

HR 1548

Native American Energy Act

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Native Americans

Introduced: Apr 12, 2013

Current Status: Placed on the Union Calendar, Calendar No. 189.

Latest Action: Placed on the Union Calendar, Calendar No. 189. (Nov 12, 2013)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/1548>

Sponsor

Name: Rep. Young, Don [R-AK-At Large]

Party: Republican • **State:** AK • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Natural Resources Committee	House	Discharged from	Jun 12, 2013
Natural Resources Committee	House	Discharged from	Jun 12, 2013
Natural Resources Committee	House	Discharged from	Jun 12, 2013

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

Bill	Relationship	Last Action
113 HR 2	Related bill	Nov 17, 2014: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 601.
113 HR 4899	Related bill	Jun 26, 2014: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.

Native American Energy Act - (Sec. 3) Amends the Energy Policy Act of 1992 to allow the Secretary of the Interior, an affected Indian tribe, or a certified third-party appraiser under contract with the Indian tribe to appraise Indian land or trust assets involved in a transaction requiring the Secretary's approval.

Deems an appraisal that is conducted by an Indian tribe or by an appraiser under contract with an Indian tribe to be approved if the Secretary does not approve or disapprove of the appraisal within 60 days of receiving it.

Gives tribes the option of waiving such appraisals if they give the Secretary an unambiguous indication of tribal intent to do so that includes an express waiver of any claims they might have against the United States that result from forgoing the appraisal.

(Sec. 4) Requires each agency within the Department of the Interior involved in the review of oil and gas activities on Indian lands to use a uniform system of reference numbers and tracking systems for oil and gas wells.

(Sec. 5) Amends the National Environmental Policy Act of 1969 to make the environmental impact statement for major federal action on Indian lands available for review and comment only to the affected Indian tribe and individuals residing within the affected area.

(Sec. 6) Prohibits the Secretary from collecting a fee for: (1) applying for a permit to drill on Indian land, (2) oil or gas inspection activities on such lands, or (3) any oil or gas lease for nonproducing acreage on Indian land.

(Sec. 7) Requires plaintiffs who obtain a preliminary injunction or administrative stay in Indian energy related actions to post bond. (Indian energy related actions are those concerned with energy activities undertaken on Indian land or by Indian tribes on other lands.)

Subjects plaintiffs to liability for a defendant's harm should they not ultimately prevail on the merits of the energy related action. Prohibits plaintiffs in Indian energy related actions against the federal government from receiving certain federal payments for their fees or expenses.

(Sec. 8) Amends the Tribal Forest Protection Act of 2004 to direct the Secretary to enter into agreements with Indian tribes, from FY2014-FY2018, to carry out demonstration projects that promote biomass energy production on Indian forest land and in nearby communities by providing tribes with reliable supplies of woody biomass from federal lands.

Requires the creation of at least four new demonstration projects during each of those fiscal years.

Directs the Secretary, when reviewing project applications, to consider whether a proposed demonstration project will:

- increase the availability or reliability of local or regional energy,
- enhance the tribe's economic development,
- improve the connection of electric power transmission facilities serving the tribe with other electric transmission facilities,
- improve the forest health or watersheds of federal land or Indian forest land or rangeland, or
- otherwise promote woody biomass use.

Directs the Secretary, to the extent practicable, to incorporate management plans in effect on Indian forest land or rangeland into demonstration project agreements affecting those lands.

Prohibits the agreements from having a term that exceeds 20 years, but allows them to be renewed for up to ten additional years.

(Sec. 9) Considers activities conducted or resources harvested or produced pursuant to a tribal resource management plan or an integrated resource management plan approved by the Secretary to be a sustainable management practice when sustainability is federally required.

(Sec. 10) Amends the Long-Term Leasing Act to authorize the Navajo Nation to enter into commercial or agricultural leases of up to 99 years on their restricted lands without the Secretary's approval, provided they are executed under tribal regulations approved by the Secretary.

Allows the Navajo Nation to enter into mineral resource leases on their restricted lands without the Secretary's approval if they are executed under approved tribal regulations and do not exceed 25 years, though they may include a renewal option for one additional term not exceeding 25 years.

(Sec. 11) Prohibits any Department of the Interior rule regarding hydraulic fracturing, used in oil and gas development or production, from having any effect on land held in trust or restricted status for Indians, except with the express consent of its Indian beneficiaries.

Actions Timeline

- **Nov 12, 2013:** Reported (Amended) by the Committee on Natural Resources. H. Rept. 113-263.
- **Nov 12, 2013:** Placed on the Union Calendar, Calendar No. 189.
- **Jun 12, 2013:** Subcommittee on Energy and Mineral Resources Discharged.
- **Jun 12, 2013:** Subcommittee on Public Lands and Environmental Regulation Discharged.
- **Jun 12, 2013:** Subcommittee Indian and Alaska Native Affairs Discharged.
- **Jun 12, 2013:** Committee Consideration and Mark-up Session Held.
- **Jun 12, 2013:** Ordered to be Reported (Amended) by the Yeas and Nays: 25 - 15.
- **Apr 26, 2013:** Subcommittee Hearings Held.
- **Apr 23, 2013:** Referred to the Subcommittee on Energy and Mineral Resources.
- **Apr 23, 2013:** Referred to the Subcommittee Indian and Alaska Native Affairs.
- **Apr 23, 2013:** Referred to the Subcommittee on Public Lands and Environmental Regulation.
- **Apr 12, 2013:** Introduced in House
- **Apr 12, 2013:** Referred to the House Committee on Natural Resources.