# HR 4383

Streamlining Permitting of American Energy Act of 2012

**Congress:** 112 (2011–2013, Ended)
**Chamber:** House
**Policy Area:** Energy
**Introduced:** Apr 18, 2012
**Current Status:** Placed on the Union Calendar, Calendar No. 376.
**Latest Action:** Placed on the Union Calendar, Calendar No. 376. (Jun 15, 2012)
**Official Text:** https://www.congress.gov/bill/112th-congress/house-bill/4383

## Sponsor

**Name:** Rep. Lamborn, Doug [R-CO-5]
**Party:** Republican • **State:** CO • **Chamber:** House

## Cosponsors (14 total)

| Cosponsor | Party / State | Role | Date Joined |
|---|---|---|---|
| Rep. Black, Diane [R-TN-6] | R · TN | | Jun 5, 2012 |
| Rep. Coffman, Mike [R-CO-6] | R · CO | | Jun 5, 2012 |
| Rep. Denham, Jeff [R-CA-19] | R · CA | | Jun 5, 2012 |
| Rep. Duncan, Jeff [R-SC-3] | R · SC | | Jun 5, 2012 |
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| Rep. Foxx, Virginia [R-NC-5] | R · NC | | Jun 6, 2012 |
| Rep. Latham, Tom [R-IA-4] | R · IA | | Jun 6, 2012 |
| Rep. Nunnelee, Alan [R-MS-1] | R · MS | | Jun 6, 2012 |
| Rep. Capito, Shelley Moore [R-WV-2] | R · WV | | Jun 8, 2012 |
| Rep. Conaway, K. Michael [R-TX-11] | R · TX | | Jun 8, 2012 |
| Rep. Jenkins, Lynn [R-KS-2] | R · KS | | Jun 8, 2012 |
| Rep. Reed, Tom [R-NY-29] | R · NY | | Jun 8, 2012 |

## Committee Activity

| Committee | Chamber | Activity | Date |
|---|---|---|---|
| Judiciary Committee | House | Referred to | Apr 19, 2012 |
| Natural Resources Committee | House | Discharged from | May 16, 2012 |

## Subjects & Policy Tags

**Policy Area:**

Energy

## Related Bills

| Bill | Relationship | Last Action |
|---|---|---|
| 112 HR 4480 | Related bill | **Jul 10, 2012:** Referred to the Subcommittee on Readiness. |
| 112 HR 1229 | Related bill | **May 16, 2011:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 50. |

## Summary (as of Jun 15, 2012)

Streamlining Permitting of American Energy Act of 2012 - **Title I: Application For Permits to Drill Process Reform** - (Sec. 101) Amends the Mineral Leasing Act to revise requirements for the issuance of permits to drill in energy projects on federal lands.

Authorizes the Secretary of the Interior to extend the initial 30-day permit application review period for up to 2 periods of 15 days each, if the Secretary has given written notice of the delay to the applicant.

Deems a permit application approved if the Secretary has made no decision on it 60 days after its receipt. Prescribes a notice requirement for denial of an application.

Directs the Secretary to collect a single $6,500 permit processing fee per application from each applicant at the time the decision is made whether or not to issue a permit.

(Sec. 102) Requires that 50% of fees collected as annual wind energy and solar energy right-of-way authorization fees be retained by the Secretary for use by: (1) the Bureau of Land Management (BLM) to process permits, right-of-way applications, and other activities necessary for renewable energy development; and (2) either the U.S. Fish and Wildlife Service or other federal agencies involved in wind and solar permitting reviews in order to facilitate the processing of wind energy and solar energy permit applications on BLM lands.

**Title II: Administrative Protest Documentation Reform** - (Sec. 201) Requires the Secretary to collect a $5,000 documentation fee to accompany each protest for a lease, right of way, or application for permit to drill.

**Title III: Permit Streamlining** - (Sec. 301) Requires the Secretary to: (1) establish a Federal Permit Streamlining Project in every BLM Field office with responsibility for permitting energy projects on federal land; and (2) enter into a related memorandum of understanding with the Secretary of Agriculture, the Administrator of the Environmental Protection Agency (EPA), and the Chief of the Army Corps of Engineers.

Authorizes the Secretary to request that the governor of any state with energy projects on federal lands be a signatory to the memorandum of understanding.

Requires federal signatories to such memorandum to assign staff with special expertise in regulatory issues germane to field offices.

(Sec. 302) States that the Secretary shall not require a finding of extraordinary circumstances related to a categorical exclusion in administering the Energy Policy Act of 2005 with respect to review under the National Environmental Policy Act of 1969 (NEPA).

(A categorical exclusion [CE or CX] is a category of actions which do not individually or cumulatively have a significant effect on the human environment and for which, as a consequence, neither an environmental assessment [EA] nor an environmental impact statement [EIS] is required. If a proposed action is included in the description provided for a listed CE established by an agency, the agency must check to make sure that no extraordinary circumstances exist that may cause the proposed action to have a significant effect in a particular situation. Extraordinary circumstances typically include such matters as effects to endangered species, protected cultural sites, and wetlands. If the proposed action is not included in the description in the agency's CE, or there are extraordinary circumstances, the agency must prepare an EA or an EIS, or develop a new proposal that may qualify for application of a CE.)

(Sec. 303) Expresses the intent of Congress that: (1) this Act will support a growing U.S. domestic energy sector that helps to reinvigorate American manufacturing, transportation, and service sectors by employing U.S. workers to assist in the development of energy from domestic sources; and (2) Congress will monitor the deployment of personnel and material onshore under this Act to encourage the development of American technology and manufacturing to enable workers to benefit from this Act through good jobs and careers, and establishment of important industrial facilities to support expanded access to American energy resources.

Directs the Secretary when possible and practicable, to encourage the use of U.S. workers and equipment manufactured in the United States in all construction related to mineral resource development under this Act.

**Title IV: Judicial Review** - (Sec. 402) States that venue for any covered civil action shall lie in the district court where the project or leases exist or are proposed.

Sets forth procedures for judicial review of leasing of federal lands for the exploration, development, production, processing, or transmission of oil, natural gas, wind, or any other energy source of energy.

## Actions Timeline

- **Jun 15, 2012:** Reported (Amended) by the Committee on Natural Resources. H. Rept. 112-528, Part I.
- **Jun 15, 2012:** Committee on Judiciary discharged.
- **Jun 15, 2012:** Placed on the Union Calendar, Calendar No. 376.
- **May 16, 2012:** Subcommittee on Energy and Mineral Resources Discharged.
- **May 16, 2012:** Committee Consideration and Mark-up Session Held.
- **May 16, 2012:** Ordered to be Reported (Amended) by the Yeas and Nays: 25 - 15.
- **Apr 26, 2012:** Subcommittee Hearings Held.
- **Apr 19, 2012:** Referred to the Subcommittee on Energy and Mineral Resources.
- **Apr 19, 2012:** Referred to the Subcommittee on Courts, Commercial and Administrative Law.
- **Apr 18, 2012:** Introduced in House
- **Apr 18, 2012:** Referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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