to mineral development on, or production from land included in a plan of operations.

“(B) OPERATIONS; OPERATOR.—The terms ‘operations’ and ‘operator’ have the



meanings given those terms in section 3809.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

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

“(i) subpart 3809 of title 43, Code of Federal Regulations (or successor regulations establishing application and approval requirements); and

“(ii) part 228 of title 36, Code of Federal Regulations (or successor regulations establishing application and approval requirements).

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

1           “(i) land that is mineral-in-character  
2           (as defined in section 3830.5 of title 43,  
3           Code of Federal Regulations (as in effect  
4           on the date of enactment of this sub-  
5           section));

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

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

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

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

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

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

4           “(4) SIZE OF MILL SITES.—A location of a sin-  
5           gle mill site under this subsection shall not exceed  
6           5 acres.

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

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

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

18          “(8) SAVINGS PROVISIONS.—Nothing in this  
19          subsection—

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

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

1           “(C) modifies any provision of law or any  
2 prior administrative action withdrawing land  
3 from location or entry;

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

10           “(i) the general mining laws;

11           “(ii) the Federal Land Policy and  
12 Management Act of 1976 (43 U.S.C. 1701  
13 et seq.);

14           “(iii) the Wilderness Act (16 U.S.C.  
15 1131 et seq.);

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

18           “(v) the Endangered Species Act of  
19 1973 (16 U.S.C. 1531 et seq.);

20           “(vi) division A of subtitle III of title  
21 54, United States Code (commonly re-  
22 ferred to as the ‘National Historic Preser-  
23 vation Act’); or

24           “(vii) section 4 of the Act of July 23,  
25 1955 (commonly known as the ‘Surface

1 Resources Act of 1955') (69 Stat. 368;  
2 chapter 375; 30 U.S.C. 612);

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

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

10 “(ii) that has been extinguished by  
11 such closure or withdrawal; or

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

15 (b) ABANDONED HARDROCK MINE FUND.—

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

21 (2) SOURCE OF DEPOSITS.—Any amounts col-  
22 lected by the Secretary of the Interior pursuant to  
23 the claim maintenance fee under section 10101(a)(1)  
24 of the Omnibus Budget Reconciliation Act of 1993  
25 (30 U.S.C. 28f(a)(1)) on mill sites located under

1 subsection (c) of section 2337 of the Revised Stat-  
 2 utes (30 U.S.C. 42) shall be deposited into the  
 3 Fund.

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

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

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

15 (B) may be transferred in accordance with  
 16 section 40704(e)(2) of that Act (30 U.S.C.  
 17 1245(e)(2)).

18 (c) CLERICAL AMENDMENTS.—Section 10101 of the  
 19 Omnibus Budget Reconciliation Act of 1993 (30 U.S.C.  
 20 28f) is amended—

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

25 (2) in subsection (a)—

1                   (A) in paragraph (1)—

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

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

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

10                  “(A) IN GENERAL.—The holder of”; and

11                  (B) in paragraph (2)—

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

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

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

20                  “(A) IN GENERAL.—The holder of”; and

21                  (3) in subsection (b)—

22                  (A) in the second sentence, by striking  
23                  “The location fee” and inserting the following:

24                  “(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

the National Marine Sanctuary System for the transmission of electricity generated by or produced from renewable energy.”; and

(2) by adding at the end the following:

“(11) DURATION OF PERMITS IN MARINE SANCTUARIES.—Notwithstanding section 310(e)(2) of the National Marine Sanctuaries Act (16 U.S.C. 1441(e)(2)), any permit or authorization granted under that Act that authorizes the installation, operation, or maintenance of electric transmission cables on a right-of-way granted by the Secretary described in paragraph (10)(B) shall be issued for a term equal to the duration of the right-of-way granted by the Secretary.”.

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

## **TITLE IV—ELECTRIC TRANSMISSION**

### **SEC. 401. TRANSMISSION PERMITTING.**

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

“(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(c)(3) of the Fed-~~  
 7 ~~eral Power Act (16 U.S.C. 824p(c)(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 H 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 (e) 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 (e); 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 (c)—

11 (A) by striking “206(f),”; and

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

14 (e) 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 (c)(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

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

“(i) under subsection (e); or

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

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

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

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

“(B) the date of enactment of this sub-  
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.~~

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

7           ~~(a) SHORT TITLE.—This Act may be cited as the “En-~~  
 8           ~~ergy Permitting Reform Act of 2024”.~~

9           ~~(b) TABLE OF CONTENTS.—The table of contents for~~  
 10 ~~this Act is as follows:~~

*Sec. 1. Short title; table of contents.*

**TITLE I—ACCELERATING CLAIMS**

*Sec. 101. Accelerating claims.*

**TITLE II—FEDERAL ONSHORE ENERGY LEASING AND PERMITTING**

*Sec. 201. Onshore oil and gas leasing.*

*Sec. 202. Term of application for permit to drill.*

*Sec. 203. Permitting compliance on non-Federal land.*

*Sec. 204. Coal leases on Federal land.*

*Sec. 205. Rights-of-way across Indian land.*

*Sec. 206. Accelerating renewable energy permitting.*

*Sec. 207. Improving renewable energy coordination on Federal land.*

*Sec. 208. Geothermal leasing and permitting improvements.*

*Sec. 209. Electric grid projects.*

*Sec. 210. Hardrock mining mill sites.*

**TITLE III—FEDERAL OFFSHORE ENERGY LEASING AND  
PERMITTING**

*Sec. 301. Offshore oil and gas leasing.*

*Sec. 302. Offshore wind energy.*

**TITLE IV—ELECTRIC TRANSMISSION**

*Sec. 401. Transmission permitting.*

*Sec. 402. Transmission planning.*

**TITLE V—ELECTRIC RELIABILITY**

*Sec. 501. Reliability assessments.*

*TITLE VI—LIQUEFIED NATURAL GAS EXPORTS*

*Sec. 601. Action on applications.*

*Sec. 602. Supplemental reviews.*

*TITLE VII—HYDROPOWER*

*Sec. 701. Hydropower license extensions.*

*Sec. 702. Identifying and removing market barriers to hydropower.*

*Sec. 703. Regulations to align timetables.*

*TITLE VIII—HIRING AND RETENTION*

*Sec. 801. Federal Energy Regulatory Commission staffing.*

*Sec. 802. Compensation flexibility to address retention and hiring issues at the  
Bonneville Power Administration.*

*Sec. 803. Northwest Power and Conservation Council.*

*Sec. 804. Federal Energy Regulatory Commission personnel safety.*

# 1 ***TITLE I—ACCELERATING CLAIMS***

## 2 ***SEC. 101. ACCELERATING CLAIMS.***

3       (a) *DEFINITIONS.—In this section:*

4               (1) *AUTHORIZATION.—*

5                       (A) *IN GENERAL.—The term “authoriza-*  
6                       *tion” means any license, permit, approval,*  
7                       *order, or other administrative decision that is re-*  
8                       *quired or authorized under Federal law (includ-*  
9                       *ing regulations) to design, plan, site, construct,*  
10                      *reconstruct, or commence operations of a project.*

11                     (B) *INCLUSIONS.—The term “authoriza-*  
12                     *tion” includes—*

13                               (i) *agency approvals of lease sales, per-*  
14                               *mits, rights-of-way, or plans required to ex-*  
15                               *plore for, develop, or produce energy or*  
16                               *minerals under—*

1                   (I) *the Mineral Leasing Act* (30  
2                   *U.S.C. 181 et seq.*);

3                   (II) *the Act of August 7, 1947*  
4                   *(commonly known as the “Mineral*  
5                   *Leasing Act for Acquired Lands”)* (30  
6                   *U.S.C. 351 et seq.*);

7                   (III) *the Act of July 31, 1947*  
8                   *(commonly known as the “Materials*  
9                   *Act of 1947”)* (61 *Stat.* 681, chapter  
10                  406; 30 *U.S.C. 601 et seq.*);

11                  (IV) *sections 2319 through 2344 of*  
12                  *the Revised Statutes (commonly known*  
13                  *as the “Mining Law of 1872”)* (30  
14                  *U.S.C. 22 et seq.*);

15                  (V) *the Outer Continental Shelf*  
16                  *Lands Act* (43 *U.S.C. 1331 et seq.*);

17                  (VI) *the Geothermal Steam Act of*  
18                  1970 (30 *U.S.C. 1001 et seq.*);

19                  (VII) *the Federal Land Policy*  
20                  *and Management Act of 1976* (43  
21                  *U.S.C. 1701 et seq.*); or

22                  (VIII) *title I of the Naval Petro-*  
23                  *leum Reserves Production Act* (42  
24                  *U.S.C. 6501 et seq.*);

1                   (ii) statements or permits for a project  
 2                   under sections 7 and 10 of the Endangered  
 3                   Species Act of 1973 (16 U.S.C. 1536, 1539);  
 4                   and

5                   (iii) agency approvals under the  
 6                   Healthy Forests Restoration Act of 2003 (16  
 7                   U.S.C. 6501 et seq.) of hazardous fuel reduc-  
 8                   tion and forest restoration projects.

9                   (2) *ENVIRONMENTAL DOCUMENT.*—The term “en-  
 10                  vironmental document” includes any of the following,  
 11                  as prepared under the National Environmental Pol-  
 12                  icy Act of 1969 (42 U.S.C. 4321 et seq.):

- 13                   (A) An environmental assessment.  
 14                   (B) A finding of no significant impact.  
 15                   (C) An environmental impact statement.  
 16                   (D) A record of decision.

17                  (3) *PROJECT.*—The term “project” means a  
 18                  project—

- 19                   (A) proposed for—  
 20                   (i) the construction of infrastructure—  
 21                   (I) to develop, produce, generate,  
 22                   store, transport, or distribute energy;  
 23                   (II) to capture, remove, transport,  
 24                   or store carbon dioxide; or

1                   (III) to mine, extract, beneficiate,  
2                   or process minerals; or

3                   (ii) hazardous fuel reduction and forest  
4                   restoration for the protection of infrastruc-  
5                   ture or communities from wildfire; and

6                   (B) subject to the requirements that—

7                   (i) an environmental document be pre-  
8                   pared; and

9                   (ii) the applicable agency issue an au-  
10                  thorization of the activity.

11               (4) *PROJECT SPONSOR.*—The term “project spon-  
12               sor” means an entity, including any private, public,  
13               or public-private entity, seeking an authorization for  
14               a project.

15               (b) *STATUTE OF LIMITATIONS.*—Notwithstanding any  
16               other provision of law, a civil action arising under Federal  
17               law seeking judicial review of a final agency action grant-  
18               ing or denying an authorization shall be barred unless the  
19               civil action is filed by the date that is 150 days after the  
20               date on which the authorization was granted or denied, un-  
21               less a shorter time is specified in the Federal law pursuant  
22               to which judicial review is allowed.

23               (c) *EXPEDITED REVIEW.*—A reviewing court shall set  
24               for expedited consideration any civil action arising under

1 *Federal law seeking judicial review of a final agency action*  
 2 *granting or denying an authorization.*

3 (d) *REMANDED ACTIONS.*—

4 (1) *IN GENERAL.*—*If the reviewing court re-*  
 5 *mands a final Federal agency action granting or de-*  
 6 *nying an authorization to the Federal agency for fur-*  
 7 *ther proceedings, whether on a motion by the court,*  
 8 *the agency, or another party, the court shall set a rea-*  
 9 *sonable schedule and deadline for the agency to act on*  
 10 *remand, which shall not exceed 180 days from the*  
 11 *date on which the order of the court was issued, unless*  
 12 *a longer time period is necessary to comply with ap-*  
 13 *plicable law.*

14 (2) *EXPEDITED TREATMENT OF REMANDED AC-*  
 15 *TIONS.*—*The head of the Federal agency to which a*  
 16 *court remands a final Federal agency action under*  
 17 *paragraph (1) shall take such actions as may be nec-*  
 18 *essary to provide for the expeditious disposition of the*  
 19 *action on remand in accordance with the schedule*  
 20 *and deadline set by the court under that paragraph.*

21 (e) *TREATMENT OF SUPPLEMENTAL OR REVISED EN-*  
 22 *VIRONMENTAL DOCUMENTS.*—*For the purpose of subsection*  
 23 *(b), the preparation of a supplemental or revised environ-*  
 24 *mental document, when required, shall be considered to be*  
 25 *a separate final agency action.*



1       (f) *NOTICE.*—Not later than 30 days after the date on  
 2       which an agency is served a copy of a petition for review  
 3       or a complaint in a civil action described in subsection (b),  
 4       the head of the agency shall notify the project sponsor of  
 5       the filing of the petition or complaint.

6       (g) *PERMITTING COUNCIL.*—Nothing in this title pre-  
 7       cludes a project from being designated as a covered project  
 8       (as defined in section 41001 of the FAST Act (42 U.S.C.  
 9       4370m)) for the purposes of title XLI of that Act (42 U.S.C.  
 10      4370m et seq.).

## 11   **TITLE II—FEDERAL ONSHORE** 12       **ENERGY LEASING AND PER-** 13       **MITTING**

### 14   **SEC. 201. ONSHORE OIL AND GAS LEASING.**

15       (a) *LIMITATION ON ISSUANCE OF CERTAIN LEASES OR*  
 16       *RIGHTS-OF-WAY.*—Section 50265(b)(1)(B) of Public Law  
 17       117–169 (43 U.S.C. 3006(b)(1)(B)) is amended, in the mat-  
 18       ter preceding clause (i), by inserting “, including only acres  
 19       that were nominated in previously submitted expressions of  
 20       interest,” after “energy development”.

21       (b) *MINERAL LEASING ACT REFORMS.*—

22               (1) *EXPRESSIONS OF INTEREST FOR OIL AND*  
 23       *GAS LEASING.*—Section 17(b) of the Mineral Leasing  
 24       Act (30 U.S.C. 226(b)) is amended by adding at the  
 25       end the following:

1 “(3) *SUBDIVISION.*—

2 “(A) *IN GENERAL.*—*A parcel of land in-*  
 3 *cluded in an expression of interest that the Sec-*  
 4 *retary of the Interior offers for lease shall be*  
 5 *leased as nominated and not subdivided into*  
 6 *multiple parcels unless the Secretary of the Inte-*  
 7 *rior determines that a subpart of the submitted*  
 8 *parcel is not open to oil or gas leasing under the*  
 9 *approved resource management plan.*

10 “(B) *REQUIRED REVIEWS.*—*Nothing in this*  
 11 *paragraph affects the obligations of the Secretary*  
 12 *of the Interior to complete requirements and re-*  
 13 *views established by other provisions of law be-*  
 14 *fore leasing a parcel of land.*

15 “(4) *RESOURCE MANAGEMENT PLANS.*—

16 “(A) *LEASE TERMS AND CONDITIONS.*—*A*  
 17 *lease issued under this section shall be subject to*  
 18 *the terms and conditions of the approved re-*  
 19 *source management plan.*

20 “(B) *EFFECT OF LEASING DECISION.*—*Not-*  
 21 *withstanding section 1506.1 of title 40, Code of*  
 22 *Federal Regulations (as in effect on the date of*  
 23 *enactment of this paragraph), the Secretary may*  
 24 *conduct a lease sale under an approved resource*

1           *management plan while amendments to the ap-*  
 2           *proved plan are under consideration.”.*

3           (2) *REFUND OF EXPRESSION OF INTEREST*  
 4           *FEE.—Section 17(q) of the Mineral Leasing Act (30*  
 5           *U.S.C. 226(q)) is amended—*

6                     (A) *by striking “Secretary” each place it*  
 7                     *appears and inserting “Secretary of the Inte-*  
 8                     *rior”;*

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

11                    (C) *by adding at the end the following:*

12                    “(3) *REFUND FOR NONWINNING BID.—If a per-*  
 13                    *son other than the person who submitted the expres-*  
 14                    *sion of interest is the highest responsible qualified*  
 15                    *bidder for a parcel of land covered by the applicable*  
 16                    *expression of interest in a lease sale conducted under*  
 17                    *this section—*

18                             (A) *as a condition of the issuance of the*  
 19                             *lease, the person who is the highest responsible*  
 20                             *qualified bidder shall pay to the Secretary of the*  
 21                             *Interior an amount equal to the applicable fee*  
 22                             *paid by the person who submitted the expression*  
 23                             *of interest; and*

24                             (B) *not later than 60 days after the date*  
 25                             *of the lease sale, the Secretary of the Interior*

1           *shall refund to the person who submitted the ex-*  
 2           *pression of interest an amount equal to the*  
 3           *amount of the initial fee paid.*

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

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

8           *Section 17(p) of the Mineral Leasing Act (30 U.S.C.*  
 9           *226(p)) is amended by adding at the end the following:*

10           “(4) *TERM.*—

11                   “(A) *IN GENERAL.*—*A permit to drill ap-*  
 12                   *proved under this subsection shall be valid for a*  
 13                   *single non-renewable 4-year period beginning on*  
 14                   *the date of the approval.*

15                   “(B) *RETROACTIVITY.*—*In addition to all*  
 16                   *approved applications for permits to drill sub-*  
 17                   *mitted on or after the date of enactment of this*  
 18                   *paragraph, subparagraph (A) shall apply to—*

19                           “(i) *all valid, unexpired permits in ef-*  
 20                           *fect on the date of enactment of this para-*  
 21                           *graph; and*

22                           “(ii) *all pending applications for per-*  
 23                           *mit to drill submitted prior to the date of*  
 24                           *enactment of this paragraph.”.*

1 **SEC. 203. PERMITTING COMPLIANCE ON NON-FEDERAL**  
2 **LAND.**

3 (a) *IN GENERAL.*—Notwithstanding the Mineral Leas-  
4 ing Act (30 U.S.C. 181 et seq.), the Federal Oil and Gas  
5 Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.),  
6 or subpart 3162 of part 3160 of title 43, Code of Federal  
7 Regulations (or successor regulations), but subject to any  
8 applicable State or Tribal requirements and subsection (c),  
9 the Secretary of the Interior shall not require a permit to  
10 drill for an oil and gas lease under the Mineral Leasing  
11 Act (30 U.S.C. 181 et seq.) for an action occurring within  
12 an oil and gas drilling or spacing unit if—

13 (1) *the Federal Government—*

14 (A) *owns less than 50 percent of the min-*  
15 *erals within the oil and gas drilling or spacing*  
16 *unit; and*

17 (B) *does not own or lease the surface estate*  
18 *within the area directly impacted by the action;*

19 (2) *the well is located on non-Federal land over-*  
20 *lying a non-Federal mineral estate, but some portion*  
21 *of the wellbore enters and produces from the Federal*  
22 *mineral estate subject to the lease; or*

23 (3) *the well is located on non-Federal land over-*  
24 *lying a non-Federal mineral estate, but some portion*  
25 *of the wellbore traverses but does not produce from the*  
26 *Federal mineral estate subject to the lease.*

1       (b) *NOTIFICATION.—For each State permit to drill or*  
 2 *drilling plan that would impact or extract oil and gas*  
 3 *owned by the Federal Government—*

4           (1) *each lessee of Federal minerals in the unit,*  
 5 *or designee of a lessee, shall—*

6           (A) *notify the Secretary of the Interior of*  
 7 *the submission of a State application for a per-*  
 8 *mit to drill or drilling plan on submission of the*  
 9 *application; and*

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

14          (2) *each lessee, designee of a lessee, or applicable*  
 15 *State shall notify the Secretary of the Interior of the*  
 16 *approved State permit to drill or drilling plan not*  
 17 *later than 45 days after the date on which the permit*  
 18 *or plan is approved; and*

19          (3) *each lessee or designee of a lessee shall pro-*  
 20 *vide, prior to commencing drilling operations, agree-*  
 21 *ments authorizing the Secretary of the Interior to*  
 22 *enter non-Federal land, as necessary, for inspection*  
 23 *and enforcement of the terms of the Federal lease.*

24       (c) *NONAPPLICABILITY TO INDIAN LANDS.—Subsection*  
 25 *(a) shall not apply to Indian lands (as defined in section*

1 *3 of the Federal Oil and Gas Royalty Management Act of*  
 2 *1982 (30 U.S.C. 1702)).*

3 *(d) EFFECT.—Nothing in this section affects—*

4 *(1) other authorities of the Secretary of the Inte-*  
 5 *rior under the Federal Oil and Gas Royalty Manage-*  
 6 *ment Act of 1982 (30 U.S.C. 1701 et seq.); or*

7 *(2) the amount of royalties due to the Federal*  
 8 *Government from the production of the Federal min-*  
 9 *erals within the oil and gas drilling or spacing unit.*

10 *(e) AUTHORITY ON NON-FEDERAL LAND.—Section*  
 11 *17(g) of the Mineral Leasing Act (30 U.S.C. 226(g)) is*  
 12 *amended—*

13 *(1) by striking the subsection designation and all*  
 14 *that follows through “Secretary of the Interior, or” in*  
 15 *the first sentence and inserting the following:*

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

17 *(2) by adding at the end the following:*

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

22 *“(i) to require a bond to protect non-Federal*  
 23 *land;*

24 *“(ii) to enter non-Federal land without the con-*  
 25 *sent of the applicable landowner;*

1           “(iii) to impose mitigation requirements; or  
 2           “(iv) to require approval for surface reclamation.  
 3           “(B) Land referred to in subparagraph (A) is land  
 4 where—  
 5           “(i) the Federal Government—  
 6               “(I) owns less than 50 percent of the min-  
 7               erals within the oil and gas drilling or spacing  
 8               unit; and  
 9               “(II) does not own or lease the surface estate  
 10              within the area directly impacted by the action;  
 11           “(ii) the well is located on non-Federal land  
 12           overlying a non-Federal mineral estate, but some por-  
 13           tion of the wellbore enters and produces from the Fed-  
 14           eral mineral estate subject to the lease; or  
 15           “(iii) the well is located on non-Federal land  
 16           overlying a non-Federal mineral estate, but some por-  
 17           tion of the wellbore traverses but does not produce  
 18           from the Federal mineral estate subject to 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 consistent*  
 20 *with the requirements of the National Environ-*  
 21 *mental Policy Act of 1969 (42 U.S.C. 4321 et*  
 22 *seq.) for a lease sale under paragraph (1), or for*  
 23 *a lease modification under section 3, the Sec-*  
 24 *retary of the Interior shall issue a record of deci-*

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

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

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

23                       (B) by striking “he deems appropriate” and  
24                       inserting “the Secretary of the Interior deter-  
25                       mines 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” and*  
 9                 *inserting “comments received by the Secretary of*  
 10                 *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, in*  
 16           *the first sentence, by striking “geophyscal” and inserting*  
 17           *“geophysical”.*

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

19           *The Act of February 5, 1948 (62 Stat. 17, chapter 45),*  
 20           *is amended—*

21                 (1) *in the first section (62 Stat. 17, chapter 45;*  
 22                 *25 U.S.C. 323), by striking “That the Secretary of the*  
 23                 *Interior be, and he is hereby, empowered to” and in-*  
 24                 *serting the following:*

1 **“SECTION 1. RIGHTS-OF-WAY FOR ALL PURPOSES ACROSS**  
 2 **INDIAN LAND.**

3 *“The Secretary of the Interior may”;*

4 *(2) in section 2 (62 Stat. 18, chapter 45; 25*  
 5 *U.S.C. 324), by striking “organized under the Act of*  
 6 *June 18, 1934 (48 Stat. 984), as amended; the Act of*  
 7 *May 1, 1936 (49 Stat. 1250); or the Act of June 26,*  
 8 *1936 (49 Stat. 1967),”; and*

9 *(3) by adding at the end the following:*

10 **“SEC. 8. TRIBAL GRANTS OF RIGHTS-OF-WAY.**

11 *“(a) RIGHTS-OF-WAY.—*

12 *“(1) IN GENERAL.—Subject to paragraph (2), an*  
 13 *Indian tribe may grant a right-of-way over and*  
 14 *across the Tribal land of the Indian tribe for any*  
 15 *purpose.*

16 *“(2) AUTHORITY.—A right-of-way granted under*  
 17 *paragraph (1) shall not require the approval of the*  
 18 *Secretary of the Interior or a grant by the Secretary*  
 19 *of the Interior under section 1 if the right-of-way*  
 20 *granted under that paragraph is executed in accord-*  
 21 *ance with a Tribal regulation approved by the Sec-*  
 22 *retary of the Interior under subsection (b).*

23 *“(b) REVIEW OF TRIBAL REGULATIONS.—*

24 *“(1) TRIBAL REGULATION SUBMISSION AND AP-*  
 25 *PROVAL.—*

1           “(A) *SUBMISSION.*—*An Indian tribe seeking*  
 2           *to grant a right-of-way under subsection (a)*  
 3           *shall submit for approval a Tribal regulation*  
 4           *governing the granting of rights-of-way over and*  
 5           *across the Tribal land of the Indian tribe.*

6           “(B) *APPROVAL.*—*Subject to paragraph (2),*  
 7           *the Secretary of the Interior shall have the au-*  
 8           *thority to approve or disapprove any Tribal reg-*  
 9           *ulation submitted under subparagraph (A).*

10          “(2) *CONSIDERATIONS FOR APPROVAL.*—

11           “(A) *IN GENERAL.*—*The Secretary of the*  
 12           *Interior shall approve a Tribal regulation sub-*  
 13           *mitted under paragraph (1)(A), if the Tribal*  
 14           *regulation—*

15                   “(i) *is consistent with any regulations*  
 16                   *(or successor regulations) issued by the Sec-*  
 17                   *retary of the Interior under section 6;*

18                   “(ii) *provides for an environmental re-*  
 19                   *view process that includes—*

20                           “(I) *the identification and evalua-*  
 21                           *tion of any significant impacts the*  
 22                           *proposed action may have on the envi-*  
 23                           *ronment; and*

24                           “(II) *a process for ensuring—*

1                   “(aa) that the public is in-  
 2                   formed of, and has a reasonable  
 3                   opportunity to comment on, any  
 4                   significant environmental impacts  
 5                   of the proposed action identified  
 6                   by the Indian tribe under sub-  
 7                   clause (I); and

8                   “(bb) the Indian tribe pro-  
 9                   vides a response to each relevant  
 10                  and substantive public comment  
 11                  on the significant environmental  
 12                  impacts identified by the Indian  
 13                  tribe under subclause (I) before  
 14                  the Indian tribe approves the  
 15                  right-of-way.

16                  “(B) *APPLICABLE LAWS.*—The Secretary of  
 17                  the Interior, in making a decision to approve a  
 18                  Tribal regulation under this subsection, shall not  
 19                  be subject to—

20                         “(i) the National Environmental Pol-  
 21                         icy Act of 1969 (42 U.S.C. 4321 et seq.);

22                         “(ii) section 306108 of title 54, United  
 23                         States Code; or

24                         “(iii) the Endangered Species Act of  
 25                         1973 (16 U.S.C. 1531 et seq.).

1 “(3) *REVIEW PROCESS.*—

2 “(A) *IN GENERAL.*—Not later than 180  
3 days after the date on which the Indian tribe  
4 submits a Tribal regulation to the Secretary of  
5 the Interior under paragraph (1)(A), the Sec-  
6 retary of the Interior shall—

7 “(i) review the Tribal regulation;

8 “(ii) approve or disapprove the Tribal  
9 regulation; and

10 “(iii) notify the Indian tribe that sub-  
11 mitted the Tribal regulation of the approval  
12 or disapproval.

13 “(B) *WRITTEN DOCUMENTATION.*—If the  
14 Secretary of the Interior disapproves a Tribal  
15 regulation submitted under paragraph (1)(A),  
16 the Secretary of the Interior shall include with  
17 the disapproval notification under subparagraph  
18 (A)(iii) written documentation describing the  
19 basis for the disapproval.

20 “(C) *EXTENSION.*—The Secretary of the In-  
21 terior may, after consultation with the Indian  
22 tribe that submitted a Tribal regulation under  
23 paragraph (1)(A), extend the 180-day period de-  
24 scribed in subparagraph (A).

1           “(4) *FEDERAL ENVIRONMENTAL REVIEW.*—Not-  
 2       *withstanding paragraphs (2) and (3), if an Indian*  
 3       *tribe carries out a project or activity funded by a*  
 4       *Federal agency, the Indian tribe may rely on the en-*  
 5       *vironmental review process of the applicable Federal*  
 6       *agency rather than any Tribal environmental review*  
 7       *process required under this subsection.*

8           “(c) *DOCUMENTATION.*—*An Indian tribe granting a*  
 9       *right-of-way under subsection (a) shall provide to the Sec-*  
 10      *retary of the Interior—*

11           “(1) *a copy of the right-of-way, including any*  
 12      *amendments or renewals; and*

13           “(2) *if the right-of-way allows for compensation*  
 14      *to be made directly to the Indian tribe, documenta-*  
 15      *tion of payments that are sufficient, as determined by*  
 16      *the Secretary of the Interior, as to enable the Sec-*  
 17      *retary of the Interior to discharge the trust responsi-*  
 18      *bility of the United States under subsection (d).*

19           “(d) *TRUST RESPONSIBILITY.*—

20           “(1) *IN GENERAL.*—*The United States shall not*  
 21      *be liable for losses sustained by any party to a right-*  
 22      *of-way granted under subsection (a).*

23           “(2) *AUTHORITY OF THE SECRETARY.*—

24           “(A) *IN GENERAL.*—*Pursuant to the author-*  
 25      *ity of the Secretary of the Interior to fulfill the*



1        *trust obligation of the United States to the appli-*  
 2        *cable Indian tribe under Federal law (including*  
 3        *regulations), the Secretary of the Interior may,*  
 4        *on reasonable notice from the applicable Indian*  
 5        *tribe and at the discretion of the Secretary of the*  
 6        *Interior, enforce the provisions of, or cancel, any*  
 7        *right-of-way granted by the Indian tribe under*  
 8        *subsection (a).*

9                *“(B) AUTHORITY.—The enforcement or can-*  
 10        *cellation of a right-of-way under subparagraph*  
 11        *(A) shall be conducted using regulatory proce-*  
 12        *dures issued under section 6.*

13        *“(e) COMPLIANCE.—*

14                *“(1) IN GENERAL.—An interested party, after ex-*  
 15        *haustion of any applicable Tribal remedies, may sub-*  
 16        *mit a petition to the Secretary of the Interior, at such*  
 17        *time and in such form as determined by the Secretary*  
 18        *of the Interior, to review the compliance of an appli-*  
 19        *cable Indian tribe with a Tribal regulation approved*  
 20        *by the Secretary of the Interior under subsection (b).*

21                *“(2) VIOLATIONS.—If the Secretary of the Inte-*  
 22        *rior determines that a Tribal regulation was violated*  
 23        *after conducting a review under paragraph (1), the*  
 24        *Secretary of the Interior may take any action the*  
 25        *Secretary of the Interior determines to be necessary to*

1        *remedy the violation, including rescinding the ap-*  
2        *proval of the Tribal regulation and reassuming re-*  
3        *sponsibility for approving rights-of-way through the*  
4        *trust land of the applicable Indian tribe.*

5            *“(3) DOCUMENTATION.—If the Secretary of the*  
6        *Interior determines that a Tribal regulation was vio-*  
7        *lated after conducting a review under paragraph (1),*  
8        *the Secretary of the Interior shall—*

9            *“(A) provide written documentation, with*  
10        *respect to the Tribal regulation that has been*  
11        *violated, to the appropriate interested party and*  
12        *Indian tribe;*

13            *“(B) provide the applicable Indian tribe*  
14        *with a written notice of the alleged violation;*  
15        *and*

16            *“(C) prior to the exercise of any remedy, in-*  
17        *cluding rescinding the approval for the applica-*  
18        *ble Tribal regulation or reassuming responsi-*  
19        *bility for approving rights-of-way through the*  
20        *trust land of the applicable Indian tribe, provide*  
21        *the applicable Indian tribe with—*

22            *“(i) a hearing that is on the record;*  
23        *and*

24            *“(ii) a reasonable opportunity to cure*  
25        *the alleged violation.*

1       “(f) *SAVINGS CLAUSE.*—*Nothing in this section affects*  
 2 *the application of any Tribal regulations issued under Fed-*  
 3 *eral environmental law.*

4       “(g) *EFFECT OF TRIBAL REGULATIONS.*—*An ap-*  
 5 *proved Tribal regulation under subsection (b) shall not pre-*  
 6 *clude an Indian tribe from, in the discretion of the Indian*  
 7 *tribe, consenting to the grant of a right-of-way by the Sec-*  
 8 *retary of the Interior under section 1.*

9       “(h) *TERMS OF RIGHT-OF-WAY.*—*The compensation*  
 10 *for, and terms of, a right-of-way granted under subsection*  
 11 *(a) will be determined by—*

12               “(1) *negotiations by the Indian tribe; or*

13               “(2) *the regulations of the Indian tribe.*

14       “(i) *JURISDICTION.*—*The grant of a right-of-way*  
 15 *under subsection (a) does not waive the sovereign immunity*  
 16 *of the Indian tribe or diminish the jurisdiction of that In-*  
 17 *dian tribe over the Tribal land subject to the right-of-way,*  
 18 *unless otherwise provided in—*

19               “(1) *the grant of the right-of-way; or*

20               “(2) *the regulations of the Indian tribe.”.*

21 **SEC. 206. ACCELERATING RENEWABLE ENERGY PERMIT-**  
 22 **TING.**

23       “(a) *DEFINITIONS.*—*In this section:*

1           (1) *ELIGIBLE PROJECT.*—*The term “eligible*  
 2           *project” has the meaning given the term in section*  
 3           *3101 of the Energy Act of 2020 (43 U.S.C. 3001).*

4           (2) *PREVIOUSLY DISTURBED OR DEVELOPED.*—  
 5           *The term “previously disturbed or developed” has the*  
 6           *meaning given the term in section 1021.410(g)(1) of*  
 7           *title 10, Code of Federal Regulations (or successor reg-*  
 8           *ulations).*

9           (b) *DEADLINE FOR CONSIDERATION OF APPLICATIONS*  
 10          *FOR RIGHTS-OF-WAY.*—

11           (1) *COMPLETENESS OF REVIEW.*—

12                   (A) *IN GENERAL.*—*Not later than 30 days*  
 13                   *after the date on which the Secretary of the Inte-*  
 14                   *rior or the Secretary of Agriculture, as applica-*  
 15                   *ble, receives an application for a right-of-way*  
 16                   *under section 501 of the Federal Land Policy*  
 17                   *and Management Act of 1976 (43 U.S.C. 1761)*  
 18                   *for an eligible project, the applicable Secretary*  
 19                   *shall—*

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

22                           (ii) *notify the applicant that informa-*  
 23                           *tion is missing from the application and*  
 24                           *specify any information that is required to*

1           *be submitted for the application to be com-*  
 2           *plete.*

3           (B) *ENVIRONMENTAL IMPACT STATE-*  
 4           *MENT.—For an eligible project that requires an*  
 5           *environmental impact statement for an applica-*  
 6           *tion submitted under subparagraph (A), the Sec-*  
 7           *retary of the Interior or the Secretary of Agri-*  
 8           *culture, as applicable, shall issue a notice of in-*  
 9           *tent not later than 90 days after the date on*  
 10           *which the applicable Secretary determines that*  
 11           *an application is complete under subparagraph*  
 12           *(A).*

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

15           (A) *IN GENERAL.—Not later than 30 days*  
 16           *after the date on which an applicant submits a*  
 17           *complete application for a right-of-way under*  
 18           *paragraph (1), the Secretary of the Interior or*  
 19           *the Secretary of Agriculture, as applicable, shall,*  
 20           *if a cost recovery agreement is required under*  
 21           *section 2804.14 of title 43, Code of Federal Regu-*  
 22           *lations (or successor regulations), or section*  
 23           *251.58 of title 36, Code of Federal Regulations*  
 24           *(or successor regulations), issue a cost recovery*  
 25           *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 ap-  
 15                   plicant can take for the decision on the  
 16                   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           (c) *LOW DISTURBANCE ACTIVITIES FOR RENEWABLE*  
 23           *ENERGY PROJECTS.*—

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

1     *permitting of eligible projects, the Secretary of the In-*  
 2     *terior and the Secretary of Agriculture shall each de-*  
 3     *velop or adopt 1 or more categorical exclusions, in-*  
 4     *cluding allowing for extraordinary circumstances*  
 5     *under which the categorical exclusion shall not be*  
 6     *available, under the National Environmental Policy*  
 7     *Act of 1969 (42 U.S.C. 4321 et seq.) for low disturb-*  
 8     *ance activities necessary for renewable energy*  
 9     *projects.*

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

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

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

23           (C) *Activities on previously disturbed or de-*  
 24     *veloped land for which an approved land use*  
 25     *plan or any environmental document prepared*

1        *pursuant to the National Environmental Policy*  
 2        *Act of 1969 (42 U.S.C. 4321 et seq.) analyzed*  
 3        *such activity as reasonably foreseeable, so long as*  
 4        *such plan or document was approved within 5*  
 5        *years prior to the date of the activity.*

6            *(D) The installation, modification, oper-*  
 7            *ation, or removal of commercially available solar*  
 8            *photovoltaic systems located on—*

9                    *(i) a building or other structure (such*  
 10                    *as a rooftop, parking lot, or facility, or*  
 11                    *mounted to signage, lighting, gates, or*  
 12                    *fences); or*

13                    *(ii) previously disturbed or developed*  
 14                    *land comprising less than 10 acres.*

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

18            *(F) Preliminary geotechnical investigations.*

19            *(G) The construction and removal of mete-*  
 20            *orological evaluation towers.*

21    **SEC. 207. IMPROVING RENEWABLE ENERGY COORDINATION**

22            **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 sec-  
 3           tion 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 date  
 7           for the authorization of not less than 50 gigawatts of  
 8           renewable energy production on Federal land by not  
 9           later than 2030.

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

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.  
 25           3001) is amended by inserting “or store” after “generate”.

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

4           (1) *in subsection (a), in the second sentence, by*  
 5 *inserting “sufficient to achieve goals for renewable en-*  
 6 *ergy production on Federal land established under*  
 7 *section 3104” before the period at the end;*

8           (2) *by redesignating subsection (f) as subsection*  
 9 *(h); and*

10          (3) *by inserting after subsection (e) the following:*

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

20       “(g) *CLARIFICATION OF EXISTING AUTHORITY.—*  
 21 *Under section 307 of the Federal Land Policy and Manage-*  
 22 *ment Act of 1976 (43 U.S.C. 1737), the Secretary may ac-*  
 23 *cept donations from renewable energy companies to improve*  
 24 *community engagement for the permitting of energy*  
 25 *projects.”.*

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

5       **SEC. 208. GEOTHERMAL LEASING AND PERMITTING IM-**  
 6                               **PROVEMENTS.**

7       (a) *PRELIMINARY GEOTHERMAL ACTIVITIES.*—*Not*  
 8 *later than 180 days after the date of enactment of this Act,*  
 9 *the Secretary of the Interior and the Secretary of Agri-*  
 10 *culture shall each develop or adopt 1 or more categorical*  
 11 *exclusions, including allowing for extraordinary cir-*  
 12 *cumstances under which the categorical exclusion shall not*  
 13 *be available, under the National Environmental Policy Act*  
 14 *of 1969 (42 U.S.C. 4321 et seq.) for individual disturbances*  
 15 *of less than 10 acres for activities required to test, monitor,*  
 16 *calibrate, explore, or confirm geothermal resources, provided*  
 17 *those activities do not involve—*

18               (1) *the commercial production of geothermal re-*  
 19       *sources;*

20               (2) *the use of geothermal resources for commer-*  
 21       *cial operations; or*

22               (3) *construction of permanent roads.*

23       (b) *ANNUAL LEASING.*—*Section 4(b) of the Geothermal*  
 24 *Steam Act of 1970 (30 U.S.C. 1003(b)) is amended—*

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

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

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

10       (c) *DEADLINES FOR CONSIDERATION OF GEOTHERMAL*  
11 *DRILLING PERMITS.*—Section 4 of the Geothermal Steam  
12 Act of 1970 (30 U.S.C. 1003) is amended by adding at the  
13 end the following:

14       “(h) *DEADLINES FOR CONSIDERATION OF GEO-*  
15 *THERMAL DRILLING PERMITS.*—

16           “(1) *IN GENERAL.*—Not later than 10 days after  
17       the date on which the Secretary receives an applica-  
18       tion for any geothermal drilling permit, the Secretary  
19       shall—

20           “(A) provide written notice to the applicant  
21       that the application is complete; or

22           “(B) notify the applicant that information  
23       is missing from the application and specify any  
24       information that is required to be submitted for  
25       the application to be complete.

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

5                   “(A) grant or deny the application, if the  
 6                   requirements under the National Environmental  
 7                   Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and  
 8                   any other applicable law have been completed; or

9                   “(B) defer the decision on the application  
 10                  and provide to the applicant notice—

11                           “(i) that specifies steps that the appli-  
 12                           cant can take for the decision on the appli-  
 13                           cation to be issued; and

14                           “(ii) of a list of actions that need to be  
 15                           taken by the agency in order to comply with  
 16                           applicable law, and timelines and deadlines  
 17                           for completing those actions.”.

18           (d) *COST RECOVERY AUTHORITY.*—Section 24 of the  
 19           Geothermal Steam Act of 1970 (30 U.S.C. 1023) is amend-  
 20           ed—

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

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

25                   “*The Secretary*”; and

1           (2) *by adding at the end the following: “The Sec-*  
 2           *retary shall, not later than 180 days after the date of*  
 3           *enactment of the Energy Permitting Reform Act of*  
 4           *2024, promulgate rules for cost recovery, to be paid*  
 5           *by permit applicants or lessees, to facilitate the time-*  
 6           *ly coordination and processing of leases, permits, and*  
 7           *authorizations and to reimburse the Secretary for all*  
 8           *reasonable administrative costs incurred from the in-*  
 9           *spection and monitoring of activities thereunder.”.*

10          *(e) FEDERAL PERMITTING PROCESS.—Not later than*  
 11          *1 year after the date of enactment of this Act, the Secretary*  
 12          *of the Interior shall promulgate regulations and establish*  
 13          *a Federal permitting process to allow for simultaneous, con-*  
 14          *current consideration of multiple phases of a geothermal*  
 15          *project, including—*

16                 *(1) surface exploration;*

17                 *(2) geophysical exploration (including well drill-*  
 18                 *ing);*

19                 *(3) production well drilling; and*

20                 *(4) use of geothermal resources (including power*  
 21                 *plant construction).*

22          *(f) GEOTHERMAL PRODUCTION PARITY.—Section 390*  
 23          *of the Energy Policy Act of 2005 (42 U.S.C. 15942) is*  
 24          *amended—*

25                 *(1) in subsection (a)—*

1           (A) by striking “(NEPA)” and inserting  
 2           “(42 U.S.C. 4321 et seq.) (referred to in this sec-  
 3           tion as ‘NEPA’)”;

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

6           (C) by inserting “, or the Geothermal Steam  
 7           Act of 1970 (30 U.S.C. 1001 et seq.) for the pur-  
 8           pose of exploration or development of geothermal  
 9           resources” before the period at the end; and  
 10          (2) in subsection (b)—

11           (A) in paragraph (2), by striking “oil or  
 12           gas” and inserting “oil, gas, or geothermal re-  
 13           sources”; and

14           (B) in paragraph (3), by striking “oil or  
 15           gas” and inserting “oil, gas, or geothermal re-  
 16           sources”.

17          (g) GEOTHERMAL OMBUDSMAN.—

18           (1) IN GENERAL.—Not later than 60 days after  
 19           the date of enactment of this Act, the Secretary of the  
 20           Interior shall appoint within the Bureau of Land  
 21           Management a Geothermal Ombudsman.

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

24           (A) act as a liaison between—

1                   (i) *the individual field offices of the*  
 2                   *Bureau of Land Management;*

3                   (ii) *the Division Chief of the National*  
 4                   *Renewable Energy Coordination Office of*  
 5                   *the Bureau of Land Management; and*

6                   (iii) *the Director of the Bureau of*  
 7                   *Land Management;*

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

12                  (C) *monitor and facilitate permit proc-*  
 13                  *essing practices and timelines across individual*  
 14                  *field offices of the Bureau of Land Management;*

15                  (D) *develop best practices for the permitting*  
 16                  *and leasing process for geothermal resources; and*

17                  (E) *coordinate with the Federal Permitting*  
 18                  *Improvement Steering Council.*

19                  (3) *REPORT.—The Geothermal Ombudsman shall*  
 20                  *submit to the Committee on Energy and Natural Re-*  
 21                  *sources of the Senate and the Committee on Natural*  
 22                  *Resources of the House of Representatives an annual*  
 23                  *report that describes the activities of the Geothermal*  
 24                  *Ombudsman and evaluates the effectiveness of geo-*



1        *thermal permit processing during the preceding 1-*  
 2        *year period.*

3    **SEC. 209. ELECTRIC GRID PROJECTS.**

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

9        *(b) RULEMAKING.—Not later than 180 days after the*  
 10       *date of enactment of this Act, to facilitate timely permit-*  
 11       *ting, the Secretary of the Interior and the Secretary of Agri-*  
 12       *culture shall each develop or adopt 1 or more categorical*  
 13       *exclusions, including allowing for extraordinary cir-*  
 14       *cumstances under which the categorical exclusion shall not*  
 15       *be available, under the National Environmental Policy Act*  
 16       *of 1969 (42 U.S.C. 4321 et seq.) for the following activities:*

17            *(1) Placement of an electric transmission or dis-*  
 18            *tribution facility in an approved right-of-way cor-*  
 19            *ridor, if the corridor was approved during the 5-year*  
 20            *period ending on the date of placement of the facility.*

21            *(2) Any repair, maintenance, replacement, up-*  
 22            *grade, modification, optimization, or minor reloca-*  
 23            *tion of, or addition to, an existing electric trans-*  
 24            *mission or distribution facility or associated infra-*  
 25            *structure, including electrical substations, within an*

existing right-of-way or on otherwise previously disturbed or developed land, including reconductoring and installation of grid-enhancing technologies.

(3) Construction, operation, upgrade, or decommissioning of a battery or other energy storage technology on previously disturbed or developed land.

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

(a) **MULTIPLE MILL SITES.**—Section 2337 of the Revised Statutes (30 U.S.C. 42) is amended by adding at the end the following:

“(c) **ADDITIONAL MILL SITES.**—

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

“(A) **MILL SITE.**—The term ‘mill site’ means a location of public land that is reasonably necessary for waste rock or tailings disposal or other operations reasonably incident to mineral development on, or production from land included in a plan of operations.

“(B) **OPERATIONS; OPERATOR.**—The terms ‘operations’ and ‘operator’ have the meanings given those terms in section 3809.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

“(C) **PLAN OF OPERATIONS.**—The term ‘plan of operations’ means a plan of operations

1        *that an operator must submit and the Secretary*  
 2        *of the Interior or the Secretary of Agriculture, as*  
 3        *applicable, must approve before an operator may*  
 4        *begin operations, in accordance with, as applica-*  
 5        *ble—*

6                *“(i) subpart 3809 of title 43, Code of*  
 7                *Federal Regulations (or successor regula-*  
 8                *tions establishing application and approval*  
 9                *requirements); and*

10               *“(ii) part 228 of title 36, Code of Fed-*  
 11               *eral Regulations (or successor regulations*  
 12               *establishing application and approval re-*  
 13               *quirements).*

14               *“(D) PUBLIC LAND.—The term ‘public land’*  
 15               *means land owned by the United States that is*  
 16               *open to location under sections 2319 through*  
 17               *2344 of the Revised Statutes (30 U.S.C. 22 et*  
 18               *seq.), including—*

19               *“(i) land that is mineral-in-character*  
 20               *(as defined in section 3830.5 of title 43,*  
 21               *Code of Federal Regulations (as in effect on*  
 22               *the date of enactment of this subsection));*

23               *“(ii) nonmineral land (as defined in*  
 24               *section 3830.5 of title 43, Code of Federal*

1                   *Regulations (as in effect on the date of en-*  
 2                   *actment of this subsection)); and*

3                   *“(iii) land where the mineral character*  
 4                   *has not been determined.*

5                   *“(2) IN GENERAL.—Notwithstanding subsections*  
 6                   *(a) and (b), where public land is needed by the pro-*  
 7                   *prietor of a lode or placer claim for operations in*  
 8                   *connection with any lode or placer claim within the*  
 9                   *proposed plan of operations, the proprietor may—*

10                   *“(A) locate and include within the plan of*  
 11                   *operations as many mill site claims under this*  
 12                   *subsection as are reasonably necessary for its op-*  
 13                   *erations; and*

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

16                   *“(3) MILL SITES CONVEY NO MINERAL RIGHTS.—*  
 17                   *A mill site under this subsection does not convey min-*  
 18                   *eral rights to the locator.*

19                   *“(4) SIZE OF MILL SITES.—A location of a sin-*  
 20                   *gle mill site under this subsection shall not exceed 5*  
 21                   *acres.*

22                   *“(5) MILL SITE AND LODE OR PLACER CLAIMS*  
 23                   *ON SAME TRACTS OF PUBLIC LAND.—A mill site may*  
 24                   *be located under this subsection on a tract of public*

1       *land on which the claimant or operator maintains a*  
 2       *previously located lode or placer claim.*

3               “(6) *EFFECT ON MINING CLAIMS.—The location*  
 4       *of a mill site under this subsection shall not affect the*  
 5       *validity of any lode or placer claim, or any rights as-*  
 6       *sociated with such a claim.*

7               “(7) *PATENTING.—A mill site under this section*  
 8       *shall not be eligible for patenting.*

9               “(8) *SAVINGS PROVISIONS.—Nothing in this sub-*  
 10       *section—*

11               “(A) *diminishes any right (including a*  
 12       *right of entry, use, or occupancy) of a claimant;*

13               “(B) *creates or increases any right (includ-*  
 14       *ing a right of exploration, entry, use, or occu-*  
 15       *pancy) of a claimant on land that is not open*  
 16       *to location under the general mining laws;*

17               “(C) *modifies any provision of law or any*  
 18       *prior administrative action withdrawing land*  
 19       *from location or entry;*

20               “(D) *limits the right of the Federal Govern-*  
 21       *ment to regulate mining and mining-related ac-*  
 22       *tivities (including requiring claim validity ex-*  
 23       *aminations to establish the discovery of a valu-*  
 24       *able mineral deposit) in areas withdrawn from*  
 25       *mining, including under—*

1 “(i) the general mining laws;

2 “(ii) the Federal Land Policy and  
3 Management Act of 1976 (43 U.S.C. 1701 et  
4 seq.);

5 “(iii) the Wilderness Act (16 U.S.C.  
6 1131 et seq.);

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

9 “(v) the Endangered Species Act of  
10 1973 (16 U.S.C. 1531 et seq.);

11 “(vi) division A of subtitle III of title  
12 54, United States Code (commonly referred  
13 to as the ‘National Historic Preservation  
14 Act’); or

15 “(vii) section 4 of the Act of July 23,  
16 1955 (commonly known as the ‘Surface Re-  
17 sources Act of 1955’) (69 Stat. 368, chapter  
18 375; 30 U.S.C. 612);

19 “(E) restores any right (including a right of  
20 entry, use, or occupancy, or right to conduct op-  
21 erations) of a claimant that—

22 “(i) existed prior to the date on which  
23 the land was closed to, or withdrawn from,  
24 location under the general mining laws; and

1                   “(ii) that has been extinguished by  
 2                   such closure or withdrawal; or  
 3                   “(F) modifies section 404 of division E of  
 4                   the Consolidated Appropriations Act, 2024 (Pub-  
 5                   lic Law 118–42).”.

6           (b) *ABANDONED HARDROCK MINE FUND.*—

7                   (1) *ESTABLISHMENT.*—There is established in  
 8                   the Treasury of the United States a separate account,  
 9                   to be known as the “Abandoned Hardrock Mine  
 10                  Fund” (referred to in this subsection as the “Fund”).

11                  (2) *SOURCE OF DEPOSITS.*—Any amounts col-  
 12                  lected by the Secretary of the Interior pursuant to the  
 13                  claim maintenance fee under section 10101(a)(1) of  
 14                  the Omnibus Budget Reconciliation Act of 1993 (30  
 15                  U.S.C. 28f(a)(1)) on mill sites located under sub-  
 16                  section (c) of section 2337 of the Revised Statutes (30  
 17                  U.S.C. 42) shall be deposited into the Fund, to re-  
 18                  main available until expended.

19                  (3) *USE.*—The Secretary of the Interior may  
 20                  make expenditures from amounts available in the  
 21                  Fund, without further appropriations or fiscal year  
 22                  limitation, only to carry out section 40704 of the In-  
 23                  frastructure Investment and Jobs Act (30 U.S.C.  
 24                  1245).

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

(A) shall be allocated in accordance with section 40704(e)(1) of the Infrastructure Investment and Jobs Act (30 U.S.C. 1245(e)(1));

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

(C) may be used for the administration of the Fund and section 40704 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1245) in amounts not to exceed 5 percent of amounts deposited into the Fund.

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

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

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in the second sentence, by striking “Such claim maintenance fee” and inserting the following:



1           “(B) *FEE.*—*The claim maintenance fee*  
2           *under subparagraph (A)*”; and

3           (ii) *in the first sentence, by striking*  
4           *“The holder of” and inserting the following:*  
5           *“(A) IN GENERAL.—The holder of”; and*  
6           *(B) in paragraph (2)—*

7           (i) *in the second sentence, by striking*  
8           *“Such claim maintenance fee” and insert-*  
9           *ing the following:*

10          “(B) *FEE.*—*The claim maintenance fee*  
11          *under subparagraph (A)*”; and

12          (ii) *in the first sentence, by striking*  
13          *“The holder of” and inserting the following:*  
14          *“(A) IN GENERAL.—The holder of”; and*  
15          *(3) in subsection (b)—*

16          (A) *in the second sentence, by striking “The*  
17          *location fee” and inserting the following:*

18          “(2) *FEE.*—*The location fee*”; and

19          (B) *in the first sentence, by striking “The*  
20          *claim main tenance fee” and inserting the fol-*  
21          *lowing:*

22          “(1) *IN GENERAL.*—*The claim maintenance fee*”.

1 **TITLE III—FEDERAL OFFSHORE**  
 2 **ENERGY LEASING AND PER-**  
 3 **MITTING**

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

5       (a) *REQUIREMENT.*—Notwithstanding the 2024–2029  
 6 *National Outer Continental Shelf Oil and Gas Leasing Pro-*  
 7 *gram (and any successor leasing program that does not sat-*  
 8 *isfy the requirements of this section), the Secretary of the*  
 9 *Interior (referred to in this title as the “Secretary”) shall*  
 10 *conduct not less than 1 oil and gas lease sale in each of*  
 11 *calendar years 2025 through 2029, each of which shall be*  
 12 *conducted not later than August 31 of the applicable cal-*  
 13 *endar year.*

14       (b) *TERMS AND CONDITIONS.*—The Secretary shall—

15               (1) *conduct offshore oil and gas lease sales of suf-*  
 16 *ficient acreage to meet the conditions described in sec-*  
 17 *tion 50265(b)(2) of Public Law 117–169 (43 U.S.C.*  
 18 *3006(b)(2));*

19               (2) *with respect to an oil and gas lease sale con-*  
 20 *ducted under subsection (a), offer the same lease form,*  
 21 *lease terms, economic conditions, and stipulations as*  
 22 *contained in the revised final notice of sale entitled*  
 23 *“Gulf of Mexico Outer Continental Shelf Oil and Gas*  
 24 *Lease Sale 261” (88 Fed. Reg. 80750 (November 20,*  
 25 *2023)); and*

1           (3) if any acceptable bids have been received for  
 2           any tract offered in an oil and gas lease sale con-  
 3           ducted under subsection (a), issue such leases not later  
 4           than 90 days after the lease sale to the highest bids  
 5           on the tracts offered, subject to the procedures de-  
 6           scribed in the Bureau of Ocean Energy Management  
 7           document entitled “Summary of Procedures for Deter-  
 8           mining Bid Adequacy at Offshore Oil and Gas Lease  
 9           Sales Effective March 2016, with Central Gulf of  
 10          Mexico Sale 241 and Eastern Gulf of Mexico Sale  
 11          226”.

12 **SEC. 302. OFFSHORE WIND ENERGY.**

13          (a) *OFFSHORE WIND LEASE SALE REQUIREMENT.*—  
 14          Effective on the date of enactment of this Act, the Secretary  
 15          shall—

16               (1) subject to the limitations described in section  
 17               50265(b)(2) of Public Law 117–169 (43 U.S.C.  
 18               3006(b)(2)), conduct not less than 1 offshore wind  
 19               lease sale in each of calendar years 2025 through  
 20               2029, each of which shall be conducted not later than  
 21               August 31 of the applicable calendar year; and

22               (2) if any acceptable bids have been received for  
 23               a tract offered in the lease sale, as determined by the  
 24               Secretary, issue such leases not later than 90 days

1       *after the lease sale to the highest bidder on the offered*  
2       *tract.*

3       **(b) AREA OFFERED FOR LEASING.—**

4               **(1) TOTAL ACRES FOR LEASE.—***Subject to para-*  
5       *graph (2), the Secretary shall offer for offshore wind*  
6       *leasing a sum total of not less than 400,000 acres per*  
7       *calendar year.*

8               **(2) MINIMUM ACREAGE.—***An offshore wind lease*  
9       *issued by the Secretary that is less than 80,000 acres*  
10       *shall not be counted toward the acreage requirement*  
11       *under paragraph (1).*

12       **(c) PRODUCTION GOAL FOR OFFSHORE WIND EN-**  
13       **ERGY.—**

14               **(1) INITIAL GOAL.—***Not later than 180 days*  
15       *after the date of enactment of this Act, the Secretary*  
16       *shall establish an initial target date for an offshore*  
17       *wind energy production goal of 30 gigawatts.*

18               **(2) PERIODIC GOAL REVISION.—***The Secretary*  
19       *shall, in consultation with the heads of other relevant*  
20       *Federal agencies, periodically revise national goals for*  
21       *offshore wind energy production on the outer Conti-*  
22       *ental Shelf as initially established under paragraph*  
23       *(1).*

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

4               (1) in paragraph (4)(I), by striking “prevention  
 5       of interference with reasonable uses” and inserting  
 6       “prevention of unreasonable interference with other  
 7       uses”;

8               (2) by striking paragraph (10) and inserting the  
 9       following:

10              “(10) *APPLICABILITY.*—

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

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

1           *transmission of electricity generated by or pro-*  
 2           *duced from renewable energy.”; and*

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

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

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

## 18                           ***TITLE IV—ELECTRIC*** 19                           ***TRANSMISSION***

### 20           ***SEC. 401. TRANSMISSION PERMITTING.***

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

24           “(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) *LANDOWNER INPUT.*—*The term ‘landowner*  
7           *input’ means input received—*

8                     *“(A) by the Commission;*

9                     *“(B) from affected landowners, such as*  
10           *farmers and ranchers, in the path of the pro-*  
11           *posed construction or modification of an electric*  
12           *transmission facility; and*

13                     *“(C) pursuant to notification provided to,*  
14           *and consultation with, those affected landowners,*  
15           *farmers, and ranchers by the Commission.*

16           “(4) *SECRETARY.*—*The term ‘Secretary’ means*  
17           *the Secretary of Energy.”.*

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

20                     *(1) in the matter preceding paragraph (1), by*  
21           *striking “Except” and all that follows through “finds*  
22           *that” and inserting “Except as provided in sub-*  
23           *sections (d)(1) and (i), the Commission may, after*  
24           *notice and an opportunity for hearing, including a*  
25           *public comment period of at least 60 days, issue one*

1        *or more permits for the construction or modification*  
 2        *of electric transmission facilities necessary in the na-*  
 3        *tional interest if the Commission finds that”;*

4                *(2) in paragraph (1)—*

5                        *(A) in subparagraph (A)(i), by inserting*  
 6                        *“or modification” after “siting”; and*

7                        *(B) in subparagraph (C)—*

8                                *(i) in the matter preceding clause (i),*  
 9                                *by inserting “or modification” after*  
 10                                *“siting”; and*

11                                *(ii) in clause (i), by striking “the later*  
 12                                *of” in the matter preceding subclause (I)*  
 13                                *and all that follows through the semicolon*  
 14                                *at the end of subclause (II) and inserting*  
 15                                *“the date on which the application was filed*  
 16                                *with the State commission or other entity;”;*  
 17                                *and*

18                *(3) by striking paragraphs (2) through (6) and*  
 19        *inserting the following:*

20                        *“(2) the proposed facilities will be used for the*  
 21                        *transmission of electric energy in interstate (includ-*  
 22                        *ing transmission from the outer Continental Shelf to*  
 23                        *a State) or foreign commerce;*

24                        *“(3) the proposed construction or modification is*  
 25        *consistent with the public interest;*



1           “(4) the proposed construction or modification  
 2           will significantly reduce transmission congestion in  
 3           interstate commerce, protect or benefit consumers, and  
 4           provide improved reliability;

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

8           “(6) the electric transmission facilities are capa-  
 9           ble of transmitting electric energy at a voltage of not  
 10          less than 100 kilovolts or, in the case of facilities that  
 11          include advanced transmission conductors (including  
 12          superconductors), as defined by the Commission,  
 13          voltages determined to be appropriate by the Commis-  
 14          sion; and

15          “(7) the proposed modification (including  
 16          reconductoring) will maximize, to the extent reason-  
 17          able and economical, the transmission capabilities of  
 18          existing towers, structures, or rights-of-way.”.

19          (c) *STATE SITING AND CONSULTATION*.—Section 216  
 20          of the Federal Power Act (16 U.S.C. 824p) is amended by  
 21          striking subsection (d) and inserting the following:

22          “(d) *STATE SITING AND CONSULTATION*.—

23                 “(1) *PRESERVATION OF STATE SITING AUTHOR-*  
 24                 *ITY*.—The Commission shall have no authority to  
 25                 issue a permit under subsection (b) for the construc-

1        *tion or modification of an electric transmission facil-*  
 2        *ity within a State except as provided in paragraph*  
 3        *(1) of that subsection.*

4                “(2) *CONSULTATION.*—*In any proceeding before*  
 5        *the Commission under subsection (b), the Commission*  
 6        *shall afford each State in which a transmission facil-*  
 7        *ity covered by the permit is or will be located, each*  
 8        *affected Federal agency and Indian Tribe, private*  
 9        *property owners, and other interested persons, a rea-*  
 10        *sonable opportunity to present their views and rec-*  
 11        *ommendations with respect to the need for and im-*  
 12        *pect of a facility covered by the permit.*

13                “(3) *LANDOWNER INPUT.*—*In authorizing the*  
 14        *construction or modification of an electric trans-*  
 15        *mission facility under subsection (b), the Commission*  
 16        *shall take into account landowner input.”.*

17        (d) *RIGHTS-OF-WAY.*—*Section 216(e)(3) of the Federal*  
 18        *Power Act (16 U.S.C. 824p(e)(3)) is amended by striking*  
 19        *“shall conform” and all that follows through the period at*  
 20        *the end and inserting “shall be in accordance with rule 71.1*  
 21        *of the Federal Rules of Civil Procedure.”.*

22        (e) *COST ALLOCATION.*—

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

1       “(f) *COST ALLOCATION.*—

2               “(1) *TRANSMISSION TARIFFS.*—*For the purposes*  
 3       *of this section, any transmitting utility that owns,*  
 4       *controls, or operates electric transmission facilities*  
 5       *that the Commission finds to be consistent with the*  
 6       *findings under paragraphs (2) through (6) and, if ap-*  
 7       *plicable, (7) of subsection (b) shall file a tariff or tar-*  
 8       *iff revision with the Commission pursuant to section*  
 9       *205 and the regulations of the Commission allocating*  
 10       *the costs of the new or modified transmission facili-*  
 11       *ties.*

12              “(2) *TRANSMISSION BENEFITS.*—*The Commis-*  
 13       *sion shall require that tariffs or tariff revisions filed*  
 14       *under this subsection are just and reasonable and al-*  
 15       *locate the costs of providing service to customers that*  
 16       *benefit, in accordance with the cost-causation prin-*  
 17       *ciple, including through—*

18                   “(A) *improved reliability;*

19                   “(B) *reduced congestion;*

20                   “(C) *reduced power losses;*

21                   “(D) *greater carrying capacity;*

22                   “(E) *reduced operating reserve require-*  
 23       *ments; and*

1           “(F) improved access to lower cost genera-  
 2           tion that achieves reductions in the cost of deliv-  
 3           ered power.

4           “(3) RATEPAYER PROTECTION.—Customers that  
 5           receive no benefit, or benefits that are trivial in rela-  
 6           tion to the costs sought to be allocated, from electric  
 7           transmission facilities constructed or modified under  
 8           this section shall not be involuntarily allocated any  
 9           of the costs of those transmission facilities, provided,  
 10          however, that nothing in this section shall prevent a  
 11          transmitting utility from recovering such costs  
 12          through voluntary agreement with its customers.”.

13          (2) SAVINGS PROVISION.—If the Federal Energy  
 14          Regulatory Commission finds that the considerations  
 15          under paragraphs (2) through (6) and, if applicable,  
 16          (7) of subsection (b) of section 216 of the Federal  
 17          Power Act (16 U.S.C. 824p) (as amended by sub-  
 18          section (b)) are met, nothing in this section or the  
 19          amendments made by this section shall be construed  
 20          to exclude transmission facilities located on the outer  
 21          Continental Shelf from being eligible for cost alloca-  
 22          tion established under subsection (f)(1) of that section  
 23          (as amended by paragraph (1)).

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

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

6           “*(A) the Commission shall act as the lead agency*  
 7 *in the case of facilities permitted under subsection (b)*  
 8 *and section 225; and*

9           “*(B) the Department of the Interior shall act as*  
 10 *the lead agency in the case of facilities located on a*  
 11 *lease, easement, or right-of-way granted by the Sec-*  
 12 *retary of the Interior under section 8(p)(1)(C) of the*  
 13 *Outer Continental Shelf Lands Act (43 U.S.C.*  
 14 *1337(p)(1)(C)).”;*

15           (2) *in each of paragraphs (3), (4)(B), (4)(C),*  
 16 *(5)(B), (6)(A), (7)(A), (7)(B)(i), (8)(A)(i), and (9), by*  
 17 *striking “Secretary” each place it appears and insert-*  
 18 *ing “lead agency”;*

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

22           (4) *in paragraph (5)(A), by striking “As lead*  
 23 *agency head, the Secretary” and inserting “The lead*  
 24 *agency”;* *and*

25           (5) *in paragraph (7)—*

1           (A) in subparagraph (A), by striking “18  
2           months after the date of enactment of this sec-  
3           tion” and inserting “18 months after the date of  
4           enactment of the Energy Permitting Reform Act  
5           of 2024”; and

6           (B) in subparagraph (B)(i), by striking “1  
7           year after the date of enactment of this section”  
8           and inserting “18 months after the date of enact-  
9           ment of the Energy Permitting Reform Act of  
10          2024”.

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

13           (1) in paragraph (3), by striking “, including  
14           facilities in national interest electric transmission  
15           corridors”; and

16           (2) in paragraph (4)—

17                   (A) in subparagraph (A), by striking “;  
18                   and” and inserting a period;

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

20                   (C) by striking “in disagreement” in the  
21                   matter preceding subparagraph (A) and all that  
22                   follows through “(A) the” in subparagraph (A)  
23                   and inserting “unable to reach an agreement on  
24                   an application seeking approval by the”.

1       (h) *TRANSMISSION INFRASTRUCTURE INVESTMENT.*—  
 2       Section 219(b)(4) of the Federal Power Act (16 U.S.C.  
 3       824s(b)(4)) is amended—

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

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

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

9                       “(C) all prudently incurred costs associated  
 10                      with payments to jurisdictions impacted by elec-  
 11                      tric transmission facilities developed pursuant to  
 12                      section 216 or 225.”.

13       (i) *JURISDICTION.*—Section 216 of the Federal Power  
 14       Act (16 U.S.C. 824p) is amended by striking subsection (k)  
 15       and inserting the following:

16               “(k) *JURISDICTION.*—

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

19                       “(2) *OTHER UTILITIES.*—

20                               “(A) *IN GENERAL.*—For the purposes of this  
 21                              section, the Commission shall have jurisdiction  
 22                              over all transmitting utilities, including trans-  
 23                              mitting utilities described in section 201(f), but  
 24                              excluding any ERCOT utility (as defined in sec-  
 25                              tion 212(k)(2)(B)).

1           “(B) *CLARIFICATION.—Being subject to*  
 2           *Commission jurisdiction for the purposes of this*  
 3           *section shall not make an entity described in sec-*  
 4           *tion 201(f) a public utility for the purposes of*  
 5           *section 201(e).”.*

6           (j) *CONFORMING AMENDMENTS.—*

7           (1) *Section 50151(b) of Public Law 117–169 (42*  
 8           *U.S.C. 18715(b)) is amended by striking “facilities*  
 9           *designated by the Secretary to be necessary in the na-*  
 10           *tional interest under section 216(a) of the Federal*  
 11           *Power Act (16 U.S.C. 824p(a))” and inserting “fa-*  
 12           *cilities in a geographic area identified under section*  
 13           *224 of the Federal Power Act”.*

14           (2) *Section 1222 of the Energy Policy Act of*  
 15           *2005 (42 U.S.C. 16421) is amended—*

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

21           (B) *in subsection (b)(1)(A), by striking “in*  
 22           *an area designated under section 216(a)” and*  
 23           *inserting “in a geographic area identified under*  
 24           *section 224”.*



1           (3) *Section 40106(h)(1)(A) of the Infrastructure*  
 2           *Investment and Jobs Act (42 U.S.C. 18713(h)(1)(A))*  
 3           *is amended by striking “in an area designated as a*  
 4           *national interest electric transmission corridor pursu-*  
 5           *ant to section 216(a) of the Federal Power Act 16*  
 6           *U.S.C. 824p(a)” and inserting “in a geographic area*  
 7           *identified under section 224 of the Federal Power*  
 8           *Act”.*

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

14       **SEC. 402. TRANSMISSION PLANNING.**

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

18       **“SEC. 224. TRANSMISSION STUDY.**

19          “(a) *IN GENERAL.—Not later than 1 year after the*  
 20          *date of enactment of this section and every 3 years there-*  
 21          *after, the Secretary of Energy (referred to in this section*  
 22          *as the ‘Secretary’), in consultation with affected States and*  
 23          *Indian Tribes, shall conduct a study of electric trans-*  
 24          *mission capacity constraints and congestion.*

1       “(b) *REPORT*.—Not less frequently than once every 3  
 2   years, the Secretary, after considering alternatives and rec-  
 3   ommendations from interested parties (including an oppor-  
 4   tunity for comment from affected States and Indian  
 5   Tribes), shall issue a report, based on the study under sub-  
 6   section (a) or other information relating to electric trans-  
 7   mission capacity constraints and congestion, which may  
 8   identify any geographic area that—

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

12              “(2) *is expected to experience such energy trans-*  
 13       *mission capacity constraints or congestion.*

14       “(c) *CONSULTATION*.—Not less frequently than once  
 15   every 3 years, the Secretary, in conducting the study under  
 16   subsection (a) and issuing the report under subsection (b),  
 17   shall consult with affected transmission planning regions  
 18   (as defined in section 225(a)) and any appropriate regional  
 19   entity referred to in section 215.

20       “(d) *ALASKA*.—The Secretary—

21              “(1) *shall, in consultation with the State of Alas-*  
 22       *ka and affected Indian Tribes, consider any intrastate*  
 23       *transmission capacity constraints and congestion*  
 24       *within the State of Alaska in the study under sub-*  
 25       *section (a); and*

1           “(2) in issuing the report under subsection (b),  
 2           may, subject to the approval of the Regulatory Com-  
 3           mission of Alaska, identify any geographic area in  
 4           the State of Alaska that—

5                   “(A) is experiencing electric energy trans-  
 6                   mission capacity constraints or congestion that  
 7                   adversely affects consumers; or

8                   “(B) is expected to experience such energy  
 9                   transmission capacity constraints or congestion.

10 **“SEC. 225. PLANNING FOR TRANSMISSION FACILITIES THAT**  
 11 **ENHANCE GRID RELIABILITY, AFFORD-**  
 12 **ABILITY, AND RESILIENCE.**

13           “(a) *DEFINITIONS.*—In this section:

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

16                   “(2) *ERO.*—The term ‘ERO’ has the meaning  
 17                   given the term in section 215(a).

18                   “(3) *IMPROVED RELIABILITY.*—The term ‘im-  
 19                   proved reliability’ means that, on balance, consid-  
 20                   ering each of the matters described in subparagraphs  
 21                   (A) through (D), reliability is improved in a material  
 22                   manner that benefits customers through at least one  
 23                   of the following:

1           “(A) *facilitating compliance with a manda-*  
 2           *tory standard for reliability approved by the*  
 3           *Commission under section 215;*

4           “(B) *a reduction in expected unserved en-*  
 5           *ergy, loss of load hours, or loss of load prob-*  
 6           *ability (as defined by the ERO);*

7           “(C) *facilitating compliance with a tariff*  
 8           *requirement or process for resource adequacy on*  
 9           *file with the Commission; and*

10          “(D) *any other similar material improve-*  
 11          *ment, including a reduction in correlated outage*  
 12          *risk, such as achieved through increased geo-*  
 13          *graphic or resource diversification.*

14          “(4) *INTERREGIONAL TRANSMISSION FACILITY.—*  
 15          *The term ‘interregional transmission facility’ means*  
 16          *a transmission facility that—*

17               “(A) *is located within 2 or more neigh-*  
 18               *boring transmission planning regions; or*

19               “(B) *significantly impacts the ability of 1*  
 20               *or more transmission planning regions to trans-*  
 21               *mit electric energy among neighboring trans-*  
 22               *mission planning regions.*

23          “(5) *TRANSMISSION PLANNING REGION.—*

24               “(A) *IN GENERAL.—The term ‘transmission*  
 25               *planning region’—*

1           “(i) *when used in a geographical sense,*  
 2           *means a region for which the Commission*  
 3           *determines that electric transmission plan-*  
 4           *ning is appropriate, such as a region estab-*  
 5           *lished in accordance with Order No. 1000 of*  
 6           *the Commission, entitled ‘Transmission*  
 7           *Planning and Cost Allocation by Trans-*  
 8           *mission Owning and Operating Public*  
 9           *Utilities’ (76 Fed. Reg. 49842 (August 11,*  
 10          *2011)); and*

11           “(ii) *when used in a corporate sense,*  
 12           *means the Transmission Organization or*  
 13           *other entity responsible for planning or op-*  
 14           *erating electric transmission facilities with-*  
 15           *in a region described in clause (i).*

16           “(B) *EXCLUSION.—The term ‘transmission*  
 17           *planning region’ does not include the Electric*  
 18           *Reliability Council of Texas or the region served*  
 19           *by members of the Electric Reliability Council of*  
 20           *Texas.*

21           “(b) *JURISDICTION.—*

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

24           “(2) *OTHER UTILITIES.—*

1           “(A) *IN GENERAL.*—For the purposes of this  
 2           section, the Commission shall have jurisdiction  
 3           over all transmitting utilities, including trans-  
 4           mitting utilities described in section 201(f), but  
 5           excluding any ERCOT utility (as defined in sec-  
 6           tion 212(k)(2)(B)).

7           “(B) *CLARIFICATION.*—Being subject to  
 8           Commission jurisdiction for the purposes of this  
 9           section shall not make an entity described in sec-  
 10          tion 201(f) a public utility for the purposes of  
 11          section 201(e).

12          “(c) *RULEMAKING REQUIREMENT.*—Not later than  
 13          180 days after the date of enactment of this section, the  
 14          Commission shall, consistent with the requirements of this  
 15          section, by rule—

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

18               “(2) require each transmission planning region  
 19               to submit to the Commission for approval a joint  
 20               interregional transmission plan with each of its  
 21               neighboring transmission planning regions, which re-  
 22               quirement may, at the discretion of the transmission  
 23               planning region, be satisfied through the submission  
 24               of—

1           “(A) a separate joint interregional trans-  
 2           mission plan with each of its neighboring trans-  
 3           mission planning regions; or

4           “(B) 1 or more joint interregional trans-  
 5           mission plans, any of which may be submitted  
 6           with any 1 or more of its neighboring trans-  
 7           mission planning regions; and

8           “(3) establish rate treatments for interregional  
 9           transmission planning and cost allocation.

10          “(d) *PLAN ELEMENTS.*—The Commission shall re-  
 11          quire, within the rule under subsection (c), that joint inter-  
 12          regional transmission plans contain the following elements:

13               “(1) *COMPATIBILITY.*—A common set of input  
 14               assumptions and models, on a consistent timeline,  
 15               that—

16                       “(A) allow for the joint identification and  
 17                       selection, by transmission planning regions, of  
 18                       specific interregional transmission facilities for  
 19                       construction or modification, including through  
 20                       the use of advanced transmission conductors (in-  
 21                       cluding superconductors) and reconductoring;

22                       “(B) consider, to the extent reasonable and  
 23                       economical, modifications that maximize the  
 24                       transmission capabilities of existing towers,  
 25                       structures, or rights-of-way; and

1                   “(C) *consider existing transmission plans.*

2                   “(2) *TRANSMISSION BENEFITS.—A common set*  
 3                   *of benefits for interregional transmission planning*  
 4                   *and cost allocation, including—*

5                   “(A) *improved reliability;*

6                   “(B) *reduced congestion;*

7                   “(C) *reduced power losses;*

8                   “(D) *greater carrying capacity;*

9                   “(E) *reduced operating reserve require-*  
 10                  *ments; and*

11                  “(F) *improved access to lower cost genera-*  
 12                  *tion that achieves reductions in the cost of deliv-*  
 13                  *ered power.*

14                  “(3) *SELECTION CRITERIA.—Criteria governing*  
 15                  *the selection by transmission planning regions, for*  
 16                  *construction or modification, of interregional trans-*  
 17                  *mission facilities that—*

18                  “(A) *provide improved reliability;*

19                  “(B) *protect or benefit consumers; and*

20                  “(C) *are consistent with the public interest.*

21                  “(e) *DEADLINE; UPDATES.—The joint interregional*  
 22                  *transmission plans required to be submitted to the Commis-*  
 23                  *sion pursuant to the rule under subsection (c) shall be—*



1           “(1) submitted to the Commission not later than  
2       2 years after the date of enactment of this section;  
3       and

4           “(2) updated not less frequently than once every  
5       4 years.

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

7           “(1) review each joint interregional transmission  
8       plan submitted pursuant to the rule under subsection  
9       (c); and

10          “(2) approve the joint interregional transmission  
11       plan if the Commission finds that the plan—

12           “(A) meets the requirements of subsection  
13       (d);

14           “(B) allocates costs in accordance with sub-  
15       section (g);

16           “(C) ensures that all rates, charges, terms,  
17       and conditions will be just and reasonable and  
18       not unduly discriminatory or preferential; and

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

20       “(g) COST ALLOCATION.—

21           “(1) TRANSMISSION TARIFFS.—For the purposes  
22       of this section, any transmitting utility that owns,  
23       controls, or operates electric transmission facilities  
24       constructed or modified as a result of this section  
25       shall file a tariff or tariff revision with the Commis-

1        *sion pursuant to section 205 and the regulations of*  
 2        *the Commission allocating the costs of the new or*  
 3        *modified transmission facilities.*

4            *“(2) REQUIREMENT.—The Commission shall re-*  
 5        *quire that tariffs or tariff revisions filed under this*  
 6        *section are just and reasonable and allocate the costs*  
 7        *of providing service to customers that benefit, in ac-*  
 8        *cordance with the cost-causation principle, including*  
 9        *through the benefits described in subsection (d)(2).*

10           *“(3) RATEPAYER PROTECTION.—Customers that*  
 11        *receive no benefit, or benefits that are trivial in rela-*  
 12        *tion to the costs sought to be allocated, from electric*  
 13        *transmission facilities constructed or modified under*  
 14        *this section shall not be involuntarily allocated any*  
 15        *of the costs of those transmission facilities.*

16           *“(h) CONSTRUCTION PERMIT.—For the purposes of ob-*  
 17        *taining a construction permit under section 216(b), a*  
 18        *project that is selected by transmission planning regions*  
 19        *pursuant to a joint interregional transmission plan shall*  
 20        *be considered to satisfy paragraphs (2) through (6) and,*  
 21        *if applicable, (7) of that section.*

22           *“(i) DISPUTE RESOLUTION.—In the event of a dispute*  
 23        *between transmission planning regions with respect to a*  
 24        *material element of a joint interregional transmission*  
 25        *plan—*

1           “(1) the transmission planning regions shall sub-  
 2           mit to the Commission their respective proposals for  
 3           resolving the material element in dispute for resolu-  
 4           tion; and

5           “(2) not later than 60 days after the proposals  
 6           are submitted under paragraph (1), the Commission  
 7           shall issue an order directing a resolution to the dis-  
 8           pute.

9           “(j) *FAILURE TO SUBMIT PLAN.*—In the event that  
 10          neighboring transmission planning regions fail to submit  
 11          to the Commission a joint interregional transmission plan  
 12          under this section, the Commission shall, as the Commission  
 13          determines to be appropriate—

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

17               “(2) require, by order, the transmitting utilities  
 18               within the affected transmission planning regions to  
 19               comply with a joint interregional transmission plan  
 20               approved by the Commission—

21                       “(A) based on the record of the planning  
 22                       process conducted by the affected transmission  
 23                       planning regions; and

24                       “(B) in accordance with the cost allocation  
 25                       provisions in subsection (g).

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

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

7               “(2) any permit granted under section 216(b) for  
8       a project that is selected by transmission planning re-  
9       gions pursuant to a joint interregional transmission  
10      plan shall be considered a major Federal action.

11      “(l) SAVINGS PROVISION.—Except as expressly pro-  
12     vided in this section, nothing in this section shall be con-  
13     strued as conferring, limiting, or impairing any authority  
14     of the Commission under any other provision of law.”.

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

17             (1) in subsection (b)(2)—

18               (A) in the first sentence, by striking “and  
19       222” and inserting “222, and 225”; and

20               (B) in the second sentence, by striking “or  
21       222” and inserting “222, or 225”; and

22             (2) in subsection (e)—

23               (A) by striking “206(f),”; and

24               (B) by striking “or 222” and inserting  
25       “222, or 225”.

1       (c) *SAVINGS PROVISION.*—*Nothing in this section or*  
 2 *an amendment made by this section grants authority to the*  
 3 *Federal Energy Regulatory Commission under the Federal*  
 4 *Power Act (16 U.S.C. 791a et seq.) over sales of electric*  
 5 *energy at retail or the local distribution of electricity.*

## 6   ***TITLE V—ELECTRIC RELIABILITY***

### 7   ***SEC. 501. RELIABILITY ASSESSMENTS.***

8       *Section 215 of the Federal Power Act (16 U.S.C. 824o)*  
 9 *is amended by striking subsection (g) and inserting the fol-*  
 10 *lowing:*

11       “(g) *RELIABILITY REPORTS.*—

12               “(1) *PERIODIC ASSESSMENTS.*—*The ERO shall*  
 13 *conduct periodic assessments of the reliability and*  
 14 *adequacy of the bulk-power system in North America.*

15               “(2) *RELIABILITY ASSESSMENTS FOR REGULA-*  
 16 *TIONS.*—(A) *Whenever the Commission determines, on*  
 17 *its own motion or on request from another Federal*  
 18 *agency, an affected transmission organization, or any*  
 19 *State commission, that a rule, regulation, or standard*  
 20 *proposed by a Federal agency other than the Commis-*  
 21 *sion is likely to result in a violation of a tariff re-*  
 22 *quirement or process for resource adequacy on file*  
 23 *with the Commission or a mandatory standard for re-*  
 24 *liability approved by the Commission, the Commis-*  
 25 *sion shall require, by order, the ERO to assess and*

1       *report on the effects of the proposed rule, regulation,*  
2       *or standard on the reliable operation of the bulk-*  
3       *power system.*

4               “(B) *An ERO reliability assessment ordered*  
5       *under subparagraph (A) shall—*

6                       “(i) *identify any reasonably foreseeable sig-*  
7       *nificant adverse effects on the reliable operation*  
8       *of the bulk-power system that the ERO antici-*  
9       *pates will result from the proposed rule, regula-*  
10       *tion, or standard;*

11                      “(ii) *account for mitigations that will be*  
12       *available under existing rules, regulations, or*  
13       *tariffs governing facilities of the bulk-power sys-*  
14       *tem under this Act that will reduce or prevent*  
15       *significant adverse effects on the reliable oper-*  
16       *ation of the bulk-power system from the proposed*  
17       *rule, regulation, or standard; and*

18                      “(iii) *take into account the technical views*  
19       *of affected transmission organizations regarding*  
20       *effects on the reliable operation of the bulk-power*  
21       *system from the proposed rule, regulation, or*  
22       *standard.*

23               “(C) *The ERO shall—*

24                      “(i) *submit the report required under sub-*  
25       *paragraph (A) to the public docket of the Federal*

agency proposing the rule, regulation, or standard, and, if practicable, make such submission within the time period established by such Federal agency for submission of public comments on the proposed rule, regulation, or standard;

“(ii) submit such report to the Commission;

and

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

“(D) This paragraph shall apply to proposed rules, regulations, or standards pending on, or proposed on or after, the date of enactment of this paragraph.”.

## **TITLE VI—LIQUEFIED NATURAL GAS EXPORTS**

### **SEC. 601. ACTION ON APPLICATIONS.**

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

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

(2) by adding at the end the following:

“(g) **DEADLINE TO ACT ON CERTAIN EXPORT APPLICATIONS.**—

“(1) **IN GENERAL.**—The Commission shall grant or deny an application under subsection (a) to export

1       to a foreign country any natural gas from the United  
2       States not later than 90 days after the later of—

3               “(A) the date on which the notice of avail-  
4               ability for each final review required under the  
5               National Environmental Policy Act of 1969 (42  
6               U.S.C. 4321 *et seq.*) for the exporting facility is  
7               published with respect to an application—

8               “(i) under subsection (e); or

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

13              “(B) the date of enactment of this sub-  
14              section.

15              “(2) *APPLICATIONS TO RE-EXPORT.*—The Com-  
16              mission shall grant or deny an application under  
17              subsection (a) to re-export to another foreign country  
18              any natural gas that has been exported from the  
19              United States to Canada or Mexico for liquefaction in  
20              Canada or Mexico, or the territorial waters of Can-  
21              ada or Mexico, not later than 90 days after the later  
22              of—

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



1           *U.S.C. 4321 et seq.) for the application is pub-*  
 2           *lished; and*

3           “(B) *the date of enactment of this sub-*  
 4           *section.*

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

10           “(A) *the date the application for extension*  
 11           *is received by the Commission; and*

12           “(B) *the date of enactment of this sub-*  
 13           *section.*

14           “(4) *FAILURE TO ACT.—If the Commission fails*  
 15           *to grant or deny an application subject to this sub-*  
 16           *section by the applicable date required by this sub-*  
 17           *section, the application shall be considered to be*  
 18           *granted and a final agency order.”.*

19 **SEC. 602. SUPPLEMENTAL REVIEWS.**

20           “(a) *DEFINITIONS.—In this section:*

21           “(1) *2018 LNG EXPORT STUDY.—The term “2018*  
 22           *LNG Export Study” means the report entitled “Mac-*  
 23           *roeconomic Outcomes of Market Determined Levels of*  
 24           *U.S. LNG Exports”, prepared by NERA Economic*  
 25           *Consulting for the National Energy Technology Lab-*

1        *oratory of the Department of Energy, published June*  
 2        *7, 2018.*

3            (2) *2019 LIFE CYCLE GHG REVIEW.*—*The term*  
 4        *“2019 Life Cycle GHG Review” means the report en-*  
 5        *titled “Life Cycle Greenhouse Gas Perspective on Ex-*  
 6        *porting Liquefied Natural Gas from the United*  
 7        *States”, prepared by S. Roman-White, S. Rai, J.*  
 8        *Littlefield, G. Cooney, and T. J. Skone for the Na-*  
 9        *tional Energy Technology Laboratory of the Depart-*  
 10       *ment of Energy, published September 12, 2019.*

11           (3) *SECRETARY.*—*The term “Secretary” means*  
 12        *the Secretary of Energy.*

13           (4) *SUPPLEMENTAL GREENHOUSE GAS RE-*  
 14        *VIEW.*—*The term “supplemental greenhouse gas re-*  
 15        *view” means a review prepared or commissioned by*  
 16        *the Department of Energy and published after Janu-*  
 17        *ary 26, 2024, that analyzes the life cycle greenhouse*  
 18        *gas emissions of liquefied natural gas exports from*  
 19        *the United States, including consideration of the mod-*  
 20        *eling parameters used in the 2019 Life Cycle GHG*  
 21        *Review.*

22           (5) *SUPPLEMENTAL MACROECONOMIC REVIEW.*—  
 23        *The term “supplemental macroeconomic review”*  
 24        *means a review prepared or commissioned by the De-*  
 25        *partment of Energy and published after January 26,*

2024, that analyzes the macroeconomic outcomes of different levels of liquefied natural gas exports from the United States, including consideration of the natural gas market factors and macroeconomic factors analyzed in the 2018 LNG Export Study.

(6) *SUPPLEMENTAL REVIEW.*—The term “supplemental review” means a supplemental greenhouse gas review or a supplemental macroeconomic review.

(b) *REQUIREMENTS FOR SUPPLEMENTAL REVIEWS.*—

(1) *NOTICE AND COMMENT ON PROPOSED SUPPLEMENTAL REVIEWS.*—Before finalizing a supplemental review, the Secretary shall publish a notice of availability of the proposed supplemental review in the Federal Register pursuant to the notice and comment provisions of section 553 of title 5, United States Code.

(2) *QUALITY OF SUPPLEMENTAL REVIEWS.*—A supplemental review shall be subject to a peer review process consistent with the final bulletin of the Office of Management and Budget entitled “Final Information Quality Bulletin for Peer Review” (70 Fed. Reg. 2664 (January 14, 2005)) (or successor guidance).

(3) *PENDING APPLICATIONS.*—For a review of an application to grant, deny, or extend an order under section 3(a) of the Natural Gas Act (15 U.S.C.

717b(a)) to export to a foreign country any natural gas from an LNG terminal in the United States or from a facility subject to section 4 of the Deepwater Port Act of 1974 (33 U.S.C. 1503), or to re-export to another foreign country any natural gas that has been exported from the United States to Canada or Mexico for liquefaction in Canada or Mexico, or the territorial waters of Canada or Mexico, the Secretary shall base any evaluation of—

(A) macroeconomic outcomes on the results of the 2018 LNG Export Study, or predecessor documents, unless and until the Secretary finalizes and implements a supplemental macroeconomic review; and

(B) life cycle greenhouse gas emissions on the results of the 2019 Life Cycle GHG Review, or predecessor documents, unless and until the Secretary finalizes and implements a supplemental greenhouse gas review.

## **TITLE VII—HYDROPOWER**

### **SEC. 701. HYDROPOWER LICENSE EXTENSIONS.**

(a) *DEFINITION OF COVERED PROJECT.*—In this section, the term “covered project” means a hydropower project with respect to which the Federal Energy Regulatory 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, the*  
 4 *Federal Energy Regulatory Commission may, after reason-*  
 5 *able notice and for good cause shown, extend in accordance*  
 6 *with subsection (c) the period during which the licensee is*  
 7 *required to commence construction of the covered project for*  
 8 *an additional 4 years beyond the 8 years authorized by that*  
 9 *section.*

10       (c) *PERIOD OF EXTENSION.*—*An extension of time to*  
 11 *commence construction of a covered project under subsection*  
 12 *(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 Federal*  
 16 *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 Power*  
 23 *Act (16 U.S.C. 806) to commence construction of a covered*  
 24 *project expires after December 31, 2023, and before the date*  
 25 *of enactment of this Act—*

- 1           (1) *the Federal Energy Regulatory Commission*  
 2           *may reinstate the license for the applicable project ef-*  
 3           *fective as of the date of expiration of the license; and*  
 4           (2) *the extension authorized under subsection (b)*  
 5           *shall take effect on the date of that expiration.*

6 **SEC. 702. IDENTIFYING AND REMOVING MARKET BARRIERS**  
 7           **TO HYDROPOWER.**

8           (a) *DEFINITIONS.—In this section:*

9           (1) *COMMISSION.—The term “Commission”*  
 10          *means the Federal Energy Regulatory Commission.*

11          (2) *WATER POWER TECHNOLOGIES.—The term*  
 12          *“water power technologies” means hydropower in all*  
 13          *its forms and modes of operation, including—*

14               (A) *conventional water power projects that*  
 15               *use dams, conduits, or similar infrastructure to*  
 16               *store, divert, or impound water to generate elec-*  
 17               *tricity; and*

18               (B) *marine and hydrokinetic technologies*  
 19               *that use—*

20                       (i) *waves, tides, and currents; or*

21                       (ii) *temperature differentials in oceans,*  
 22                       *estuaries, tidal areas, rivers, lakes, streams,*  
 23                       *or manmade channels.*

24          (b) *REPORT ON HYDROPOWER MARKET BARRIERS.—*

1           (1) *IN GENERAL*.—Not later than 270 days after  
 2     the date of enactment of this Act, the Commission, in  
 3     consultation with the Secretary of Energy, shall sub-  
 4     mit to the Committee on Energy and Natural Re-  
 5     sources of the Senate and the Committee on Energy  
 6     and Commerce of the House of Representatives a re-  
 7     port—

8                     (A) describing any market barriers to the  
 9             development and proper compensation of conven-  
 10            tional, storage, conduit, and emerging hydro-  
 11            power technologies related to—

12                    (i) rules of Transmission Organiza-  
 13                    tions (as defined in section 3 of the Federal  
 14                    Power Act (16 U.S.C. 796));

15                    (ii) regulations or policies—

16                             (I) of the Commission; or

17                             (II) under the Federal Power Act  
 18                             (16 U.S.C. 791a et seq.); or

19                    (iii) other Federal and State laws and  
 20                    policies unique to hydropower development,  
 21                    operation, and regulation, as compared to  
 22                    other sources of electricity;

23                    (B) containing recommendations of the  
 24                    Commission for reducing market barriers de-  
 25                    scribed in subparagraph (A);

1                   (C) identifying and determining any regu-  
 2                   latory, market, procurement, or cost recovery  
 3                   mechanisms that would—

4                   (i) encourage development of conven-  
 5                   tional, storage, conduit, and emerging hy-  
 6                   dropower technologies; and

7                   (ii) properly compensate conventional,  
 8                   storage, conduit, and emerging hydropower  
 9                   technologies for the full range of services  
 10                  provided to the electric grid, including—

11                  (I) balancing electricity supply  
 12                  and demand;

13                  (II) ensuring grid reliability;

14                  (III) providing ancillary services;

15                  (IV) contributing to the  
 16                  decarbonization of the electric grid;  
 17                  and

18                  (V) integrating intermittent  
 19                  power sources into the grid in a cost-  
 20                  effective manner; and

21                  (D) identifying ownership and development  
 22                  models that could reduce market barriers to the  
 23                  development of conventional, storage, conduit,  
 24                  and emerging hydropower technologies, includ-  
 25                  ing—



1                   (i) opportunities for risk-sharing mech-  
 2                   anisms and partnerships, including co-own-  
 3                   ership models; and

4                   (ii) opportunities to foster lease-sale  
 5                   and lease-back arrangements with publicly  
 6                   owned electric utilities.

7                   (2) *TECHNICAL CONFERENCE AND PUBLIC COM-*  
 8                   *MENT.*—In preparing the report under paragraph (1),  
 9                   the Commission shall solicit public input, including  
 10                  by convening a technical conference and providing an  
 11                  opportunity for public submission of written com-  
 12                  ments on a draft report.

13 **SEC. 703. REGULATIONS TO ALIGN TIMETABLES.**

14               (a) *IN GENERAL.*—Not later than 1 year after the date  
 15 of enactment of this Act, the Federal Energy Regulatory  
 16 Commission (referred to in this section as the “Commis-  
 17 sion”) shall issue regulations under part I of the Federal  
 18 Power Act (16 U.S.C. 792 et seq.), as the Commission deter-  
 19 mines to be appropriate, that seek to ensure all original  
 20 licensing and relicensing decisions under that part may be  
 21 made by the date that is not later than 180 days after the  
 22 date on which an environmental document prepared in  
 23 compliance with the National Environmental Policy Act of  
 24 1969 (42 U.S.C. 4321 et seq.) is published with respect to  
 25 the applicable project.

1       (b) *REPORTS.*—

2           (1) *IN GENERAL.*—Not later than 1 year after  
3       the date on which the regulations required under sub-  
4       section (a) are issued, the Commission shall submit to  
5       Congress a report describing any regulations outside  
6       of the jurisdiction of the Commission, and any rel-  
7       evant statutory requirements, that would prevent a  
8       project from meeting the timetables established pursu-  
9       ant to those regulations.

10          (2) *ANNUAL REPORT UNDER NEPA.*—The Com-  
11       mission shall include in each annual report submitted  
12       under section 107(h) of the National Environmental  
13       Policy Act of 1969 (42 U.S.C. 4336a(h)) a description  
14       of—

15               (A) all licensing and relicensing applica-  
16       tions that failed to meet the applicable timetable  
17       established pursuant to subsection (a) during the  
18       period covered by the report; and

19               (B) the reasons for each failure to meet that  
20       timetable.

21       (c) *EFFECT.*—Nothing in this section modifies the obli-  
22       gations of the Commission or any other agency under—

23               (1) the National Environmental Policy Act of  
24       1969 (42 U.S.C. 4321 et seq.);

1           (2) *the Federal Power Act (16 U.S.C. 791a et*  
2       *seq.)*; or

3           (3) *any other Federal law.*

4                       **TITLE VIII—HIRING AND**  
5                       **RETENTION**

6   **SEC. 801. FEDERAL ENERGY REGULATORY COMMISSION**  
7                       **STAFFING.**

8           (a) *CONSULTATION REQUIREMENT.*—Section 401(k) of  
9   *the Department of Energy Organization Act (42 U.S.C.*  
10   *7171(k)) is amended—*

11               (1) *by striking paragraph (6); and*

12               (2) *by redesignating paragraph (7) as para-*  
13   *graph (6).*

14           (b)    *CERTIFICATION       REQUIREMENTS.*—Section  
15   *401(k)(2)(A) of the Department of Energy Organization Act*  
16   *(42 U.S.C. 7171(k)(2)(A)) is amended by striking “or*  
17   *mathematical” and inserting “mathematical, economic, or*  
18   *legal”.*

19   **SEC. 802. COMPENSATION FLEXIBILITY TO ADDRESS RE-**  
20                       **TENTION AND HIRING ISSUES AT THE BON-**  
21                       **NEVILLE POWER ADMINISTRATION.**

22           *Section 10 of the Act of August 20, 1937 (commonly*  
23   *known as the “Bonneville Project Act of 1937”) (50 Stat.*  
24   *736, chapter 720; 16 U.S.C. 832i), is amended by striking*

1 *the section designation and subsections (a) and (b) and in-*  
 2 *serting the following:*

3 **“SEC. 10. EMPLOYMENT OF PERSONNEL.**

4       “(a) *EMPLOYEE COMPENSATION PROGRAM.—*

5               “(1) *IN GENERAL.—Notwithstanding any other*  
 6 *law, rule, regulation, or directive relating to the pay-*  
 7 *ment of Federal employees (other than chapter 83 of*  
 8 *title 5, United States Code), the administrator shall*  
 9 *develop, implement, and, as appropriate, update,*  
 10 *based on the results of an annual review under para-*  
 11 *graph (4), a compensation plan that specifies and*  
 12 *fixes the compensation (including salary or any other*  
 13 *pay, bonuses, benefits, incentives, and any other form*  
 14 *of remuneration) for employees of the administrator,*  
 15 *including members of the Senior Executive Service*  
 16 *(as defined in section 2101a of title 5, United States*  
 17 *Code).*

18               “(2) *INITIAL COMPENSATION PLAN.—*

19               “(A) *IN GENERAL.—Not later than 1 year*  
 20 *after the date of enactment of the Energy Per-*  
 21 *mitting Reform Act of 2024, the administrator*  
 22 *shall, in consultation with the Director of the Of-*  
 23 *fice of Personnel Management, and subject to*  
 24 *confirmation and approval by the Secretary of*  
 25 *Energy, which shall not be unreasonably with-*

1       *held, develop an initial compensation plan under*  
2       *paragraph (1).*

3               “(B) *IMPLEMENTATION.*—*Not later than 1*  
4       *year after the date on which the initial com-*  
5       *penetration plan is developed under subparagraph*  
6       *(A), the administrator shall implement the ini-*  
7       *tial compensation plan.*

8               “(3) *REQUIREMENTS.*—*A compensation plan de-*  
9       *veloped under paragraph (1) shall—*

10              “(A) *be based on an annual survey of the*  
11       *prevailing compensation for similar positions in*  
12       *the public sectors of the electric industry;*

13              “(B) *be consistent with the approved an-*  
14       *nuual general and administrative budget of the*  
15       *administrator and encourage the widest diversi-*  
16       *fied use of electric power at the lowest possible*  
17       *rates to consumers consistent with sound busi-*  
18       *ness principles;*

19              “(C) *provide that education, experience,*  
20       *level of responsibility, geographic differences, and*  
21       *retention and recruitment needs are to be taken*  
22       *into account in determining the compensation of*  
23       *employees of the administrator;*

24              “(D) *provide that the individual total com-*  
25       *penetration of the administrator and any em-*

1        *ployee of the administrator shall be comparable*  
 2        *to and competitive with similar positions among*  
 3        *consumer-owned utilities in the Western Inter-*  
 4        *connection.*

5        “(4) ANNUAL REVIEW.—

6                “(A) IN GENERAL.—Annually, the adminis-  
 7        *trator shall review and update, as appropriate,*  
 8        *the compensation plan developed under para-*  
 9        *graph (1).*

10              “(B) COMPENSATION OF THE ADMINIS-  
 11        *TRATOR.—Notwithstanding any other law, rule,*  
 12        *regulation, or directive relating to the payment*  
 13        *of the administrator (other than chapter 83 of*  
 14        *title 5, United States Code), the Secretary shall*  
 15        *periodically review and update, as appropriate,*  
 16        *the compensation of the administrator consistent*  
 17        *with paragraph (3)(D).*

18              “(C) PUBLICATION OF INFORMATION.—The  
 19        *administrator shall include in the quarterly pub-*  
 20        *lic business review of the administrator or any*  
 21        *other appropriate public review of the operations*  
 22        *and finances of the administrator information*  
 23        *on the applicable annual compensation plan re-*  
 24        *view under subparagraph (A), including infor-*  
 25        *mation on the amount of salaries of any employ-*

ees whose annual salaries would exceed the annual rate payable for positions at Level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(5) ANNUAL PUBLICATION.—Annually, the administrator shall publish the compensation plan developed under paragraph (1) or updated under paragraph (4), as applicable.

“(b) APPOINTMENT; EMPLOYMENT.—

“(1) IN GENERAL.—The administrator may, as the administrator determines to be necessary to carry out this Act, subject to applicable civil service laws—

“(A) appoint any officers and employees;

“(B) employ laborers, mechanics, and workers for construction work or the operation and maintenance of electrical facilities; and

“(C) fix the compensation of individuals appointed under subparagraph (A) or (B), respectively, consistent with the applicable compensation plan developed under subsection (a)(1).

“(2) EXEMPTION FROM CERTAIN CIVIL SERVICE LAWS.—In carrying out the authority provided by paragraph (1), the administrator shall be exempt

1     *from chapters 34, 43, 51, 53, 57, and 59 of title 5,*  
 2     *United States Code.*

3             “(3) *APPLICATION OF MERIT SYSTEM PRIN-*  
 4     *CIPLES.—Employees of the administrator are subject*  
 5     *to the application of the merit system principles set*  
 6     *forth in section 2301 of title 5, United States Code,*  
 7     *to the extent that the principles apply to a wholly*  
 8     *owned Government corporation.*

9             “(4) *EMPLOYMENT OF PHYSICIANS.—The admin-*  
 10    *istrator may employ physicians, without regard to*  
 11    *the civil service laws (including regulations), to per-*  
 12    *form physical examinations of employees of the ad-*  
 13    *ministrator or prospective employees of the adminis-*  
 14    *trator who are or may become laborers, mechanics,*  
 15    *and workers described in paragraph (1)(B).*

16            “(5) *EMPLOYMENT OF EXPERTS.—The adminis-*  
 17    *trator may appoint, without regard to the civil serv-*  
 18    *ice laws (including regulations), any experts that the*  
 19    *administrator determines to be necessary to carry out*  
 20    *the functions of the administrator under this Act.”.*

21    **SEC. 803. NORTHWEST POWER AND CONSERVATION COUN-**  
 22            **CIL.**

23            *Section 4(c)(10)(B) of the Pacific Northwest Electric*  
 24    *Power Planning and Conservation Act (16 U.S.C.*  
 25    *839b(c)(10)(B)) is amended by striking the period at the*



1 *end and inserting “, adjusted for inflation since the date*  
2 *of enactment of the Energy Permitting Reform Act of*  
3 *2024.”.*

4 **SEC. 804. FEDERAL ENERGY REGULATORY COMMISSION**  
5 **PERSONNEL SAFETY.**

6 *The Federal Energy Regulatory Commission may au-*  
7 *thorize employees of the Federal Energy Regulatory Com-*  
8 *mission to perform law enforcement duties as needed to en-*  
9 *sure the safety of the Chairman and Commissioners of the*  
10 *Federal Energy Regulatory Commission in the performance*  
11 *of the official duties of the Chairman and Commissioners,*  
12 *respectively.*

Calendar No. 756

118<sup>TH</sup> CONGRESS  
2D Session

**S. 4753**

[Report No. 118-336]

**A BILL**

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

DECEMBER 19 (legislative day, DECEMBER 16), 2024

Reported with an amendment